

ORDINANCE NO. 2021-0517A
AN ORDINANCE TO ESTABLISH A PROCEDURE
FOR ELECTRONIC MEETINGS

WHEREAS, the Indiana Legislature has amended I.C. 5-14-1.5 to include provisions for meetings held electronically; and

WHEREAS, Warren County, Indiana desires to adopt a policy to allow members of the governing bodies of the County to participate in meeting electronically, pursuant to IC 5-14-1.5-3.5;

NOW, THEREFORE, be it ordained by the Board of Commissioners of Warren County, that the following policy for participation in Electronic Meetings is hereby established:

A. Means of Participation.

1. A governing body member body of the County may participate in a meeting by any electronic means of communication that (1) allows all participating members to simultaneously communicate with each other and (2) allows the public to attend and observe the meeting.

2. A governing body member who participates by electronic communication is considered present for purposes of establishing quorum.

3. At least fifty percent (50%) of the members of the governing body must be physically present at the meeting, subject to the exception in Section (F).

4. A governing body member may not attend more than fifty percent (50%) of the meetings in a calendar year electronically.

5. A governing body member desiring to participate via electronic communication shall notify the President of the governing body at least forty-eight (48) hours prior to the meeting so that arrangements for attendance may be made.

B. Technological Failure. A technological failure that disrupts the ability of the governing body member to participate simultaneously or of the public to attend or observe the meeting does not prevent the governing body from conducting the meeting. Further, a technological failure will not affect the validity of an action taken by the governing body at the meeting if the sum of the members physically present at the meeting and the members participating electronically without technological failure satisfy the quorum and/or voting requirements.

C. Minutes of Meeting. The minutes of the meets shall:

1. State the name of each governing body member and how they appeared at the meeting (physically or electronically); and

2. Identify the electronic means of communication used.

D. Voting. All votes taken during a meeting where governing body members participate electronically shall be taken by roll call vote.

E. When Electronic Attendance is Not Permitted. A governing body member may not participate in a meeting via electronic communication if the governing body is attempting to take final action to (1) adopt a budget; (2) make a reduction in personnel; (3) initiate a referendum; (4) establish or increase a fee; (5) establish or increase a penalty; (6) use the governing body's eminent domain authority or (7) establish, raise or renew a tax.

F. Disaster Emergencies. This section only applies if the governor declares a disaster emergency or if the Board of Commissioners of Warren County declares a local disaster emergency.

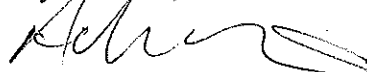
1. If a disaster emergency is declared, governing body members are not required to be physically present at a meeting until the disaster emergency is terminated, so long as the means of electronic participation comply with subsections (A), (C) and (D) above.

So ordained this 17th day of May, 2021.

WARREN COUNTY COMMISSIONERS



Clay Andrews, President



Adam Hanthorne, Vice President



Craig Greenwood

ATTEST:



Robin Weston-Hubner
Warren County Auditor