

NORTHERN MORAINÉ WASTEWATER RECLAMATION DISTRICT

RESOLUTION NO. 23- 06

**A RESOLUTION APPROVING AND AFFIRMING A POLICY
CONCERNING VERBATIM RECORDINGS OF DISTRICT MEETINGS**

WHEREAS, in accordance with the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* (“**Act**”), the Board of Trustees (the “**District Board**”) of the Northern Moraine Wastewater Reclamation District (the “**District**”) permits any person, in their individual capacity, to make recordings, transcriptions, or other verbatim records of open meetings of the District Board; and

WHEREAS, to clarify the exercise of such rights, the District Board desires to adopt a “District Meetings Recording Policy” (the “**Policy**”), which Policy shall regulate the creation and maintenance of audio and video recordings and other verbatim records of the public meetings of the District Board in accordance with the Act and other applicable law; and

WHEREAS, the Board finds and determines that formalizing the practices set forth in the Policy is useful and in the best interests of the District and its residents;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHERN MORAINÉ WASTEWATER RECLAMATION DISTRICT THAT:

SECTION ONE: Recitals. The foregoing recitals are incorporated into and made a part of this Resolution as findings of the Board.

SECTION TWO: Adoption of Policy. The “District Meetings Recording Policy” attached to this Resolution as **Exhibit A** shall be, and it is hereby, approved.

SECTION THREE: Effective Date. This Resolution, and the Policy, shall be in full force and effect from and after this Resolution's passage and approval in the manner provided by law.

EXHIBIT A

District Meetings Recording Policy

NORTHERN MORAIN WASTEWATER RECLAMATION DISTRICT

DISTRICT MEETINGS RECORDING POLICY

- I. BACKGROUND AND PURPOSE. The Open Meetings Act requires all public bodies to keep minutes of their meetings, whether open or closed, and to maintain a verbatim record of all closed meetings in the form of an audio or video recording. The Open Meetings Act also provides that any person may record the proceedings of an open meetings by tape, film, or other means, subject to such reasonable rules as the public body may prescribe. This Policy sets forth specific procedures relating to making video and audio recordings and other verbatim records of meetings of the Northern Moraine Wastewater Reclamation District Board of Trustees (the "Board") and all committees of the Northern Moraine Wastewater Reclamation District (the "District") and other subsidiary boards, committees, commissions, and bodies of the District that are subject to the Open Meetings Act ("Subsidiary Bodies").
- II. OFFICIAL RECORD OF DISTRICT MEETINGS. Minutes shall be prepared and approved for all open and closed meetings of the Board and all Subsidiary Bodies in the manner prescribed by the Open Meetings Act ("Minutes"). Minutes shall include, at a minimum, the date, time, and place of the meeting; the members of the public body that are present and those that are absent; a summary of discussion on all matters proposed, deliberated, or decided; and a record of any votes taken. The approved Minutes shall be deemed the official record of the meeting.
- III. AUDIO, VIDEO, AND OTHER VERBATIM RECORDINGS.
 - A. Closed Meetings. The District shall make and maintain a verbatim record of all closed meetings of the Board or any Subsidiary Body by means of an audio or video recording in accordance with the requirements of the Open Meetings Act and any policies or rules adopted by the Board to implement such requirements.
 - B. Open Meetings For Which Recordings Are Authorized. If the Board deems it appropriate to make a verbatim record of any open meeting of the Board or a Subsidiary Body, or any portion of any such meeting, then the Board may authorize and direct that such record be made by formal vote of the Board. The Board may specify that the verbatim record be made by means of an audio or video recording, transcription, or other method. The District President or chairperson of any Subsidiary Body may authorize a certified transcription of any statutorily required public hearing that occurs during an open meeting of the Board or such Subsidiary Body.
 - C. All Other Open Meetings. Except as provided in Sections III.A and III.B of this Policy, no audio or video recording or other verbatim record shall be made, prepared, or maintained by or on behalf of the District, the Board, any Subsidiary Body, or any District official or employee in his or her official capacity.
 - D. Verbatim Record Not Official Record of Meeting. Any verbatim record of an open meeting made in accordance with Section III.B of this Policy shall be available for public inspection and copying in accordance with the Freedom of Information Act (5 ILCS 140/1 *et seq.*), but it shall not be considered part of

the official record of any meeting. Rather, the approved Minutes shall be deemed the official record of the meeting as set forth in Part II of this Policy.

- IV. DUTIES OF CLERK OR DESIGNEE. The District Clerk, or her or his designee, shall be responsible for creating verbatim records when required by this Policy ("**Official Verbatim Records**"). The Clerk shall be responsible for maintaining, storing, managing access to, and disposing in accordance with the Local Records Act [50 ILCS 205] all Official Verbatim Records in accordance with this Policy and applicable law. Neither the Clerk nor any other officer, official, or employee of the District shall create or maintain Official Verbatim Records of any District meeting by or on behalf of the District except where required by the Policy; provided, however, that this Policy shall not be deemed to prohibit the Clerk or any other person from creating a verbatim record in her or his individual capacity for personal use as provided in Section V.
- V. PERSONAL RECORDINGS. Notwithstanding any other provision of this Policy to the contrary, any person (including any other officer, official, or employee of the District acting in an individual capacity) may make or cause to be made an audio or video recording, transcription, or other verbatim record of any meeting of the Board or Subsidiary Bodies in accordance with Section 2.05 of the Open Meetings Act (5 ILCS 120/2.05); provided that the method by which the recording or record is made does not: (A) unreasonably disrupt or interfere with the orderly proceedings of the Board or Subsidiary Body; or (B) unreasonably impair the ability of other members of the public to observe, participate in, and/or record the meeting in accordance with law. The District President or chairperson of any Subsidiary Body may establish rules and limitations on the manner that a person makes a personal recording to ensure that no interference or disruption of a meeting occurs. If a District official or employee makes a verbatim record of any District meeting when not required to do so by this Policy, then they shall be deemed to have done so in their individual capacity for their own personal use. No verbatim recording of any meeting of the Board or Subsidiary Bodies shall be deemed an Official Verbatim Record unless it is prepared in accordance with Section III.A or III.B of this Policy.

PASSED This 8th day of August, 2023.

AYES: 4

NAYS: 0

ABSENT: 0

ABSTAIN: 0

APPROVED This 8th day of August, 2023.



Ken A. Lebeck
President

ATTEST:

Elisa Fisher
District Clerk