

Resolution #: _____

RESOLUTION ESTABLISHING A POLICY FOR THE RECORDING OF CLOSED SESSION MINUTES

WHEREAS, as a political subdivision of the State of North Carolina, Buncombe County exists solely to conduct the people's business, and it is the public policy of North Carolina that the hearings, deliberations, and actions of public bodies be conducted openly;

WHEREAS, pursuant to NCGS §143-318.10, a public body is currently required to "keep full and accurate minutes of all official meetings, including any closed sessions held pursuant to G.S. 143-318.11. Such minutes may be in written form or, at the option of the public body, may be in the form of sound or video and sound recordings. ... [and such minutes and accounts shall be public records ... provided, however, that [closed session] minutes ... may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session; and

WHEREAS, subject to existing laws regarding confidentiality of personnel records, this Board desires to exercise its option and establish a policy that all closed sessions held by the Board shall be recorded in the form of sound or video and sound recordings.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Buncombe County, North Carolina, as follows:

1. All closed sessions of this Board shall be recorded by the County in the form of sound or video and sound recordings. The recordings of closed sessions that become eligible for public inspection must be retained for at least two years from the date of the public release of the recording. Release of a recording of a closed session shall be governed by subsection G.S. 143-318.10(e). The recording shall be a supplement to the general account of the closed session. The obligation created under this subsection to record a closed session using sound or video and sound recording does not apply to a closed session or a portion of a session that is closed pursuant to G.S. 143-318.11(a)(6).
2. That Section XV. CLOSED SESSIONS, of the Rules and Procedures for the Board of County Commissioners, is amended to read:
 - A. The Board may hold closed sessions as provided by law. It shall commence a closed session by a majority vote to do so and terminate a closed session in the same manner.

B. All closed sessions of this Board shall be recorded by the County in the form of sound or video and sound recordings. The recordings of closed sessions that become eligible for public inspection must be retained for at least two years from the date of the public release of the recording. Release of a recording of a closed session shall be governed by subsection G.S. 143-318.10(e). The recording shall be a supplement to the general account of the closed session. The obligation created under this subsection to record a closed session using sound or video and sound recording does not apply to a closed session or a portion of a session that is closed pursuant to G.S. 143-318.11(a)(6).

3. This policy is not required of the various boards or committees which are a part of or affiliated with this Board, nor is it required of groups to which Buncombe County appropriates funds.
4. This Resolution is effective upon its adoption.

This the ____ of April, 2015.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

County Attorney