

**Minutes – Guidance for Soil and Water Conservation Districts  
June 2014**

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- In accordance with General Statute 143-33C, Soil and Water Conservation Districts are required to keep full and accurate minutes of all official meetings, including any closed sessions (a general account of closed meetings must be recorded so that those who were not there can have a reasonable understanding of what transpired).
  - Meeting minutes are public record and are subject to review in accordance with Public Records Law; minutes or an account of a closed session conducted in compliance with General Statute 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session.
  - Closed sessions may only be held upon a motion duly made and adopted at an open meeting; every motion to close a meeting shall cite one or more of the permissible purposes for closing the meeting. Only the board members have a right to attend a closed meeting, but the board may allow others to attend.
  - Original approved minutes should be kept on file in the Soil and Water Conservation District office.
  - Copies of approved minutes should be mailed to the Division of Soil and Water Conservation in Raleigh, so they may be maintained in the central office files. For minutes to be legally sufficient, they must be approved by the Board (approval is in turn noted in the next set of minutes). Many Boards choose to have the presiding officer sign the minutes with that person's signature attested by the minute-taker; these steps are not required but doing so may make it a bit easier to attest to the minutes' authenticity if they are ever needed in court. The Division of Archives and History will provide free, permanent microfilming of minutes of local government bodies, but will only do so if the minutes are signed. The Soil and Water Conservation Commission does sign approved minutes; to expedite distribution of approved minutes, to promote transparency by posting approved minutes online, and to facilitate finalization of the minutes, the Commission has delegated authority to the Division Director to incorporate any corrections as approved by the Commission, insert the approval date on the document, and sign the minutes as approved after the Commission.
  - Minutes are a record of what was done at the meeting, not what was said – they should be recorded in a clear, concise form, and should reflect all aspects of decisions made by the board.
  - Consider posting minutes online on the District or County website, and sending copies to the County Manager.
  - A good practice is to send draft minutes to the board members before the meeting – this is a way to save time at the meeting and to help the board members prepare for the meeting.
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**Items to include...**

- Name and kind of meeting (regular board meeting, area meeting, annual meeting, special meeting, spot check)
  - Date
  - Location
  - Time meeting began and ended
  - Names of board members and if a quorum is present
  - Names of guests or other attendees
  - Whether the meeting was held during a meal
  - Whether minutes from the previous meeting were approved or corrected – for minutes to be legally sufficient, they must be approved by the Board
  - Motions made – you must record the EXACT WORDING of the motion, who made the motion, who seconded the motion, and the result of the vote
  - Reports; record the name of the report, the name of the member presenting it, and any action taken on the report. If the report is in writing, it may be attached. An oral report may be summarized briefly
  - Budget; follow the requirements of the Local Government Budget and Fiscal Control Act; remember, a motion must be made to make amendments to an approved budget ordinance
  - Other actions, assignments, deadlines, and recommendations can be briefly recorded
  - Location, date, and time of next meeting (if scheduled)
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**Items to exclude...**

- Opinions or judgments: leave out statements like "a well done report" or "a heated discussion"
  - Criticism or accolades: criticism of members, good or bad, should not be included unless it takes the form of an official motion
  - Discussion: your board may opt to include discussion summaries, but do not personalize this by recording the views of individuals
  - Extended rehashing of reports: just hit highlights or key facts
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Reminders from the NPS Programs Section...

- Board members should abstain from voting or influencing the vote on contracts when a conflict of interest exists (i.e. contracts where they have a financial interest) – this should be recorded in the meeting minutes
  - Separate votes should be taken for applications, contracts, and requests for payment – include contract numbers, BMPs, ranking, and contract amount in minutes (landowner names are not required)
  - As a general rule, items that require the Chairman's signature should be voted upon
  - Only board members can vote; this authority cannot be delegated to staff
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