

ORDINANCE NO. FCO-2022-16

ORDINANCE PROVIDING PROCEDURES FOR ELECTRONIC MEETING PARTICIPATION

WHEREAS, the Floyd County Board of Commissioners desires to develop a policy for electronic meeting participation; and

WHEREAS it is the intent of the Floyd County Commissioners to comply with Indiana Code § 5-14-1.5-1 *et seq.*

NOW THEREFORE BE IT ORDAINED, that the Floyd County Board of Commissioners, Floyd County, Indiana hereby establishes the following procedure for electronic meeting participation:

1. At least fifty (50%) of members must be physically present at the meeting.
2. A Commissioner may participate in a meeting using any electronic means so long as all members of the Floyd County Commissioners can communicate with each other, and the public can simultaneously attend and observe the meeting.
3. A Commissioner that participates electronically may vote so long as the member can be seen and heard.
4. Any Commissioner participating by electronic means must provide twenty-four (24) hour notice of plans to attend a meeting by electronic means of communication to the President of the Floyd County Commissioners so that arrangements may be made for the member's participation by electronic communication. Notice to the President of the Floyd County Commissioners shall be adequate if the Commissioner attends the meeting by electronic communication.
5. A Commissioner may not attend more than fifty (50%) of the meetings in a calendar year by means of electronic communication unless the member's electronic participation is due to:
 - a. Military service;
 - b. Illness or other medical condition;
 - c. Death of a relative; or
 - d. An emergency involving actual or threatened injury to persons or property.
6. A Commissioner may not participate in a meeting of the governing body by electronic communication if the governing body is attempting to take final action to:
 - a. Adopt a budget;
 - b. Make a reduction in personnel;
 - c. Initiate a referendum;
 - d. Establish or increase a fee;
 - e. Establish or increase a penalty;
 - f. Use the governing body's eminent domain authority; or
 - g. Establish, raise or renew a tax.
7. A Commissioner may attend two (2) consecutive meetings by electronic communication. A Commissioner shall physically attend at least one (1) meeting

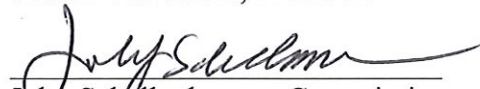
between sets of meetings that the Commissioner attends by electronic communication, unless the Commissioner's absence is due to:

- a. Military service;
 - b. Illness or other medical condition;
 - c. Death of a relative; or
 - d. An emergency involving actual or threatened injury to persons or property.
8. The minutes of the meeting must indicate each member's name and whether present physically, electronically, or absent. The Electronic means of communication must be identified.

DULY PASSED AND ADOPTED this 21 day of June, 2022, by the Floyd County Board of Commissioners.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD


Shawn Carruthers, President


John Schellenberger, Commissioner


Tim Kamer, Commissioner

ATTEST:


Jacqueline Wenning, County Auditor