

# Sound Recording of Closed Sessions and Disclosure of Sound Recordings and Minutes of Closed Sessions Policy



The Clerk to the Board of Commissioners shall make a sound recording of all closed sessions of the Board of Commissioners except for closed sessions to “prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States or is not considered a public record within the meaning of Chapter 132 of the General Statutes” (N.C.G.S. 143-318.11 (a)(1), or closed sessions about personnel matters (N.C.G.S. 143-318.11 (a)(6). The sound recordings for each purpose of a closed session shall be kept separately to facilitate public disclosure of the sound recording of those portions of a closed session which may be disclosed. The sound recording of closed sessions shall be held in a confidential file by the Clerk to the Board until either the County Attorney or the Board of Commissioners has determined that public inspection would not frustrate the purpose of the closed session which was recorded.

The sound recording of a closed session shall be reclassified as no longer needing to be held in confidence when the minutes of the closed session have been reclassified as provided below. ~~The sound recording will be made available for public inspection by the Clerk to the Board for two years. At the end of the two years the sound recording can be discarded, unless the Board determines it needs to be kept longer. Once the minutes of a closed session are approved by the Board of County Commissioners, the sound recording can may be discarded.~~

~~The Clerk to the Board will prepare an agenda item for submission to the Board to affirm the discarding of Closed Session Recordings at the end of the two-year period. The two-year period will not begin until the minutes of that particular Closed Session have been released for public inspection.~~

## Disclosure of Minutes of Closed Sessions

The Clerk to the Board of Commissioners shall prepare and keep minutes of closed sessions of the Board of Commissioners. The minutes for each purpose of a closed session shall be kept on a separate sheet of paper to facilitate public disclosure of those portions of a closed session which may be disclosed. Draft and approved minutes of closed sessions shall be held in a confidential file by the Clerk to the Board until either the County Attorney or the Board of Commissioners has determined that public inspection would not frustrate the purpose of the closed session for which the minutes were prepared.

~~At least once monthly t~~The County Attorney shall review minutes of prior closed sessions to determine whether any of such minutes may be reclassified as no longer needing to be held in confidence. Upon

such a determination, the Clerk to the Board shall place the minutes of such closed sessions into a public inspection file which the Clerk shall maintain in the Office of the Clerk.

In addition, any County Commissioner and any member of the public may request that the County Attorney review the minutes of a specific closed session to determine whether it can be disclosed to the public. Should there be any disagreement about whether the minutes of any particular closed session can be made public, any County Commissioner or any member of the public may request that the entire Board of Commissioners review the minutes of such closed session and make a determination as to whether the minutes of that session may be made public or whether the minutes of such closed session should be withheld from public inspection because public inspection would frustrate the purpose of the closed session.

Minutes of prior closed sessions placed in the public inspection file shall be classified as public records to be available for inspection by members of the public.

**ADOPTED:** September 7, 1994

**REVISED:** February 17, 2009

August 7, 2024

**EFFECTIVE:** ~~March 3, 2009~~

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