

Guidelines for Recording/Retaining Minutes

DEFINITIONS

Consent Agenda or Consent Calendar: A Consent Agenda or Consent Calendar is an effective tool to use to handle routine matters on the agenda expeditiously. It contains routine items which are not controversial and do not need further discussion. As a result, early in the meeting a group of items may be approved with one motion and one vote.

C.R.S. – Colorado Revised Statutes: All general and permanent laws, which have been adopted by the Colorado General Assembly and are compiled in red-covered volumes, which are updated by annual pocket supplements, or replacement volumes as necessary.

Executive Session (C.R.S. Section 24-6-402(4)): Private meetings of the public body from which the general public is excluded. Executive sessions are permitted under the Open Meetings Law for consideration of the following topics: 1) property transactions, C.R.S. 24-6-402(4)(a) – discussion for the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interests, 2) attorney conferences, C.R.S. 24-6-402(4)(b) – for the purpose of receiving legal advice on specific legal questions, 3) confidential matters under state or federal law, C.R.S. 24-6-402(4)(c) – the governing body must announce the specific statutory citation or rule that requires the confidentiality of the matter to be discussed, 4) security arrangements or investigations, C.R.S. 24-6-402(4)(d) – the specialized details of security arrangements or investigations may be discussed, 5) negotiations, C.R.S. 24-6-402(4)(e) – to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and instruct the negotiators, 6) personnel matters, C.R.S. 24-6-402(f)(II) – if the discussion involves a specific employee, that employee may request an open meeting. This does not include discussions of any member of a local public body, any elected official, the appointment of any person to fill a vacancy in a local public body or elected office, or discussion of personnel policies that do not require discussion of particular employees, 7) documents protected under Open Records Act, C.R.S. 24-6-402(4)(g) – discussion that involves consideration of documents protected by the mandatory non-disclosure provisions of the Open Records Act.

A record of an executive session must be kept in the same manner as the records of a regular meeting and retained for 90 days.

Local Public Body (C.R.S. Section 24-6-402): Local Public Body means any board, committee, commission, authority, or other advisory, policy-making, rule-making, or formally constituted body of any political subdivision of the state and any public or private entity to which a political subdivision, or an official thereof, has delegated a governmental decision-making function but does not include persons on the administrative staff of the local public body.

Meeting (C.R.S. Section 24-6-402): Meeting means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

RECORDING MEETING MINUTES

Minutes are required to be recorded at any meeting of a local public body where formal action is taken. This includes an assembly for the purpose of going into executive session.

Meeting minutes serve to record the actions (what was done) at a meeting, not what was said at the meeting. Minutes serve as the legal record of what was decided at a meeting. They are presumed to be correct and are considered legal evidence of the facts they report. Thus, they should consist of a clear, accurate, and complete report of all business transacted and should be worded in a manner that is simple and clear. C.R.S. 24-6-402(2)(d)(II) provides that minutes of any meeting of a local public body at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur shall be taken and promptly recorded, and such records shall be open to public inspection. The minutes of a meeting during which an executive session is held shall reflect the topic of the discussion at the executive session.

Minutes should be taken using a standard format and paragraphs coinciding with those of the meeting agenda. It may be helpful to prepare ahead of time a “minute skeleton” from the agenda. The “skeleton” should contain the actual outline of your finished minutes leaving space for the recorder of the minutes to fill in the information presented at the meeting.

If a consent section of the agenda is used for the meeting, items on the consent section of the agenda should be informational and self explanatory when read. They should not require any discussion or action. If they do, they should be moved to the appropriate section of the agenda that allows discussion or action.

While it is not necessary (nor recommended) to record everything that was said at a meeting, some items that **should always be recorded in the minutes** are:

- Type of meeting (regular meeting, special meeting, workshop, etc.)
- Name of the Assembly (board, commission, authority)
- Date, time, and place of meeting
- Names of presiding officer and recorder of minutes
- Members present to establish a quorum (members absent is optional)

- Time the meeting was called to order and the time of adjournment
- Record of action taken on the minutes of the previous meeting (although State Statutes do not expressly require approval of minutes, there may be relevant bylaw provisions imposing such requirement. In any case, approval of the minutes is traditional and seems advisable, since it confirms the accuracy and completeness of the minutes).
- Exact wording of each main motion as it was voted on with name of the maker of the motion, who seconded the motion, and whether the motion passed or failed
- If the vote on the motion was counted, the count should be included
- Summary of reports, announcements, and other information shared, capturing key points and decisions reached
- When using acronyms, spell out the initial components the first time used with the acronym in parenthesis behind it, e.g. Colorado Department of Transportation (CDOT). After the first time, the acronyms can be used
- When referring to people who have spoken, use name and title the first time (e.g. John Shaver, City Attorney, said ...) or if it is someone from the public speaking, indicate their name (e.g. Debbie Kemp, said ...)

