

ELECTRONIC MEETINGS POLICY RESOLUTION

BLOOMFIELD-EASTERN GREENE COUNTY PUBLIC LIBRARY

WHEREAS, P.L. 88-2021 (HEA 1437), SEC. 5, amended IC 5-14-1.5-1 et seq. (the "Act"), effective April 20, 2021 by amending IC 5-14-1.5-3.5 to establish new requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by any electronic means of communication;

WHEREAS, a member of the governing body may participate by any means of communication that:

A) allows all participating members of the governing body to simultaneously communicate with each other; and

B) except for a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting; and

WHEREAS, the Act requires the governing body to adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication and may adopt procedures that are more restrictive than the procedures established by IC 5-14-1.5-3.5(d); and

WHEREAS, the Board of Trustees (the "Board") of the Bloomfield-Eastern Greene Public Library (the "Library") is a governing body of the Library; and

WHEREAS, the President of the Board is the Executive of the Library; and

WHEREAS, the Director of the Library further joins in the passage of this Policy; and

WHEREAS, the Board intends to follow the procedures outlined in IC 5-14-1.5-3.5 and 3.7 without imposing more restrictive requirements upon participation in electronic meetings,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BLOOMFIELD- EASTERN GREENE PUBLIC LIBRARY:

Section 1.

A. The provisions of the Act, including definitions, apply to this resolution.

B. This resolution shall be known as the "Electronic Meetings Policy" of the Library Board of Trustees.

Section 2.

A. Subject to Sections 3 and 5, any member may participate in a meeting by any electronic means of communication that:

1. allows all participating members of the governing body to simultaneously communicate with each other; and

2. other than a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.

B. A member who participates by an electronic means of communication: (i) shall be considered present for purposes of establishing a quorum; and (ii) may participate in final action only if the member can be seen and heard.

C. All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

Section 3.

A. At least fifty percent (50%) of the members must be physically present at a meeting at which a member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.

B. A member may not attend more than a fifty percent (50%) of the meetings in a calendar year by an electronic means of communication, unless the 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.

C. A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence 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 4.

The minutes of a meeting at which any member participates by electronic means of communication must:

A. identify each member who:

1. was physically present at the meeting;
2. participated in the meeting by electronic means of communication; and

3. was absent; and

B. identify the electronic means of communication by which:

1. members participated in the meeting; and

2. members of the public attended and observed the meeting if the meeting was not an executive session.

Section 5.

A. This section applies only if:

1. The governor declares a disaster emergency under IC 10-14-3-12; or

2. The county executive declares a local disaster emergency under IC 10-14-3-29.

B. Notwithstanding section 3 hereof, the members of a governing body are not required to be present physically at a meeting until the disaster emergency or local disaster emergency is terminated. The members of a governing body may meet by any means of electronic communication, if the following are satisfied:

1. At least a quorum of the members of the governing body participate in the meeting by means of electronic communication or in person.

2. The public simultaneously is able to attend and observe the meeting. However, this subdivision does not apply to a meeting held in executive session.

C. The memoranda for a meeting prepared under section 4 hereof, for a meeting held under this section, must:

1. State the name of each member of the governing body who:

a. Participated in the meeting using any electronic means of communication; and

b. Was absent; and

2. Identify the electronic means of communication by which:

a. Members of the governing body participated in the meeting; and

b. The public attended and observed the meeting, if the meeting was not held in executive session.

D. All votes taken during a meeting under this section must be taken by roll call vote.

Section 6.

No member of the Board may participate by means of electronic communication in a meeting at which the Board may take final action to:

1. adopt a budget;

2. make a reduction in personnel;
3. initiate a referendum;
4. impose or increase a fee;
5. impose or increase a penalty;
6. exercise the Board's power of eminent domain; or
7. establish, impose, raise or renew a tax.

Section 7.

This resolution shall be effective from and after adoption by this Board in compliance with IC 36-2-4-8.

SO RESOLVED by the Board of Trustees of the Bloomfield Library this 9th Day of February, 2022.

Ayes	Nays
<i>[Signature]</i>	
<i>Doreen Hotell</i>	
<i>Martha S. Marmocis</i>	
<i>Charlene Hughes</i>	
<i>Junda Mattop</i>	
<i>[Signature]</i>	