

Open Meetings & Open Records

In compliance with RSMo sections 610.010-610.200 of the Open Meetings and Records law, commonly known as the Sunshine Law, the meetings, records and votes of the Cape Girardeau Public Library, its Board and any Board committees (herein referred as CGPL Board) are to be open to the public unless otherwise provided by law. For example, the CGPL Board may close any meeting, record or vote as allowed by the above referenced law or RSMo sections 182.815 and 182.817.

Open Meetings

- 1. The body shall give notice of the time, date, place and tentative agenda of each meeting. The notice shall be placed on the designated bulletin board at the Cape Girardeau Public Library at least 24 hours, exclusive of weekends and holidays when the facility is closed, prior to the meeting, unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given.*
- 2. Each meeting shall be held at a place reasonably accessible to the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. When it is necessary to hold a meeting on less than 24 hours notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirement shall be stated in the minutes.*
- 3. The CGPL Board may close meetings to the public as allowed by RSMo 610. Before closing a meeting to the public, a majority of a quorum of the CGPL Board must vote to do so in a public roll-call vote. The vote of each member of the CGPL Board on the question of closing a meeting or vote and the reason for closing the meeting by reference to a specific exception shall be announced at a public meeting and entered into the minutes. The CGPL Board shall give notice of the time, date and place of a closed meeting and the reason for holding it by reference to a specific exception. The notice shall comply with the procedures set forth in (1) above except a tentative agenda is not required. No other business may be discussed in a closed meeting that does not directly relate to the specific reason announced to close the meeting to the public. When closing a meeting, the CGPL Board must close only an existing portion of the meeting facility necessary to house the members of the CGPL Board in the closed session, allowing members of the public to remain to attend any subsequent open session held by the CGPL Board following the closed session.*
- 4. The CGPL Board shall allow for the recording by audiotape, videotape or other electronic means of any open meeting. The CGPL Board may restrict the manner in which such recording is conducted so as to minimize disruption to the meeting. No audio recording of any meeting, record or vote closed pursuant to the provision of section 610 shall be permitted without permission of the CGPL Board; any person who violates this provision shall be guilty of a class C misdemeanor.*

Open Records

- 1. All records that may be closed as allowed by law hereby are deemed closed records unless the CGPL Board votes to make them public.*
- 2. The Director, or Director's Designee, and the Executive Administrative Assistant shall be the custodian of records and will be responsible for maintenance and control of all records. The custodian shall provide public access to all public records. A request for such access shall be acted upon as soon as possible but no later than the third business day following the date the request is received by the custodian. If immediate access is not granted, the custodian shall give*

a detailed explanation for the delay and the place and earliest time and date the record will be available for inspection. This period for document production may exceed three days for reasonable cause.

- 3. If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requestor no later than the end of the third business day following the date the request for the statement is received.*
- 4. If a member of the CGPL Board transmits an e-mail relating to public business to at least four other members of the body so that, when counting the sender, a majority of members are copied, a copy of the e-mail shall be sent to either the custodian of records, or the member's public office computer. Any such message, received by the custodian or at the member's office computer shall be a public record subject to the exceptions above.*
- 5. The custodian shall charge the rate allowed by RSMO Sec. 610.026 per page for paper copies not larger than 9" by 14", an hourly fee for duplicating time, not to exceed the average hourly rate of pay for clerical staff, and the actual cost of research time. The custodian may require payment prior to duplicating copies.*

Fees for providing access to public records maintained on computer facilities, recording, tapes or disks, videotapes or films, pictures, maps, slides, graphic, illustrations or similar audio or visual items or devices, and for paper copies larger than 9 by 14 inches shall include only the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the public body required for making copies and programming, if necessary, and the cost of the disk, tape or other medium used for the duplication. Fees for maps, blueprints or plats that require special expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints or plats. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming.

Approved by the Board of Trustees of the Cape Girardeau Public Library this 22nd day of October, 2009. Amended June 30, 2022.