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JON BRUNING
ATTORNEY GENERAL

NATALEE J. HART
ASSISTANT ATTORNEY GENERAL

May 18, 2010

Susan Christoffersen
204 Main St.
PO Box 73
Manley, Nebraska 68403

Re: *File No. 10-M-116; Manley Village Board; Susan Christoffersen*

Dear Ms. Christoffersen:

This letter is in response to your correspondence received by us on April 16, 2010, in which you requested that this office investigate alleged violations by the Village of Manley Board ("Board") of the Nebraska Open Meetings Act, Neb. Rev. Stat. §§ 84-1407 through 84-1414 (Reissue 2008, Supp. 2009). In accordance with our normal procedures, we requested a response from the Board after we received your complaint, and we subsequently received a response from the Board on May 7, 2010. We have now had an opportunity to review your allegations and the Board's response in detail, and our conclusions are set out below.

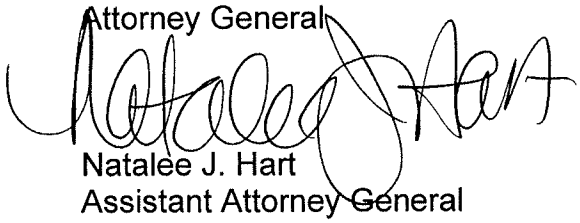
Our understanding of the facts in this case is based upon your correspondence, and the response from the Board. You have complained that that Board has violated the Open Meetings Act in three separate ways: (1) by not publicly posting the agendas for Board meetings, (2) by failing to publicly post the minutes from Board meetings, and (3) by closing the August 19, 2009 special meeting of the Board to the public. We have reviewed each of your complaints and have made a determination as to every one. We found no violations of the Open Meetings Act, specifically Neb. Rev. Stat. §§ 84-1411, 84-1412, or 84-1413. The agendas and minutes of the Board are in compliance with the Open Meetings Act requirements, as the Open Meetings Act does not require either the agendas or minutes to be "posted" or published on-line. Additionally, based upon the agenda and minutes, the August 19, 2009 meeting was open to the public.

In addition to your Open Meetings Act allegations, you also allege issues relating to the Village's dog ordinance and dog catcher. However, this office does not have general supervisory authority over governmental subdivisions in Nebraska. Thus, we can take no action on your complaint related to this matter.

If you disagree with the conclusion of this office, you may wish to consult your private attorney to determine what additional remedies, if any, are available to you under the Open Meetings Act.

Sincerely,

JON BRUNING
Attorney General



Natalee J. Hart
Assistant Attorney General

cc: Village of Manley

02-144-20