REQUEST FOR BOARD ACTION

HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: July 20, 2005

SUBJECT: CLOSED SESSION

SUMMARY:

The Board is requested to go into Closed Session for the following reasons:

1.   N.C. Gen. Stat. § 143-318.11(a)(1), to prevent disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.

Draft minutes from the following dates have been previously distributed to the Board. Staff recommends approval of these minutes:

21 June 2005	15 June 2005
18 May 2005	6 June 2005
2 May 2005	23 March 2005
16 February 2005	6 December 2004
5 October 2004	7 September 2004
18 August 2004	2 August 2004
16 June 2004	7 June 2004
25 May 2004	19 May 2004
3 May 2004	21 April 2004
5 April 2004	18 February 2004
5 January 2004	17 December 2003

Certain of these minutes can likely be immediately unsealed as "public inspection" would no longer "frustrate the purpose of a closed session". According to §11-5 of the Henderson County Code, "the Board of Commissioners shall determine by consensus which items contained in the draft closed session minutes are appropriate to be unsealed at approval." Immediately after approving the minutes, "the Board shall vote to unseal items contained within the approved closed session minutes as appropriate."

Using criteria of whether the information contained in the minutes is generally known or available from Henderson County public records, the unsealing of the following minutes is suggested:

15 June 2005 (first session only)	23 March 2005 (Raflatac only)
16 February 2005 (Harper settlement only)	18 August 2004 (Park Ridge only)
25 May 2004 (Raflatac only)	19 May 2004 (Raflatac only)
3 May 2004	18 February 2004
17 December 2003 (approval of previous minutes only)	

2.   N.C. Gen. Stat. § 143-318.11(a)(4), to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.