

BOARD OF PUBLIC WORKS AND SAFETY

RESOLUTION NO. 23-08

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY
OF GREENWOOD ADOPTING POLICY TO PARTICIPATE IN PUBLIC MEETINGS
BY ELECTRONIC MEANS**

WHEREAS, the Indiana General Assembly has empowered the legislative bodies, boards and agencies of second class cities to establish rules and procedures to efficiently conduct meetings in the performance of legislative functions;

WHEREAS, Ind. Code § 5-14-1.5-3.5 further authorizes governing bodies of public agencies to adopt a written policy establishing procedures that allow members, under limited circumstances, to participate in public meetings by an electronic means of communication;

WHEREAS, the Greenwood Board of Public Works and Safety has determined that providing members the ability to participate in public meetings by an electronic means of communication will promote effective representation of constituents and facilitate the efficient transaction of the board;

THEREFORE, THE BOARD OF WORKS AND SAFETY ADOPTS THE FOLLOWING POLICY:

Section 1. Board of Public Works & Safety members may participate in meetings by electronic means of communication in accordance with the following:

- (a) The electronic means of communication used must allow all participating members to simultaneously communicate with each other and must also allow the public to simultaneously attend and observe the meeting, and participate when required (with the exception of meetings held in executive session).
- (b) A member planning to participate electronically shall notify the President and the Clerk no later than 72 hours (excluding Saturdays, Sundays, and legal holidays) before a meeting, so that:
 - (1) Arrangements may be made for the member to participate and the public to attend and observe the meeting by electronic means; and
 - (2) The Clerk has time to provide public notice in accordance with Ind. Code § 5-14-1.5-5(b) of the electronic means for public attendance and observation.

This subsection does not apply to any meeting called under Ind. Code § 5-14-1.5-5(d) to address an emergency, or to any meeting for which the Clerk has provided public notice for electronic means for public attendance and observation.

- (c) No more than one (1) member may participate by electronic communication in any one meeting. A member may not attend more than fifty percent (50%) meetings in a calendar year by means of electronic communication, of which no more than two (2) may be consecutive unless the member's electronic participation for a third consecutive meeting 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.
- (d) A member who participates in a meeting by electronic means is considered present for the purpose of establishing a quorum, but may only participate in any final action taken at the meeting if the member can be seen and heard.

- (e) All votes taken during a meeting by which a member participates by electronic means of communication must be taken by roll call vote.
- (f) A technological failure in an electronic means of communication that disrupts or prevents simultaneous communication between a member not physically present at the meeting and the board or disrupts or prevents a member of the public who is not present at the meeting from attending and observing the meeting does not prevent the board from conducting the meeting or affect the validity of action taken at the meeting if the sum of the members physically present at the meeting and the members participating by electronic communication without technological failure satisfies the quorum.
- (g) Minutes for meetings in which a Common Council member or members participate by electronic means of communication must state the name of each member who was physically present at the meeting, the name of each member who participated in the meeting by electronic means of communication, the name of each member who was absent; and must identify the electronic means of communication by which the members of the Common Council participated in the meeting and by which the public attended and observed the meeting, if the meeting was not held in executive session.

Section 2. All other resolutions or parts thereof in conflict with the provisions and intent of this Resolution are repealed.

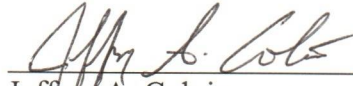
Section 3. This Resolution shall be effective immediately upon its adoption.

PASSED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF GREENWOOD, INDIANA this 7th day of August, 2023, by a vote of 3 ayes, 0 nays.

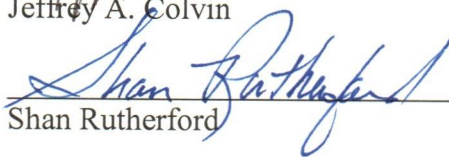
BOARD OF PUBLIC WORKS AND SAFETY



Kevin A. Hoover

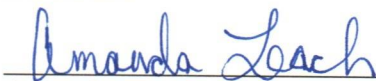


Jeffrey A. Colvin



Shan Rutherford

ATTEST:



Amanda Leach, Board Clerk