

Practice Tips FOR LOCAL GOVERNMENTS



The Open Public Meetings Act (OPMA) requires agencies to take minutes of all regular and special meetings of the governing body. This tip sheet provides guidance on taking meeting minutes. For more information and resources visit mrsc.org/opma.

TAKING MINUTES

Statutory requirement to take minutes

Agencies subject to the OPMA are required to keep minutes pursuant to [RCW 42.30.035](#):

The minutes of all regular and special meetings except executive sessions of such boards, commissions, agencies, or authorities shall be promptly recorded and such records shall be open to public inspection.

Who approves the minutes?

The OPMA doesn't address approval of minutes, but local rules generally require that the governing body approve the minutes. Governing body approval of minutes is consistent with the direction in an informal opinion of the Attorney General's Office stating that, only after the proposed minutes have been reviewed by the governing body and signed by its members in the manner provided for in its procedures, do the minutes become the official record of the meeting. See [AGLO 1972 No. 19](#).

Local policies often require that members of the governing body who were absent from a meeting review the audio or video recording of that meeting in order to participate in approval of the minutes for the meeting at which they were absent.

Who signs the minutes?

There is no controlling state law. Some local policies authorize the presiding officer or clerk to sign the minutes, while others require that each member of the governing body sign them.

Who takes the minutes?

The OPMA doesn't designate a specific position in the local agency as the taker of minutes. Other statutes may assign that duty to a specific job title. For example, the city clerk of second class cities and the clerk of the board of county commissioners are assigned this duty ([RCW 35.23.121](#), [RCW 36.32.110](#)). Where a statute assigns the duty to a member of the governing body, the body can delegate taking and preparing minutes to staff.

EXECUTIVE SESSIONS

The regular or special meeting minutes must reflect the purpose of the executive session. See [RCW 42.30.110\(2\)](#).



Don't take minutes during the executive session: there is no general exemption that applies to executive session minutes under the Public Records Act (PRA).

AVAILABILITY OF MINUTES

- The OPMA requires minutes to be recorded “promptly” but does not set forth a specific timeframe. See [RCW 42.30.035](#).
- Agency local rules may set a timeframe for minutes to be approved by the governing body, such as approval at the next regular meeting, within one month of the meeting, or some other designated time. MRSC suggests coordinating this deadline with your clerk or secretary of the board to allow them sufficient time to prepare the minutes in consideration of the rest of their work.
- Draft minutes are not exempt under the PRA.
- There is no statutory requirement that the minutes be posted to the agency website.

HOW TO CORRECT MINUTES?

- **Before adoption**, by motion to amend the draft minutes.
- **After adoption**, by motion at a future meeting.

GENERAL BEST PRACTICES FOR TAKING MINUTES



- **Take “action” minutes.** Action minutes note the attendees, agenda items, and *only* the action taken.

For example: Motion made by Councilmember Li. Seconded by Councilmember Jones. Item passed (and include the vote count; local option to record how each member voted).

Taking action minutes avoids the governing body spending time arguing about who said what, or “correcting” the minutes when one of the members claims they didn’t say (or mean) something.

- **Supplement “action” minutes with recordings, if available.** If the agency records the meeting, the recording can be made available to the public along with the action minutes for the benefit of those who desire more detail.

DISCLAIMER: These practice tips are meant to provide practical information to local government officials and staff about electronic records and requirements under the OPMA. The tips aren’t intended to be regarded as specific legal advice. Consult with your agency’s attorney for guidance on specific situations.