

ORIGINAL

RESOLUTION NO. R-2016-03

A RESOLUTION APPROVING THE CONTENT OF AND/OR RELEASE OF CERTAIN EXECUTIVE SESSION MEETING MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD (2011 FULL YEAR REVIEW)

WHEREAS, the Corporate Authorities of the Village of Maywood, Cook County, Illinois ("Corporate Authorities"), have, on occasion, believed it to be necessary to meet in "Executive Session" (also referred to as "Closed Session") and have entered and conducted such meetings in accordance with the requirements of the Open Meetings Act (5 ILCS 120/1, et seq.) ("OMA"); and

WHEREAS, the minutes of the Executive Session meetings have been duly recorded by the Village Clerk pursuant to the requirements of the OMA. In addition, since 2004 as required by the OMA, the Village Clerk has prepared a verbatim record of all Executive Session meetings in the form of audio recordings, which recordings are subject to destruction or release for public inspection, as directed by the Corporate Authorities, once the written minutes of the Executive Session meetings are prepared and approved by the Corporate Authorities. The recordings are to be destroyed only after the written minutes are approved and the mandatory 18 month waiting period has expired; and

WHEREAS, the OMA also requires the Corporate Authorities to meet, at least semi-annually, to review the minutes of Executive Session meetings in order to approve their content and to determine whether such minutes, or any portions thereof, can be released for public review or remain closed to public review; and

WHEREAS, the Corporate Authorities have reviewed the minutes of all duly recorded Executive Session meetings, as identified below, and have made the following determinations about: (1) the approval of the content and the advisability of the release of the Executive Session meeting minutes or the retention of such minutes; (2) the destruction of certain verbatim audio recordings of the Executive Session meetings as permitted by the OMA; and (3) the need to maintain the confidentiality of certain verbatim audio recordings of the Executive Session meetings until such future time as the Corporate Authorities decide to either release or destroy the audio recordings in accordance with the OMA.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each of the recitals in the Whereas paragraphs set forth above are incorporated into Section 1 of this Resolution.

SECTION 2: The content of the following Executive Session meeting minutes are approved and may be released for public inspection, except for those parts of the minutes that still need to remain confidential as noted below in Section 3:

- January:** January 18, 2011 (Item #2 only)
- February:** None
- March:** None

April: None
May: None
June: None
July: July 19, 2011 (Item #2 only)
August: None
September: None
October: October 4, 2011 (Item #4 only)
November: None
December: December 6, 2011 (Items #1 and #2 only) and
 December 20, 2011 (Item #1 only)

SECTION 3: The content of the following Executive Session meeting minutes are approved but the need for confidentiality still exists as to all or part of these minutes as noted below:

January: January 18, 2011 (Item #1 only) and
 January 26, 2011 (Special Board Meeting)
February: February 15, 2011
March: March 17, 2011
April: None
May: None
June: June 7, 2011 and June 30, 2011 (Special Board Meeting)
July: July 9, 2011 (Special Board Meeting), July 16, 2011 (Special Board Meeting)
 and July 19, 2011 (Items #1 and #3 only) and July 23, 2011 (Special Board
 Meeting)
August: August 16, 2011, August 24, 2011 (Special Board Meeting) and
 August 30, 2011 (Special Board Meeting)
September: None
October: October 4, 2011 (Items #1, #2, and #3 only) and October 18, 2011
November: November 1, 2011
December: December 6, 2011 (Items #3, and #4 only) and
 December 20, 2011 (Items #2 and #3 only)

SECTION 4: The Corporate Authorities further make the following determination: All other Executive Session meeting minutes from prior years and those that have not been included in this Resolution or previously adopted Resolutions, and their related audio

recordings, which minutes have not already been approved for release for public inspection, and which audio recordings have not already been approved for destruction per the OMA, shall remain confidential and closed from public inspection until, at least, the next periodic review by the Corporate Authorities, or as directed by the Corporate Authorities in accordance with an adopted Resolution that supersedes the determinations of the Corporate Authorities as set forth in this Resolution or any previously adopted Resolutions.

SECTION 5: Beginning January 1, 2004, the Act requires that a verbatim record of all Executive Session meetings be kept in the form of an audio or video recording and that such recordings can be destroyed but only after the Corporate Authorities (a) approve the written meeting minutes for each completed Executive Session meeting and (b) authorize the destruction of such recordings, provided at least 18 months has passed since the date of the last such approval or authorization. The Village has elected to maintain a verbatim record of all Executive Session meetings in the form of audio recordings. The Corporate Authorities make the following determinations as follows:

A. In regard to all prior Executive Session meetings where the written minutes have not be prepared at this time, there is still a need for confidential treatment of the audio recordings of those Executive Session meetings until such time as the written minutes are prepared and approved by the Corporate Authorities and a final decision is made by the Corporate Authorities as to the destruction of the audio recordings or the release of such audio recordings for public inspection.

B. Each of the audio recordings of Executive Session meetings, which were completed more than 18 months ago and for which written minutes have been prepared and approved by the Corporate Authorities more than 18 months ago, shall be destroyed by the Village Clerk on the next business day following the approval date of this Resolution.

SECTION 6: The Village President is authorized and directed to sign and the Village Clerk is authorized and directed to attest to this Resolution.

ADOPTED this 13th day of January, 2016, pursuant to a roll call vote as follows:

AYES: Mayor E. Perkins, Trustee(s) H. Yarbrough, A. Dorris, and
M. Rogers

NAYS: None

ABSTAIN: Trustee(s) I. Brandon and R. Rivers

ABSENT: Trustee M. Lightford

APPROVED by me, and attested by the Village Clerk, on this 13th day of January, 2016.

ATTEST:


VILLAGE CLERK





VILLAGE PRESIDENT

