

**CONCERNS:**  
Councilor released attorney's letter

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Executive sessions are closed sessions, usually focused on personnel or legal matters. Media is allowed to attend, but not to report on discussions conducted in executive session. There is no specific sanction for breaking executive session, although if it involves litigation, there can be potential personal liability.

In a separate instance, the council was given access to work materials on the city's new website and the opportunity to give input. The website was (and remains) a work in progress and contained many placeholders. It was not considered ready for public dissemination and, Frye noted, it was made clear that the draft was for city staff and "council eyes only." Asson disseminated the work to members of the public, an action which several councilors thought inappropriate.

The action Frye said he considered most serious involved disseminating a document that Frye and other city officials considered attorney-client privileged. At Asson's request and with the council's agreement, City Attorney Steve Bryant provided a letter answering several specific questions regarding city approval of siting food carts at a downtown Sisters business (*see related story, page 1*).

The letter was labeled: "Via Email Only to City Council Members and City Manager." When *The Nugget* requested a copy of the letter, the city recorder told the paper that the communication was attorney-client privileged and could not be released before the Thursday workshop.

Asson provided a copy of the letter to Mike Morgan in advance of the meeting. At the meeting, the councilors officially agreed to make the letter public.

Frye took issue with Asson releasing what was considered privileged information on his own initiative.

"It was kind of the decision of this council to decide whether to make it public," he said. "I have no problem with the letter being public." (*The contents are available with the online version of this story at [www.nuggetnews.com](http://www.nuggetnews.com).*)

Asson made no response to Frye's concerns at the workshop. He responded to a request for comment from *The Nugget* via email. Regarding the attorney's letter, Asson wrote the following:

"Given the extensive communications circulating about the food cart issue, I requested that counsel prepare a written opinion to guide our next session... I released his opinion to Mr. Morgan without comment but hoped that it would add clarity to the discourse. This is a serious matter and we do not need to add another lawsuit to the three already pending. I want to get the matter

discussed by all parties, not just those inside City Hall and their supporters.

"As part of Mayor Frye's remarks, he justified his censure of me on this point stating Mr. Bryant made known that his response was attorney-client privileged. He attributed the phrase "Via Email Only to City Council Member and City Manager" as reasoning. Oddly, in the same session, a head nod assured that the opinion should be made public. This is not a good beginning to the often promised more transparent administration.

"I savor my right to inform interested readers and will continue the practice."

*(The full text of Councilor Asson's response is available with the online version of this story at [www.nuggetnews.com](http://www.nuggetnews.com).)*

**“ To work together cooperatively, which is of the utmost importance, we have to have trust and mutual respect for each other. — Mayor Chris Frye**

For Frye, the issue revolves around how councilors work together.

"To work together cooperatively, which is of the utmost importance, we have to have trust and mutual respect for each other," he said.

**Sisters salutes...**



PHOTO BY JIM CORNELIUS

Members of Sisters Band of Brothers saluted Ray's Food Place for providing a place to sell raffle tickets.

• Sisters Band of Brothers veterans presented a plaque to Ray's Food Place last week in appreciation for the market allowing them space to conduct a raffle for an electric bike. The Sisters organization plans to raffle another bike soon, with proceeds going to the Band of Brothers outreach work.

• Tate Metcalf gave a shout-out to the participants in the Resolution Run and Sisters Athletic Club members for providing over 300 pounds of healthy food to the Kiwanis Food Bank. The run was put on by Sisters Athletic Club and Sisters

Multi-Sport on New Year's Day.

• Kiwanis Club of Sisters offers a salute and thanks to all who bought See's Candies and supported Sisters Kiwanis this year. And a special salute to Ray's Food Place for use of their parking lot and to All Season RV in Bend for providing the trailer. All profits will be returned back to community projects and local programs such as college scholarships and the career opportunity fund. See [www.sisterskiwanis.org](http://www.sisterskiwanis.org) for details on Kiwanis programs.

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