Board Meetings Closed Meetings

Closed Meetings-

A closed meeting may be held upon a two-thirds affirmative vote of the board members present at a meeting for which public notice was given pursuant to Utah Code § 52-4-202, providing a quorum is present. No resolution, rule, regulation, contract or appointment shall be approved at a closed meeting, nor may the Board interview an applicant to fill an elected position at such a meeting. The recording and minutes of open meeting at which the vote is taken to hold a closed meeting shall contain the reason or reasons for holding a closed meeting and the votes, by name, of the members present, either for or against the proposition to hold such a meeting. No vote may be taken in a closed meeting except a vote on a motion to end the closed portion of the meeting and return to an open meeting. A motion to end the closed portion of the meeting may be approved by a majority of the members present.

Utah Code § 52-4-204 (2024)

Purposes of Closed Meetings-

Closed meetings may only be held for the following purposes:

1. Discussion of the character, professional competence, or physical or mental health of an individual;

a. However, the Board may not interview a person applying to fill an elected position, midterm vacancy or temporary absence in a closed meeting regardless of whether the interview may include a discussion of the character, professional competence, or physical or mental health of the applicant.

2. Strategy sessions with respect to collective bargaining or pending or reasonably imminent litigation; or

3. Strategy sessions with respect to the purchase, exchange, or lease of real property, including any form of water right or water shares, if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms; or

4. Strategy sessions with respect to the sale of real property, including any form of water right or water shares, if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms, but only if the Board previously gave public notice that the property would be offered for sale, and the terms of the sale are publicly disclosed before the Board approves the sale; or

5. Discussion regarding deployment of security personnel, devices, or systems;

6. Investigative proceedings regarding allegations of criminal misconduct; or

7. The Board is fulfilling one of the following procurement functions:

a. Deliberations as an evaluation committee regarding a solicitation or as protest officer

regarding a protest; or

b. Consideration of information designated as a trade secret if the consideration is necessary

to properly conduct a procurement; or

c. Discussion of information provided to the Board during a procurement if, at the time the

Board meets, the information may not be disclosed to the public or procurement participants and the Board needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process.

If the meeting is closed for any reason stated in paragraph 1 or 5 of this Section, then the person presiding must sign a sworn statement affirming that the sole purpose of closing

the meeting was to discuss those specific topics, and neither a recording nor minutes shall be kept of that portion of the closed meeting.

Utah Code § 20A-1-511(3)(d) (2025) Utah Code § 52-4-205 (2026) Utah Code § 52-4-206(6) (2023)