

ORDINANCE NO. records-07

**AN ORDINANCE ESTABLISHING PROCEDURES
FOR THE RECORDING OF CLOSED SESSIONS AND
DESTRUCTION OF RECORDINGS**

WHEREAS, Hanover Township (the "Township") is an Illinois public body within the meaning of Section 1.02 of the Open Meetings Act (the "Act") (5 ILCS 150/1.02); and

WHEREAS, the Illinois General Assembly enacted Public Act 93-523 amending the Act, to require public bodies to record closed or executive session meetings; and

WHEREAS, the Illinois General Assembly enacted such legislation to have a mechanism by which to review whether Illinois public entities have violated the provisions of the Act while conducting their closed sessions; and

WHEREAS, the Hanover Township Board of Trustees (the "Board") seeks to establish procedures by which the Township will comply with the provisions of the new law; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of Hanover Township, Cook County, Illinois, as follows:

SECTION ONE: ***Recording Closed Sessions.*** The Township shall keep a verbatim record of all closed or executive session meetings of the Board or any subsidiary "public body" as defined by Section 1.02 of the Act, 5 ILCS 120/1.02. The verbatim record shall be in the form of an audio recording.

SECTION TWO: ***Responsibility for Recording Closed Sessions and Maintaining Recordings.*** The Township Clerk shall be responsible for arranging for the recording of such closed or executive sessions of the Township Board. In the absence of the Township Clerk, the meeting Chair will arrange for the audio recording of the closed or

executive session of the Township Board. Each subsidiary public body of the Township shall designate an individual who will be responsible for the recording of any and all closed or executive sessions of the subsidiary body and for providing the Township Clerk with a copy of such recording. The Township Clerk, or his designee, shall securely maintain the verbatim recordings of all closed sessions of the Board and all subsidiary public bodies of the Township.

SECTION THREE: *Closed Session Minutes.* In addition to the recordings of closed and executive sessions as addressed in this Ordinance, the Township will keep written minutes of all closed meetings in accordance with the requirements of the Act.

SECTION FOUR: *Procedure for Recording.* At the beginning of each closed session, the Chair or Township Clerk shall identify all Board members and other persons present by voice for the audio recording. The meeting Chair or Township Clerk shall also announce the times the closed session commences and ends at the appropriate points on the recording.

SECTION FIVE: *Procedure for Review of Closed Session Minutes and Recordings.* At one meeting at least every six months, the Board shall review closed session minutes in accordance with Section 2.06(d) of the Act. The review of shall occur in closed session. No minutes and/or recordings, or any portion thereof, shall be released unless the Board determines that such minutes, recordings, or portions thereof no longer require confidential treatment and are available for public inspection. As to any minutes and/or recordings not released, the Board shall determine that the “need for confidentiality still exists” as to those minutes and/or recordings. Such determination shall be reported in open session, and no vote or final action by the Board shall take place in closed session. Written minutes of closed sessions shall be kept indefinitely.

SECTION SIX. *Maintenance and Public Release of Recordings and*

Access to Tapes. The tape recordings of closed sessions shall be maintained for 18 months after the closed session and shall not be released to the public unless such release is required by a court order or specifically authorized for release by the Board. Members of the Board may listen to the closed session recordings. Copies of such tapes will not be made or provided to anyone unless specifically authorized by the Board.

SECTION SEVEN: *Procedure for Destruction of Recordings.* The

Township Clerk or his designee is hereby authorized to destroy the recordings of those closed sessions for which:

- A. The Board has approved the minutes of the closed sessions that meet the written minute requirements set forth in Section 2.06(a) of the Act, regardless of whether the minutes have been released for public review;
- B. More than 18 months have elapsed since the date of the closed session;
- C. There is no court order requiring the preservation of such recording; and
- D. The Board has not passed a motion requiring the preservation of the verbatim recording of that meeting.

SECTION EIGHT: *Severability.* If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION NINE: *Repeal of Prior Ordinances.* All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TEN: *Effective Date.* This Ordinance shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE:

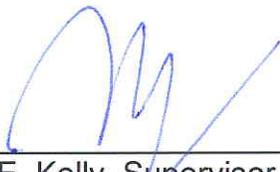
AYES: *Supervisor Kelly, Trustees Dolan Baumer, Goffinski and Runzel*

NAYS: *0*

ABSENT: *Trustee KRAMER*

PASSED: July 10, 2007

APPROVED: July 10, 2007



Michael E. Kelly, Supervisor

ATTEST:



Brian P. McGuire, Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance No. *records-07*, which was duly enacted on July 10, 2007, and approved on July 10, 2007, as the same appears from the official records of the Hanover Township.



Brian P. McGuire, Clerk