PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT") UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)

with Instructions

Instructions to presiding officer: To meet in a closed session under the Act, the public body must first meet in open session, after providing proper notice. Make sure that the open session is attended by a member designated to receive open meetings training. If a designated member cannot attend, complete the Compliance Checklist.[1] If the public body has never designated a member for training, it must do so **before closing the session**.

Before closing the session, take two steps: (1) conduct a recorded vote on a motion to close; and (2) make a written "closing" statement. If the public body might return to open session afterwards, be sure to tell the public that. *During* the closed session, keep the discussion topics within the confines of the closing statement. *After* the closed session, the events of the closed session must be disclosed in the next open-session minutes.

The top part of this form is a model closing statement. **It has two sides**. Before closing the open session, complete items **1 through 4** on this form or in any writing with the same information. If someone pre-prepared the form for you, make sure it reflects the public body's own intended topics and reasons for closing the meeting. A member of the public may inspect the closing statement at the time of the closing and may object to the decision to close the meeting. Once the meeting is closed, the closing statement sets the agenda and may not be changed.

The bottom part of the form is a worksheet that provides a checklist of the disclosures that must be made in the next open-session minutes. The worksheet is not part of the closing statement.

1. Recorded vote to close the meeting: Date: 6/5/19 ; Time: 7:40 p.m.; Location: Council Chambers;
Motion to close meeting made by: Able Seconded by: Baker;
Members in favor: Charles, Duff, Edwards Opposed: Edwards (opposes only as to personnel topic)
Abstaining:_____; Absent:_____

2. Statutory authority to close session (check all provisions that apply):
This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):

(1)X "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; **(2)___** "To protect the privacy or reputation of individuals concerning a matter not related to public business"; **(3)___** "To consider the acquisition of real property for a public purpose and matters directly related thereto"; **(4)___** "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; **(5)___** "To consider the investment of public funds"; **(6)___** "To consider the marketing of public securities"; **(7)___** "To consult with counsel to obtain legal advice"; **(8)___** "To consult with staff, consultants, or other individuals about pending or potential litigation"; **(9)___** "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; **(10)___** "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; **(11)___** "To prepare, administer, or grade a scholastic, licensing, or qualifying

[1] http://www.marylandattorneygeneral.gov/OpenGov%20Documents/Openmeetings/COMPLIANCE_CHECKLIST%20.pdf

examination"; **(12)___** "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; **(13)** X "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; **(14)___** "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, *if* public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process"; **(15)** X "To discuss cybersecurity, *if* the public body determines that public discussion would constitute a risk to" (i) "security assessments or deployments relating to information resources technology"; (ii) "network security information," such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) "deployments or implementation of security personnel, critical infrastructure, or security devices."

3. **For *each* provision checked above, the corresponding topic to be discussed and the public body's reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:**

Citation (insert # from above)	Topic *We expect to discuss these matters*:	Reason for closed-session discussion of topic - *We are closing the meeting to discuss this topic because*:
§ 3-305(b)(**1**)	1. Applicants for Parks & Rec head	Public discussion of applicants' names and job info could discourage people from applying for Town jobs
§ 3-305(b)(**13**)	Same topic as #1	Public information Act, GP § § 4-310 and 311, requires us to shield recommendation letters and job applications
§ 3-305(b)(**15**)	2. IT director's security assessment of network	Public discussion of any vulnerabilities and next steps would risk network security

2. **This statement is made by:** *Emma Duff*, **Presiding Officer.**

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WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION THAT MUST BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN SESSION (§ 3-306)(c)(2)

For meetings closed under an exception, as disclosed above:

Time of closed session: 7:45 **Place:** Council Conf. Room.

Purpose: Hiring; IT oversight

Members who voted to meet in closed session: 1) all but Edwards; 2) all

Persons attending closed session: All members; H.R. Dir. Lisa Groff -(1) only); IT Dir. Shelby Han -(2) only

Authority under § 3-305 for closing (from chart above):#s1, 13, (with GP § § 4-310, 311) 15

Topics(s) actually discussed: 1)Reviewed Applications from people applying for Parks & Rec head; 2)heard IT security assessment

Each action taken: (1) None (2) Approved IT Director's approach, by consensus