OPTIONAL ELEMENTS

- Name of Staff members present
- Who voted for or against a particular motion
- Ceremonial activities (pledge of allegiance, invocation)

GOLDEN RULES

The main things to remember when you are taking minutes are:

- ☆ Listen carefully to the discussion
- ☆ Don't try to write everything down
- ☆ Concentrate on writing down what has been decided and who is going to do it
- ☆ Give each item a separate heading
- ☆ Write up the minutes quickly, it makes a huge difference if the meeting is still fresh in your mind

Some items that **should not be recorded in the minutes** are:

- Opinions or interpretation of the recorder of the minutes
- Judgmental phrases like "heated debate" or "valuable comment"
- Transcript of the meeting (minutes should **not** be verbatim)

APPROVAL

While the State Statutes do not expressly require approval of minutes, it is strongly recommended that a copy of the minutes be distributed to the members prior to the next meeting. That will allow the approval process to be very short if there is an approval process. If the approval of the minutes is listed in a consent section of the agenda, the approval would happen with a favorable vote to approve the consent section of the agenda. If the minutes are not listed on a consent section of the agenda, then the presiding officer would state something like "Are there any corrections or additions to the minutes as presented?" If there are none, or after all corrections have been made, the presiding officer may say "If there is no objection, the minutes will be approved as printed (or as corrected)." There may also be a motion and a second to approve the minutes.

SIGNATURE

Although it is not required by State Statute, it is recommended that after the minutes have been corrected and approved by the membership, they should be signed by the recorder of the minutes, they also can be signed by the president (optional).

RETAINING MEETING MINUTES

MINUTES BOOK

It is recommended that the official signed minutes should be placed in a minutes binder or directory if electronic only which becomes a permanent record for the Council, Board, Commission, Authority, etc.

Please refer to the Long Term Archiving Guidelines which is located on the Cityweb at <https://grandjct.sharepoint.com/sites/CityWeb20/SitePages/City-Clerk.aspx> for more information about archiving and preservation of permanent records.

After approval, an electronic copy of the minutes saved in a searchable PDF/A format should be sent via email to the City Clerk's Office, cityclerk@gjcity.org to be saved in TRIM. For those that have a TRIM License, it will be your responsibility to save the minutes in TRIM and you will not need to send an electronic copy to the City Clerk's Office.

NAMING CONVENTION FOR ELECTRONIC RECORDS

As many of you know, consistent file naming conventions is one of the best tools to use for organizing electronic records. Consistent naming is useful for both directory structures and for electronic files.

Therefore, for consistency purposes, we request that all electronic minutes sent to the City Clerk's office be named using the following naming convention: Name of board, commission, authority Minutes – Year – Month and Day – Type of meeting (regular, special, canceled, etc.). For example: City Council Minutes – 2011 – November 2 – Regular Meeting. If you prefer another naming convention for operational reasons, please let us know what it is. For the boards, commissions, and authorities that, for the most part, only have regular meetings, the type of meeting can be left off of the naming convention unless it is a special, canceled, etc. meeting.

If a regular scheduled meeting has been canceled or otherwise not held, please email an electronic document showing the Name of the Assembly, Date, Time, and Meeting Canceled or the reason that it was not held to the City Clerk's Office. This keeps us from having to guess if we are missing minutes or if there just wasn't a meeting. For those that have a TRIM License, it will be your responsibility to save the document in TRIM and you will not need to send an electronic copy to the City Clerk's Office.

If audio and/or video recordings are made for regular, workshop, special, etc. meetings, the retention period for both is 6 months after the approval of minutes according to the Colorado Municipal Records Retention Schedule. A record of an executive session must be kept in the same manner as the records of a regular meeting and retained for 90 days.

AGENDAS

Colorado Municipal Records Retention Schedule (CMRRS) states that quasi-judicial entities should retain agendas permanently. The following entities are by virtue of their powers and functions "authoritative" or "quasi-judicial" entities:

- Grand Junction Downtown Development Authority
- Grand Junction Regional Airport Authority
- Grand Junction Housing Authority
- Grand Junction Planning Commission
- Parks Improvement Advisory Board
- Riverview Technology Corporation
- Grand Junction Forestry Board

The naming convention for electronically saved agendas should be similar to the naming convention for minutes, i.e. City Council Agenda – 2011 – November 2 – Regular Meeting.