

**RESOLUTION #2944**

**A RESOLUTION ESTABLISHING THE AUTHORIZATION OF AND  
PROCEDURES FOR ELECTRONIC MEETINGS  
TO CONDUCT THE BUSINESS AND AFFAIRS OF  
GRAND COUNTY COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES,  
AND INCLUDING LOCAL AND SPECIAL SERVICE DISTRICT BOARDS  
GRAND COUNTY, UTAH**

**WHEREAS**, pursuant to Section 52-4-7.8, Utah Code Annotated 1953, as amended (the "Utah Code"), public bodies are authorized to conduct public meetings in whole or in part by means of a telephone or telecommunications conference; and

**WHEREAS**, it is necessary or desirable from time to time to convene a public meeting of the Grand County Council, Board, Commission or Committee or District Board by electronic (real-time telecommunications) means; and

**WHEREAS**, Grand County Council, Boards, Commissions, and Committees and District Boards have the capability to hold meetings using electronic technologies; and

**WHEREAS**, Utah Code Annotated, Section 52-4-7.8(3)(c) provides that a public body shall establish written procedures governing an electronic meeting at which one or more members of the public body are participating by means of electronic communication; and

**WHEREAS**, the Grand County Council, Boards, Commissions and Committees and District Boards are public bodies within the meaning of Section 52-4-7.8, Utah Code; and

**WHEREAS**, the Grand County Council, Boards, Commissions and Committees and District Boards desire flexibility in situations involving emergencies, illness, loss of facilities, outside work or family obligations or other unforeseen circumstances that prevent public officials from attending a meeting, to hold an electronic meeting to conduct the necessary business of the County; and

**WHEREAS**, it is in the best interest of the County to allow electronic meetings when an elected or appointed public official, to include Board, Commission, or Committee members or District Board members, is unable to physically attend at the regular location; and

**WHEREAS**, Grand County Council desires to adopt this Resolution establishing procedures governing electronic meetings for the Grand County Council, Boards, Commissions, and Committees and District Boards.

**NOW, THEREFORE, BE IT RESOLVED THAT GRAND COUNTY COUNCIL  
AUTHORIZES TELECOMMUNICATIONS MEETINGS.**

It is hereby the policy of Grand County that elected and appointed representatives, staff and members of Grand County Council, Boards, Commissions and Committees and elected and appointed representatives, staff and members of Local and Special Service District Boards may participate in meetings through electronic means. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.

### ***Section 1. Definitions.***

- A. **Anchor location** means a Grand County meeting location such as the Grand County Courthouse, Grand Center, Library, District Office or any other physical location where a public meeting is held and from which the electronic meeting originates or from which the participant(s) is/are connected.
- B. **Electronic meeting** means formal meeting of the County Public Body convened or conducted where one or more member participates via real-time telecommunication means.
- C. **Public Body** means the County Council or other official County Board, Commission or Committee or District Board which is created by County resolution or ordinance and consists of two or more persons and expends, disburses, or is supported by tax revenue and is vested with the authority to make decisions regarding the public's business.
- D. **Remote location** means any place, other than the anchor location, where a Council, Board, Commission or Committee member or District Board is located, and where participating members can establish electronic access to the meeting.

### ***Section 2. General Enactment.***

- A. Any public body of Grand County may, by following the procedures and requirements of this resolution and those outlined by state law, convene and conduct an electronic meeting.
- B. Quorum:
  - 1. For County Council, a quorum must be present at the anchor location for a meeting to take place.
  - 2. Members participating via telecommunications are to be considered present for purposes of establishing a quorum, as defined by law.
  - 3. In the event of failure of equipment, or other factor, which causes a lack of communications with a member(s) causing lack of a quorum, no additional business may be conducted until the quorum can be reconstituted.
  - 4. Continuances may be granted as set forth by law.
  - 5. Business already conducted remains binding.

- C. At the discretion of the Council, Board, Commission or Committee Chair or District Board Chair, public participation may be expanded to include remote locations and electronic participation by members of the public.
- D. Grand County elected and appointed representatives, including Board, Commission, and Committee members and District Board members and County and District staff participating electronically, shall be considered present as if the individual(s) were physically on-site and present.
- E. Any telecommunications method now known or hereafter developed may be used to conduct a telecommunications meeting, so long as the criteria set forth herein can be met.
- F. All persons at both the anchor and remote locations shall have real time video and/or audio contact with member(s) participating, so as to know the entire discussion, deliberations and voting of the Public Body.
- G. Members participating from remote locations shall have the obligation to use appropriate equipment or take other precautions to eliminate static or other disturbances to the orderly conduct of the meeting.

### ***Section 3. Procedures.***

- A. The meeting procedures and meeting notice procedures to be followed at the electronic meeting shall be the same as those followed by the public body in a non-electronic meeting.
- B. A speakerphone, or similar amplifying electronic device, will be connected in such a manner that comments made by the members participating electronically will be broadcast at the anchor location. Opportunities for each member present and those participating electronically will be given to make inquiries and participate in the discussion.
- C. Discussion of motions will take place in accordance with usual procedures with the exception that those present electronically must declare their intent verbally with their accompanying name(s).
- D. Votes taken in electronic meetings shall be by roll call method, with each member audibly verbalizing their vote.
- E. Minutes of the meeting shall record the presence of members participating through electronic means. The roll call for members present will be taken verbally and recorded.

**Section 4. Severability.**

If a court of competent jurisdiction determines that any part of this Resolution is unconstitutional or invalid, then such portion of the Resolution, or specific application of the Resolution, shall be severed from the remainder, which remainder shall continue in full force and effect.

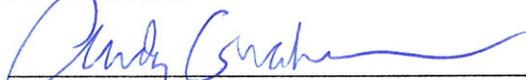
PASSED AND APPROVED by the Grand County Council, Grand County, Utah in open session this 7<sup>th</sup> day of December, 2010 by the following vote:

Those voting AYE: Graham, Conrad, Holyoak, Baird, Greenberg, Ciarus

Those voting NAY: \_\_\_\_\_

Those absent: Ballantyne

APPROVED:

  
\_\_\_\_\_  
Audrey Graham, Grand County Council Chair

ATTEST:

  
\_\_\_\_\_  
Diana Carroll, Grand County Clerk/Auditor