

RESOLUTION 2021-02

A RESOLUTION ALLOWING ELECTRONIC MEETINGS OF THE KANKAKEE RIVER BASIN AND YELLOW RIVER BASIN DEVELOPMENT COMMISSION'S ("the Commission") UNDER CERTAIN CIRCUMSTANCES

WHEREAS, the Commission is a body corporate and politic in the STATE OF INDIANA;

WHEREAS, the Commission is subject to the State of Indiana's Open Door Law; and

WHEREAS, IC 5-14-1.5-3.6 allows electronic participation in meetings with certain stipulations.

NOW THEREFORE, BE IT ORDAINED that the Commission adopts the following policies and procedures to provide for electronic meetings under certain circumstances:

1) A member of the Commission who is not physically present at a meeting of the Commission may participate in a meeting of the Commission by electronic communication only if the member uses a means of communication that permits:

- a) the member;
- b) all other members participating in the meeting;
- c) all members of the public physically present at the place where the meeting is conducted; and

to simultaneously communicate with each other during the meeting.

2) For a member of the Commission to participate electronically, one-third (1/3) of the Commission members must be physically present.

3) All votes of the Commission during an electronic meeting must be taken by roll call vote.

4) Nothing in this policy shall affect the public's right to attend a meeting of the Commission at the place where the meeting is conducted and the minimum number of members is physically present.

5) Unless the member is permanently disabled or in a period of disability, each member of the Commission is required to physically attend at least one (1) meeting of the Commission annually.

6) A member who participates in a meeting by electronic communication:

- a) is considered to be present at the meeting;
- b) shall be counted for purposes of establishing a quorum; and
- c) may vote at the meeting.

7) Except in an emergency, a member of the Commission who desires to participate in a meeting electronically shall provide notice to the Executive Director or Commission chair at least two (2) business days in advance.

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- (A) The identity of each member who will be physically present at a public place and participate in the meeting by electronic communication.
- (B) The address and telephone number of each public place where a member will be physically present and participate by electronic communication.
- (C) Unless the meeting is an executive session, a statement that a location described in clause (B) will be open and accessible to the public.
- (8) Require at least a quorum of members to be physically present at the location where the meeting is conducted.
- (9) Provide that a member participating by electronic communication may vote on official action only if, subject to subsection (e), a specified number of members:
 - (A) are physically present at the location where the meeting is conducted; and
 - (B) concur in the official action.
- (10) Establish any other procedures, limitations, or conditions that govern participation in meetings of the Commission by electronic communication and are not in conflict with this chapter.
- (h) The policy adopted by the Commission must be posted on the Internet web site of the Commission, the charter school, the airport, or the public agency.
- (i) Nothing in this section affects a public agency's or charter school's right to exclude the public from an executive session in which a member participates by electronic communication.

Adopted this 15th day of July, 2021

By:

_____, Chair
 Signature Title Printed Name

On Behalf of the Kankakee River Basin and Yellow River Basin Development Commission