



## CLOSED SESSION MINUTES POLICY

“(1) Full and accurate written minutes and a written general account shall be kept of each closed session in such form that a person not in attendance would have a reasonable understanding of what transpired. The written minutes and general account of closed sessions may be combined into one record called ‘minutes.’

“(2) The minutes shall be taken by the Town Clerk. In the absence of the Town Clerk, the minutes shall be taken by the Town Attorney. Draft minutes may be made available only to the Town Clerk, Town Manager, Assistant Town Manager, Town Attorney and Town Council Members.

“(3) Closed session minutes shall be approved by the town council during a subsequent closed session or in Open Session as part of the Consent Agenda. In either case, each Board member shall initial his/her copy and all copies shall be retrieved by the Town Clerk or Town Attorney.

“(4) All minutes of closed sessions shall be sealed, unless sealing is not legally permissible.

“(5) The Town Attorney, Town Manager, and Town Clerk are authorized and directed to review periodically (no less than annually and preferably every six months) each set of closed session minutes created since the previous such review, and earlier sets that remained sealed following previous reviews, to determine if their disclosure would no longer frustrate the purpose for which the closed session was held.

“(6) Minutes pertaining to the attorney-client privilege shall be brought by the Town Clerk or Town Attorney to the Town Council for unsealing, unless said minutes pertain to lawsuits or legal issues that have been fully and finally resolved or otherwise definitively mooted. Other minutes

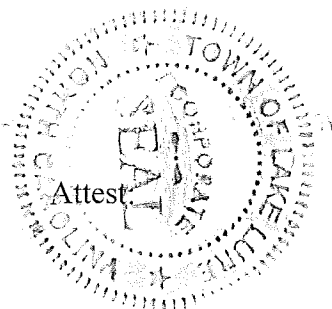
may be brought to the town council by the Town clerk or Town Attorney for unsealing or may be unsealed as provided below.

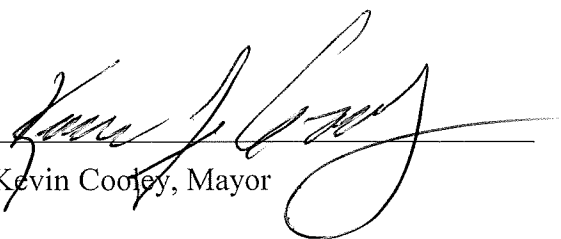
“(7) If minutes are not required to be brought to the Town Council for unsealing, the Town Council authorizes the Town Attorney to unseal the minutes (with redactions as appropriate) if the Town Attorney finds that disclosing the closed session minutes (or some redacted part of them) would not frustrate the purpose for which the closed session was held and is not otherwise precluded by state or federal law. No further council action is necessary to unseal closed session minutes pursuant to this paragraph.

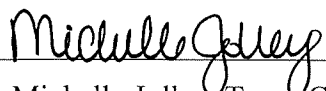
“(8) Following the unsealing of closed session minutes by the Town Attorney or Town Council, the unsealed minutes shall be returned to the Town Clerk, maintained in a separate volume of unsealed minutes (whether in hard copy or electronic form) and made available for public inspection upon request.”

(9) This policy shall become effective upon adoption. It is intended that this policy be applied retroactively to all closed session minutes since the Town’s incorporation. If specific closed session minutes are requested which were created prior to the adoption of this policy, said minutes shall be examined as set forth in paragraph 5 above.

Adopted this 12<sup>th</sup> day of February, 2019.



  
Kevin Cooley, Mayor

  
Michelle Jolley, Town Clerk