

**TOWN OF PALISADE, COLORADO
RESOLUTION NO. 2020-08**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
PALISADE, COLORADO ADOPTING AN EMERGENCY
ELECTRONIC PARTICIPATION POLICY**

WHEREAS, the Board of Trustees of the Town of Palisade has determined that it is in the best interest of the public health, welfare, and safety of the residents of the Town of Palisade to adopt an Emergency Electronic Participation Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO, THAT:

1. The above recitals are hereby incorporated as findings by the Town of Palisade
2. The Board of Trustees hereby adopts the following Electronic Participation Policy upon the declaration of a local disaster emergency:

TOWN OF PALISADE, COLORADO

**ELECTRONIC PARTICIPATION POLICY AT BOARD OF TRUSTEES
MEETINGS DURING A LOCAL DISASTER EMERGENCY**

I. Purpose.

The purpose of this Policy is to specify the circumstances and means under which the Board of Trustees shall conduct regular and special meetings by telephone or other electronic means of participation, such as video-conferencing that is clear, uninterrupted and allows two way communication for the participating members ("Electronic Participation"). Electronic Participation has inherent limitations because Electronic Participation effectively precludes a member of the Board of Trustees from contemporaneously observing documentary information presented during meetings; from fully evaluating a speaker's non-verbal language in assessing veracity or credibility; and from observing nonverbal explanations during a speaker's presentation or testimony. The Board of Trustees finds that these limitations, inherent in Electronic Participation, may produce inefficiencies in meetings, increase the expense of meetings, and alter the decision-making process. As such, the Board of Trustees shall only utilize the policies contained herein upon the Town Administrator declaring a local disaster emergency pursuant to Section 24-33.5-709, Colorado Revised Statutes.

II. Statement of General Policy.

The Board of Trustees may conduct a regular or special meeting of the Board of Trustees by electronic means only in accordance with this Policy.

A. Emergency Situations

In the event a quorum is unable to meet at the day, hour, and place fixed by the rules and procedures of the Board of Trustees because meeting in-person is not practical or prudent due to a health pandemic or emergency affecting the Town, meetings may be conducted by telephone, electronically, or by other means of communication so as to provide maximum practical notice. Meetings may be held by telephone, electronically, or by other means of communication if all of the following conditions are met:

1. The Town Administrator or Board of Trustees has declared a local disaster emergency, pursuant to Section 24-33.5-709, Colorado Revised Statutes;
2. The Town Administrator determines that meeting in person is not practical or prudent, because of a matter related to the declaration of local disaster emergency affecting the Town;
3. All members of the Board of Trustees, and at least one Town staff member can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation;
4. Members of the public present at the regular meeting location can hear or read all discussion, testimony and votes, unless not feasible due to the pandemic or emergency;
5. At least one member of the Board of Trustees is present at the regular meeting location, unless not feasible due to the pandemic or emergency declaration;
6. All votes are conducted by roll call;
7. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and
8. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that some members of the Board of Trustees may participate by telephone, and the right of the public to monitor the meeting from another location.

III. Arranging for Electronic Participation.

- A. The Town Administrator shall contact Council members at least twenty-four hours in advance of a regular or schedule meeting to provide notice of a meeting conducted under this policy.
- B. The Town shall initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk shall make at least three attempts to re-initiate the connection.

IV. Effect of Electronic Participation.

A. *Quasi-Judicial Matters.* In the event that a pending application is scheduled for a public hearing that is quasi-judicial in nature at a meeting at which this policy is in effect, the Town shall advise the applicant of such circumstances and present the applicant with options for proceeding with the application. The applicant shall authorize the Town, in writing, to proceed with one of the following options.

1. Conduct the public hearing under this policy with accommodations made for electronic public participation; or

2. Suspend any and all review and decisions deadlines until such time that the local disaster emergency is lifted, and the Board of Trustees schedules a regular meeting at which a quorum will be physically present.

B. *Executive Sessions.* In the event that the Board of Trustees holds an executive session pursuant to Section 24-6-402, Colorado Revised Statutes, the Town Attorney shall be authorized to attend via Electronic Participation. Any executive session conducted under this policy shall be recorded electronically.

V. Limited Applicability of Policy.

This Policy shall only apply to regular and special meetings (including workshops) of the Board of Trustees of the Town of Palisade.

VI. Reasonable Accommodations.

The Town shall provide reasonable accommodation and shall waive or modify provisions of this Policy to provide handicapped members of the Board of Trustees full and equal access to Board of Trustees meetings.


THIS RESOLUTION was read, passed, and adopted by the Palisade Board of Trustees at the Special Meeting held this 20th day of March 2020.

TOWN OF PALISADE, COLORADO

By


Mayor

ATTEST:


Town Clerk