



MEMO TO: Board of Directors  
FROM: Leslie Bednar  
DATE: October 18, 2017  
RE: IHLS Closed Session Minutes Procedure

Attached please find our process for handling closed board sessions. While executive sessions are the exception and not the rule, I hope it is helpful to have the procedure and pertinent forms all together in one document.

Included are:

- step by step instructions
- IHLS closed meeting minute form
- list of exceptions allowing a closed meeting under the Open Meetings Act (5 ILCS 120 § 2(c))

We will have paper copies of the document available at all board meetings, and recommend committee chairs maintain a physical copy as well. If you would like additional hard copies and/or an electronic copy please let me know.

Thank you for your consideration.

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IMAGINING TOMORROW ~ DELIVERING POSSIBILITIES TODAY!

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## IHLS Closed Session Procedures

- Turn on the recording device
- Before discussion begins the Board President or the Committee Chair must announce the **type of meeting, reason for closed session, date and time;**  
*“This is a closed session for the Illinois Heartland Library System board meeting, October 21<sup>st</sup>, 2017, starting at 4:58 p.m.”*
- Roll call
- When making a motion the member must first state their name
- When making a comment the speaker must first state their name
- State the time the board/committee returns to open session
- Board meeting recordings will be sent to the Secretary of the board for transcription of minutes
- Committee meeting chairs will transcribe the minutes
- The minutes must be transcribed within 10 days
- The transcriber sends the recording & transcription to the Executive Assistant *and* the Executive Director

Semi-annually (June & January), the board must meet to review the minutes of any closed sessions that occurred and determine whether the minutes of those closed sessions need to remain confidential. If the board determines that it is no longer necessary to have the minutes remain confidential, the minutes must be posted on the website.

Once recordings are reviewed and approved for destruction by the board, IHLS staff will submit an application to the Illinois State Archives for permanent destruction.



Illinois Heartland Library System

Minutes of Closed Meeting

\*\*\*TURN ON RECORDER\*\*\*

Date: \_\_\_\_\_ Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_

Place of Meeting: \_\_\_\_\_

Vote on Closing: Members Aye: \_\_\_\_\_ Members Nay: \_\_\_\_\_

Members Present:	Location	Members Present	Location

Non-Members Present:	Location	Non-Members Present	Location

Members Absent:

**Applicable Statutory Section:\***

[See next page for numbers, include any applicable ones] \_\_\_\_\_

**Subject Matter Discussed:**

[Description of all matters proposed, discussed or decided]

**Record of any Vote Taken:** [No final action may be taken in closed session]

Specify movants and record tallies:

Secretary: \_\_\_\_\_

## Exceptions Permitting Closed Sessions:\* Citation to Section

2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel, including hearing testimony on a complaint lodged against an employee or against legal counsel to determine its validity.

2(c)(2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

2(c)(3) The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.

2(c)(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

2(c)(5) The purchase or lease of real property for the use of the public body.

2(c)(6) The setting of a price for sale or lease of property owned by the public body.

2(c)(7) The sale or purchase of securities, investments, or investment contracts.

2(c)(8) Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff the public or public property.

2(c)(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

2(c)(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member.

2(c)(15) Professional ethics or performance when considered by an advisory body, appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

2(c)(16) Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

2(c)(21) Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by

Section 2.06 of the Open Meetings Act.

\* The exceptions listed are those applicable to public libraries in the words of the statute. Other exceptions may apply to other forms of governmental bodies. Although stricken by statutory amendment, we believe a constitutional exception continues to exist permitting closed session to consult with an attorney on privileged matters.