



**State Auditor
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OFFICE OF THE STATE AUDITOR

E-Update

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1. Deadline: Forfeiture Reporting
2. Reminder: Open Meeting Law Requirements for Fire Relief Associations
3. Avoiding Pitfalls: Claim Approval by the Governing Body

1. Deadline: Forfeiture Reporting

April 20th is the deadline for law enforcement agencies to report final disposition of property seized subject to forfeiture for the month of March. To report final disposition of forfeitures, please go to:

<https://www.auditor.state.mn.us/safes/>.

2. Reminder: Open Meeting Law Requirements for Fire Relief Associations

Boards of trustees for some volunteer fire relief associations will be holding meetings in the coming months to consider benefit level changes. Please remember that relief associations are subject to Open Meeting Law requirements. Relief association board meetings must be open to the public unless some portion of the meeting is closed for a purpose expressly authorized under Minnesota law.

The Open Meeting Law also contains notice requirements and requirements for making materials provided to the board members available in the meeting room for public inspection. Relief associations must record the votes on actions taken during meetings and must make the minutes available to the public during normal business hours where records of the association are kept.

The Information Policy Analysis Division (IPAD) of the Department of Administration has the authority to review Open Meeting Law questions and issue advisory opinions. Information regarding Open Meeting Law requirements is available on the IPAD website at <http://www.ipad.state.mn.us/index.html>.

Municipal trustees have all the same rights and duties as any other trustee on a relief association's board except the right to be an officer of the board. Municipal trustees therefore

have the right to vote, and should be provided with meeting materials and notice of board meetings.

3. Avoiding Pitfalls: Claim Approval by the Governing Body

Generally, the governing body of a public entity, as a whole, must approve the expenditure of public funds. The decision to expend public funds should be based upon a formal vote of the governing body that is memorialized in the meeting minutes.

On occasion, an elected official will authorize a payment on behalf of their public entity without first obtaining approval from the governing body. A public official who individually agrees to a payment of public funds runs the risk that the governing body will disagree. When that happens, the public official may be personally liable for the payment.

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