

**RESOLUTION NO. T-2018-09-013R**

**RESOLUTION REGARDING THE RELEASE OF CLOSED SESSION MINUTES**

**(For the period ending August 31, 2018)**

**WHEREAS**, the Town of Cunningham in the City of Urbana, Illinois (hereinafter, the "Township") is a unit of local government pursuant to Section 1 of Article VII of the State of Illinois Constitution of 1970; and

**WHEREAS**, the Town of Cunningham, Urbana, Illinois has met from time to time in closed session for purposes authorized by the Illinois Open Meetings Act, 5 ILCS 120; and

**WHEREAS**, the Town Clerk has kept written minutes of all such closed session meetings, as required by the Act; and

**WHEREAS**, pursuant to the requirements of 5 ILCS 120/2.0G(d), the Town Board has met in closed session to review all closed session minutes; and

**WHEREAS**, the Town Board has determined that the minutes of the meetings listed on Schedule A, attached hereto, no longer require confidential treatment and should be made available for public inspection; and

**WHEREAS**, the Town Board has further determined that a need for confidentiality still exists as to the closed session minutes from the meetings set forth on Schedule B, attached hereto; and

**WHEREAS**, Section 2.06 of the Act, 5 ILCS 120/2.06, requires all public bodies to keep verbatim records of all closed session meetings in the form of audio or video recordings; and

**WHEREAS**, the City Clerk has kept such records as required by the Act; and

**WHEREAS**, Subsection (c) of Section 2.06 of the Act, 5 ILCS 120/2.06(c), authorizes a public body to destroy such verbatim records without notification to or the approval of a local records commission or the State Archivist no less than 18 months after the completion of the meeting recorded, but only after the public body approves the destruction of a particular recording and approves written minutes of the closed meeting; and

**WHEREAS**, no less than 18 months have passed after the completion of the closed session meetings listed in Schedule C of this Resolution; and

**WHEREAS**, the Town Board heretofore has approved the written minutes of such meetings; and

**WHEREAS**, the Town Board has determined that the verbatim records of the closed session meetings listed in Schedule C of this Resolution no longer need to be retained and are authorized for destruction.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Board of Cunningham, Urbana, Illinois, as follows:

**Section 1.** The closed session minutes from those meetings set forth on Schedule A, attached hereto, shall be and are hereby released.

**Section 2.** The Town Clerk is hereby authorized and directed to make said minutes listed in Schedule A available for posting on the Town of Cunningham's website, for inspection and copying in accordance with the standing procedures of the Clerk's office.

**Section 3.** The closed session minutes from those meetings set forth on Schedule B, attached hereto, shall be and hereby are retained as confidential pending further review in the future to determine their eligibility for release.

**Section 4.** Pursuant to Section 2.06(c) of the Open Meetings Act, the verbatim records of the closed session meetings set forth in Schedule C, attached hereto and hereby incorporated by reference, are hereby approved for destruction.

**Section 5.** This resolution shall be in full force and effect from and after its passage and approval according to law.

Passed By The Township Board of The Town of Cunningham, Urbana, Champaign County,  
State of Illinois this 4<sup>th</sup> Day of September, 2018.

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Charles A. Smyth, Township Clerk

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Diane Wolfe Marlin, Township Chair

## SCHEDULE "A"

### Closed Session Minutes Recommended for release

12/18/2017	Town Board	Review of Closed Session Minutes	5 ILCS 120/2(c)(21)
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## SCHEDULE "B"

### Closed Minutes not Eligible for Release Due to a Need for Confidentiality as of August 2018

5/24/2010	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
9/24/2012	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
11/4/2013	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
1/5/2015	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
2/2/2015	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
4/6/2015	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
1/8/2018	Town Board	Employment, Compensation, and Dismissal of Specific Employees	5 ILCS 120/2(c)(1)

## Schedule C

### Verbatim Records of Closed Session Meetings Recommended for Destruction

5/24/2010	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
9/24/2012	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
11/4/2013	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
1/5/2015	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
2/2/2015	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)
4/6/2015	Town Board	Pending Litigation	5 ILCS 120/2(c)(11)