

**RESOLUTION OF THE TOWN OF HOTCHKISS, COLORADO,
ON EMERGENCY AND/OR VIRTUAL MEETINGS DUE TO CORONAVIRUS
(COVID-19) DISASTER DECLARATION**

RESOLUTION No. 2020 - 02

RECITALS:

WHEREAS, The Town of Hotchkiss (the “Town”) declared a local disaster related to coronavirus (COVID-19) pursuant to C.R.S. 24-33.3-709; and

WHEREAS, on March 10, 2020, Jared Polis, the Governor of the State of Colorado, declared a statewide state of emergency in response to coronavirus (COVID-19); and

WHEREAS, on March 18, 2020, the Colorado Department of Public Health issued a public health order prohibiting gatherings of more than 10 people, including community, civic and public events; and

WHEREAS, the World Health Organization has declared the coronavirus (COVID-19) to be a world wide pandemic; and

WHEREAS, in order to comply with the declaration and recommendations of local, state and federal health organizations, the Mayor feels it necessary to institute the following Resolution adopting certain Rules of Procedure for virtual Town Board of Trustees Meetings; and

WHEREAS, the Board of Trustees desires to further clarify procedures regarding emergency meetings and provide for the allowance of virtual or electronic meetings for Town Board Members and the members of the public during which the period of a local disaster emergency has been declared.

NOW, THEREFORE BE IT RESOLVED by the Town Board of Trustees of the Town of Hotchkiss, Colorado, that:

1. Purpose. The purpose of this Policy is to specify the circumstances and means under which the Board 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 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 non-verbal explanations during a speaker's presentation or testimony. The Board 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 shall only utilize the policies contained herein

upon the adoption by the Board or the Town Clerk/or Mayor after a resolution declaring a local disaster emergency pursuant to C.R.S. § 24-33.5-709 has been issued.

2. Statement of General Policy. The Board may conduct a regular or special meeting of the Board by Electronic Participation only in accordance with this Policy.

3. 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 because meeting in-person is not practical or prudent due to an 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:

a. A local disaster emergency has been declared pursuant to C.R.S. § 24-33.5-709; and

b. The Town Clerk or the Mayor determines that meeting in person is not practical or prudent because of matters related to the declaration of a local disaster emergency affecting the Town; and

c. All participating members of the Board and the Town Clerk 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; and

d. Members of the public can hear the Board proceedings and are afforded opportunities to participate in public comment; and

e. All votes are conducted by roll call; and

f. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and

g. 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 may participate by telephone, and the right of the public to monitor the meeting from another location.

4. Arranging for Electronic Participation.

a. The Town Clerk shall contact the Board Members at least twenty-four (24) hours in advance of a regular or special 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 Marshal, or his or her designee, shall make at least three (3) attempts to re-initiate the connection.

5. Executive Sessions. In the event that the Board holds an executive session pursuant to C.R.S. § 24-6-402, participants shall be authorized to attend via Electronic Participation. Any executive session conducted under this Policy shall be recorded electronically as provided for by statute.

ADOPTED AND APPROVED by the Board of Trustees at a regular public meeting held on the 24th day of March 2020.

TOWN OF HOTCHKISS, BOARD OF TRUSTEES

By: _____
Larry Wilkening, Mayor

ATTEST:

Marlene Searle, Town Clerk