

**ELECTRONIC PARTICIPATION POLICY  
AT TOWN COUNCIL MEETINGS DURING A LOCAL DISASTER EMERGENCY**

**I. Purpose.**

The purpose of this Policy is to specify the circumstances and means under which the Town Council 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 Town Council 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 Town Council 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 Town Council shall only utilize the policies contained herein upon the adoption by the Town Council of a resolution declaring, or the Town Manager declaring, a local disaster emergency pursuant to Section 24-33.5-709, Colorado Revised Statutes.

**II. Statement of General Policy.**

The Town Council may conduct a regular or special meeting of the Town Council 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 Town Council 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:

1. A local disaster emergency has been declared pursuant to Section 24-33.5-709, Colorado Revised Statutes; and
2. The Town Manager or the Town Council determines that meeting in person is not practical or prudent, because of matters related to the declaration of local disaster emergency affecting the Town; and
3. All members of the Town Council, 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; and

4. Members of the public can hear the Town Council's proceedings and are afforded opportunities to participate in public comment; and

5. All votes are conducted by roll call; and

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

7. 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 Town Council 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 Manager 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 Town Council schedules a regular meeting at which a quorum will be physically present.

#### **B. Executive Sessions.**

In the event that the Town Council holds an executive session pursuant to Section 24-6-402, Colorado Revised Statutes and Section 4.13.c of the

Silverthorne Home Rule Charter, 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.

**V. Limited Applicability of Policy.**

This Policy shall only apply to regular and special meetings (including work sessions) of the Town Council of the Town of Silverthorne, unless otherwise provided by the Town Council.

**VI. Reasonable Accommodations.**

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