

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by FINAL DECISION

Paulette Crone

Complainant

Docket #FIC 85-121

against

The Connecticut Indian
Affairs Council

October 2, 1985

Respondent

The above captioned matter was heard as a contested case on August 1, 1985 at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record the following facts are found:

1. The respondent is a public agency within the meaning of section 1-18a(a), G.S.

2. By letter filed with the Commission May 23, 1985, the complainant alleged the respondent violated the Freedom of Information Act.

3. The complainant pursued only the part of the complaint which alleged that the respondent failed to file minutes of its April 16, 1985 meeting.

4. The regularly scheduled meeting of April 16, 1985 was cancelled because there was no quorum present.

5. No minutes of the cancelled meeting were produced.

6. The complainant claimed first that the respondent was ineffective because it failed to hold meetings at the regularly scheduled times because a quorum did not appear.

7. The complainant alleged that the respondent was required under the Freedom of Information Act to keep minutes which would show who appeared for a meeting of the respondent despite the fact that the meeting could not proceed because a quorum was not present.

8. The respondent admits that its inability to assemble a quorum renders it ineffective.

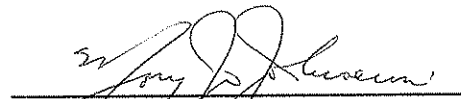
9. §1-19(a), G.S. provides in relevant part that public agencies, "shall make, keep and maintain a record of the proceedings of its meetings."

10. It is found that §1-19(a), G.S. does not require that an agency maintain a record of those appearing when a meeting is cancelled.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint.

1. The complaint is hereby dismissed.
2. Since the inability to constitute a quorum is a significant problem of the respondent, a public record which documents this problem would be a first step toward a solution. Therefore, the Commission would applaud efforts of the respondent to maintain a public record documenting the presence and the absence of its members at regularly scheduled meetings even when such meetings are cancelled due to lack of a quorum.

Approved by order of the Freedom of Information Commission at its special meeting of October 2, 1985.



Mary Jo Jolicoeur
Clerk of the Commission