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BELVIDERE TOWNSHIP
BOONE COUNTY, ILLINOIS

RESOLUTION
NUMBER #04-2013

A RESOLUTION ESTABLISHING A POLICY REGARDING THE TAPE
RECORDING OF PUBLIC MEETINGS BY TOWNSHIP OFFICIALS

PATRICK J. MURPHY, Township Supervisor

JUDY SCHABACKER, Township Clerk

KATHY GROVER
RICHARD NELSON
BILL J. ROBERTSON
ROBERT "BOB" TURNER
Township Trustees

Published in pamphlet form by authority of the Township Supervisor and the Township Board of Belvidere Township,
Belvidere, Illinois on August 13, 2013

Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C. – 1979 Mill Street, Suite 207, Naperville, IL 60563

RESOLUTION NO. #04-2013

**A RESOLUTION ESTABLISHING A POLICY REGARDING THE TAPE
RECORDING OF PUBLIC MEETINGS BY TOWNSHIP OFFICIALS**

WHEREAS, the Township chooses to make audio tape recordings of Township Board meetings and certain other meetings of Township committees; and

WHEREAS, the Township Clerk and other Township officials, as private citizens, have the right to tape record public meetings under Section 120/2.05 of the Open Meetings Act, 5 ILCS 201/2.05, as do other members of the public; and

WHEREAS, the Township Supervisor and Township Board of the Township have determined that it is in the best interests of the Township to establish a policy pertaining to such recordings; and

WHEREAS, the principal purpose of the recordings is to aid the Township Clerk in the preparation of accurate minutes of a meeting and to refresh other Township officials' recollection of what transpired at meetings so that they may approve the official Township minutes of the meetings; and

WHEREAS, the minutes of the Township meetings are the Township's official record of what transpired at those meetings; and

WHEREAS, the Public Access Counselor of the Illinois Attorney General's office has recognized in 2010 PAC 6583 that public bodies are not required to audio or video record meetings that are open to the public; and

WHEREAS, the Public Access Counselor of the Illinois Attorney General's office has also recognized in 2010 PAC 6583 that, when a clerk or other person charged with keeping minutes unilaterally records a meeting for purposes of assisting in the creation of minutes, the recording is not a record of the public body, but rather an interim aid to the recordkeeper in ensuring accuracy; and

WHEREAS, it is an inconvenience and expense to the Township to accumulate tapes of meetings after the minutes for those meetings have been prepared and approved by the Township Board; and

WHEREAS, the Open Meetings Act, 5 ILCS 120/2.01 *et seq.*, the Freedom of Information Act, 5 ILCS 140/1 *et seq.* and the Local Records Act, 50 ILCS 205/1, *et seq.*, do not require public entities to tape record open public meetings; and

WHEREAS, the Open Meetings Act, 5 ILCS 120/2.01 *et seq.*, the Freedom of Information Act, 5 ILCS 140/1 *et seq.* and the Local Records Act, 50 ILCS 205/1, *et seq.*, do not prescribe a required procedure for tape erasure or re-use; and

WHEREAS, the Township Supervisor and Township Board have determined that because the purpose of the audio tapes is to aid in the production of accurate minutes, the erasure of those tapes is appropriate after minutes of a meeting have been approved.

NOW, THEREFORE, BE IT RESOLVED by the Township Supervisor and Township Trustees of Belvidere Township, Boone County, Illinois, as follows:

SECTION 1: The Township hereby adopts the policy attached hereto as "Exhibit A" pertaining to the tape recording of Township meetings by Township officials, and the disposition of the resulting tapes.

SECTION 2: This policy shall not be construed to prevent any member of the public from tape recording meetings in accordance with the Open Meetings Act.

SECTION 3: If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution.

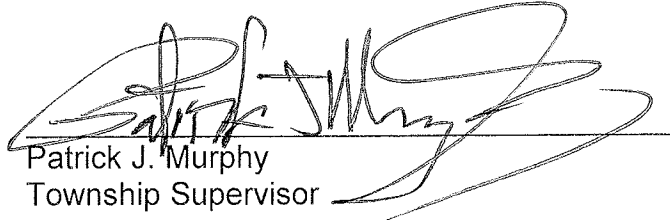
SECTION 4: All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Resolution shall be in full force and effect from after its passage, approval and publication as provided by law.

DECIDED by a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Grover	✓			
Nelson	✓			
Robertson	✓			
Turner	✓			
Murphy	✓			
TOTAL	5			

APPROVED by the Township Supervisor and the Township Board of the Township on August 13, 2013:


Patrick J. Murphy
Township Supervisor

ATTEST:

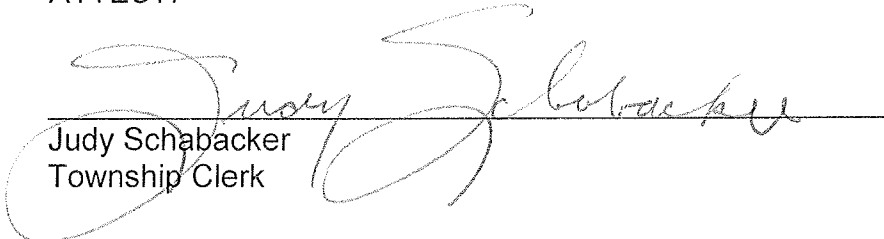

Judy Schabacker
Township Clerk

EXHIBIT A

Belvidere Township

POLICY PERTAINING TO THE TAPE RECORDING OF TOWNSHIP MEETINGS BY TOWNSHIP OFFICIALS

1. The Township may, on the determination of the Township Clerk or her/his designee, tape record any public meeting for the purpose of aiding in the preparation of accurate minutes.
2. All official tapes of Township Board meetings shall be held by the Township Clerk.
3. After the minutes of the tape-recorded meeting have been prepared and approved, the tape(s) of that meeting shall be maintained until the next annual Township meeting. If, at the annual Township meeting, a majority of the corporate authorities do not vote to keep the tapes for a longer time period, the tapes shall be erased and made available for re-use. *may be destroyed. Tapes of the annual town meeting of the annual town meeting*
4. Members of the public may make audio or video tape recordings of any meeting which is open to the public provided that they do so in an unobtrusive manner which does not interfere with the accessibility or continuity of the meeting or safety of persons attending the meeting. Tapes so produced are the property of their producers.
5. Upon determination of the Township Clerk or his/her designee, meeting tapes may be retained by the Township for a longer period of time than indicated above.
6. The Belvidere Township Board acknowledges that audio tapes are imperfect devices and easily subjected to distortion, gaps and other imperfections. As such, this policy does not change the Township Code's requirements with respect to the Clerk maintaining the Township minutes in a book, nor other laws with respect to minutes.