

## RESOLUTION #2023-06

### **A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HUNTINGTON COUNTY, INDIANA PROVIDING FOR THE ADOPTION OF A REMOTE PARTICIPATION POLICY**

**WHEREAS**, Huntington County (the “County”) is a county located in the U.S. state of Indiana;

**WHEREAS**, the Board of County Commissioners (the “Board”) is the chief legislative body of the County;

**WHEREAS**, in accordance with Indiana Code § 5-14-1.5-3.5, the Board may conduct meetings electronically as provided in Indiana Code § 5-14-1.5-3.5;

**WHEREAS**, whether or not conducted electronically, all meetings of the Board are subject to Indiana Code § 5-14-1.5, *et seq.* (“The Indiana Open Door Law”); and

**WHEREAS**, the Board wishes to adopt its policy on conducting meetings electronically as required by Indiana Code § 5-14-1.5-3.5(d) and in compliance with all the terms and provisions outlined in Indiana Code § 5-14-1.5-3.5.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Huntington County, and it is hereby resolved by authority of the same, as follows:

**Section 1.** A member of the Board (a “Board Member”) may participate in a meeting by an electronic means that allows all participating Board Members to simultaneously communicate and all members of the public to simultaneously attend and observe the meeting.

**Section 2.** At least two (2) voting Board Members (or at least fifty percent (50%) of active Board Members) must be physically present at the place where the meeting is conducted.

**Section 3.** All votes during any meeting wherein one Board Member is participating by an electronic means must be taken by roll call vote.

**Section 4.** The Board Member shall be considered present for purposes of a quorum and may participate in any final action taken at the meeting so long as the member can be seen and heard; provided, however, that any technological failure in an electronic means of communication will not prevent the Board from conducting the meeting or affect the validity of any final action taken so long as the sum of the remaining Board Members satisfy the quorum and/or voting requirements.

**Section 5.** A Board Member may not attend more than fifty percent (50%) of the Board’s meetings in a calendar year by means of electronic communication, unless the Board Member’s electronic participation is due to: (1) military service; (2) illness or other medical condition; (3) death of a relative; or (4) an emergency involving actual or threatened injury to persons or property.

**Section 6.** A Board Member may not participate in a meeting of the Board by electronic means if the Board 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, rates, or charges; (5) establish or increase a penalty; (6) use the governing body's eminent domain authority; or (7) establish, raise, or renew a tax.

**Section 7.** A Board Member participating in a meeting by electronic means does not affect the right of the County to exclude the public from an executive session in which a Board Member participates by electronic means.

**Section 8.** The minutes prepared for a meeting in which a Board Member participates by an electronic means of communication must (1) state the name of each Board Member, and whether such Board Member attended physically, electronically, or was absent; and (2) identify the electronic means of communication by which the Board Members participated in the meeting and whether the public attended and observed the meeting in physical attendance or electronically, if applicable.

**Section 9.** This Resolution shall become effective as of the date of its adoption and replaces and supersedes any previous Remote Participation Policy.

**[Signature Page Follows]**

ALL OF WHICH IS RESOLVED, this 12<sup>th</sup> day of June, 2023, by a vote of 2 "for", 0  
"against", and 0 "abstained".

BOARD OF COMMISSIONERS OF THE  
COUNTY OF HUNTINGTON, INDIANA

Absent  
Rob Miller

Tom Wall  
Tom Wall

Terry Stoffel  
Terry Stoffel

ATTEST:

By: Jill Landrum  
Jill Landrum  
Auditor of Huntington County, Indiana