

Maryland State Board of On-Site Wastewater Professionals

PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT") UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)

Instructions to presiding officer: To meet in a closed session under the Act, the public body must first meet in open session, after providing proper notice. Make sure that the open session is attended by a member designated to receive open meetings training. If a designated member cannot attend, complete the Compliance Checklist.¹ If the public body has never designated a member for training, it must do so before closing the session.

Before closing the session, take two steps: (1) conduct a recorded vote on a motion to close; and (2) make a written "closing" statement. If the public body might return to open session afterwards, be sure to tell the public that. *During* the closed session, keep the discussion topics within the confines of the closing statement. *After* the closed session, the events of the closed session must be disclosed in the next open-session minutes.

1. Recorded vote to close the meeting: Date: 9/17/25; Time: 10:18am; Location: 1800 Washington Blvd., Baltimore MD, 21230 & Virtual via Google Meet

Motion to close meeting made by: R. Kutchman

Seconded by: K. Cassell

Members in favor:

A. Durand, B. Browne, E. Harrison, J. Mackert

Members against:

none

Members abstaining:

none

Members absent:

R. Harrison, L. Johnson, R. Mitchell

2. Statutory authority to close session (check all provisions that apply):

This meeting will only be closed under the provision or provisions checked below, all from General Provisions Art. § 3-305(b):

(1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) "To consider the investment of public funds"; (6) "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) "To prepare, administer, or grade a scholastic, licensing, or qualifying examination";

(12) “To conduct or discuss an investigative proceeding on actual or possible criminal conduct”; (13) “To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter”; (14) “Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, *if* public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process”; (15) “To discuss cybersecurity, *if* the public body determines that public discussion would constitute a risk to” (i) “security assessments or deployments relating to information resources technology”; (ii) “network security information,” such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) “deployments or implementation of security personnel, critical infrastructure, or security devices.”

3. For each provision checked above, the corresponding topic to be discussed and the public body's reason for discussing that topic in closed session, in as much detail as possible without disclosing the information that may be discussed behind closed doors:

Citation (insert # from above)	Topic <i>We expect to discuss these matters:</i>	Reason for closed-session discussion of topic - <i>We are closing the meeting to discuss this topic because:</i>
§ 3-305(b)(7)	Draft Regs- Authorized activities	To consult with counsel to obtain legal advice
§ 3-305(b) (7)	Draft Regs- Training Course Requirements	To consult with counsel to obtain legal advice
§ 3-305(b) ()		
§ 3-305(b) ()		

4. This statement is made by Julie Mackert, Chair, Presiding Officer.

Signature  Julie Mackert (Nov 3, 2025 10:51:05 EST)

Form prepared by: Seth Eisenstein, Administrator SE
