

RESOLUTION NO. 20-05

A RESOLUTION OF THE BOX ELDER COUNTY PLANNING COMMISSION TO ESTABLISH A POLICY GOVERNING THE CALLING AND HOLDING OF ELECTRONIC MEETINGS BY THE BOX ELDER COUNTY PLANNING COMMISSION.

WHEREAS, 52-4-207 of the Utah Code authorizes public bodies, including the Box Elder County Planning Commission, to convene and conduct electronic meetings upon the adoption of a resolution governing the use of electronic meetings; and

WHEREAS, the Box Elder County Planning Commission would like to adopt procedures consistent with current Utah statute and current technologies;

NOW THEREFORE, BE IT RESOLVED by the Box Elder County Planning Commission with 7 members present and 7 members voting in favor thereof, as follows:

SECTION 1: Electronic Meetings Policy. The policy and procedures of the Box Elder County Planning Commission governing the calling and holding of electronic meetings is as follows:

A. General: A Box Elder County Planning Commission (hereinafter referred to as “Planning Commission”) meeting may be convened and conducted by means of telephonic, telecommunications, or computer conference by satisfying the requirements of Utah Code § 52-4-207.

B. Participation: The primary purpose for holding electronic meetings is to enable members of the Planning Commission to participate in the meeting electronically. Nevertheless, provision may be made for a member of the public to monitor an open meeting of the Planning Commission through electronic means provided that the member of the public so requests in writing at least three days prior to the meeting, and further provided that the Planning Commission will not be required to acquire any equipment, facilities or expertise which the Planning Commission does not already possess in order to accommodate the request. Notwithstanding anything to the contrary in this Policy, with the exception of a public hearing, the general public and other interested persons need not be provided an opportunity to participate in, as opposed to attend and monitor, an electronic meeting.

C. Anchor Location: One or more anchor locations must be established for all electronic meetings. The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. At least one anchor location for an electronic meeting must be in the building where the Planning Commission would normally meet if not holding an electronic meeting. A quorum of the Planning Commission need not be present at a single anchor location for an electronic meeting to be held. As few as one Planning Commission member may be present at the anchor location, as long as all other requirements of

this Policy and of Utah Code § 52-4-207 are satisfied for a meeting to be held as an electronic meeting, provided that the Planning Commission member who chairs the meeting is physically present at the anchor location. Space and facilities must be provided at the anchor location(s) so that all interested persons may attend and monitor the open portions of the meeting. In addition, if the meeting is a public hearing, space and facilities must be provided at the anchor location(s) so that interested persons and the public may attend, monitor and participate in the hearing.

D. Notice: In addition to the requirements of §52-4-202 of the Utah Code, not less than 24 hours' advance public notice, including the agenda, date, time, location, and a description of how the Planning Commission Members will be connected to the electronic meeting, will be given for each electronic meeting of the Planning Commission by posting a written notice at the principal office of the Planning Commission (or at the building where the meeting is to be held if no principal office exists) and providing written or electronic notice to at least one newspaper of general circulation in the County and to a local media correspondent, and by posting the notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701. In addition, the notice must be posted at the anchor location (which may be the principal office of the Planning Commission) and must be provided to all Planning Commission Members at least 24 hours before the meeting. These notice requirements are minimum requirements and are not to be construed as precluding such additional postings and notifications as may be directed by the Planning Commission.

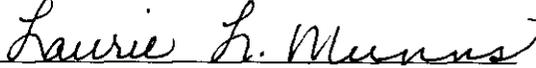
E. Budget or Logistical Considerations: The Chair, or the Vice-Chair in the Chair's absence, may determine, based upon budget or logistical considerations that it is not in the best interest of the Planning Commission to hold an electronic meeting, in which event the meeting will not be held as an electronic meeting. The Chair, or the Vice-Chair in the Chair's absence, may also restrict the number of separate electronic connections that are allowed for an electronic meeting based on available equipment capacity. The request from a member of the public to participate in a meeting electronically may be denied by the Chair, or Vice-Chair in the Chair's absence, based on budget, public policy or logistical considerations deemed sufficient by the Chair or Vice-Chair.

F. Conduct of Meeting: No action may be taken and no business may be conducted at a meeting of the Planning Commission unless a quorum, consisting of a simple majority of the members of the Planning Commission, is present. A Planning Commission Member who is not physically present may nevertheless participate in the meeting through electronic means and be counted toward the required quorum in accordance with Utah Code Ann. § 52-4-207. Any Planning Commission Member participating via electronic means may make, second and vote on all motions and participate in the discussion as though present, except that the Planning Commission Member who chairs the meeting must be present at the anchor location. If neither the Chair nor the Vice Chair is physically present at the anchor location (but there is still a quorum) a Planning Commission Member who is physically present at the anchor location will preside over the meeting.

SECTION 2: Review by County Commission. This policy shall be referred to the County Commission for review and approval as per Section 2-1-050-C-2 of the Box Elder County Land Use Management and Development Code.

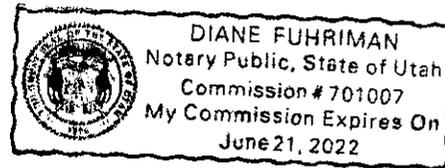
SECTION 3: Effective date. This resolution shall become effective upon its adoption.

ADOPTED AND APPROVED in regular session of the Box Elder County Planning Commission this 16 day of April, 2020.

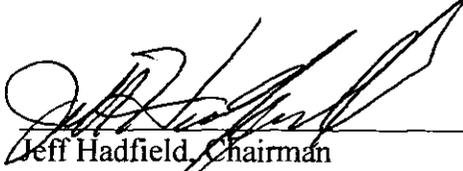

Laurie Munns, Chair
Box Elder County Planning Commission

ATTEST:

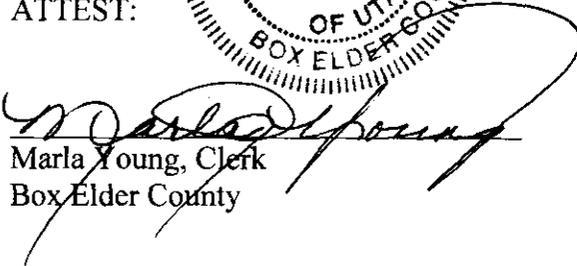

Diane Fuhriman, Executive Secretary
Box Elder County Planning Commission



ADOPTED AND APPROVED in regular session of the Box Elder County Commission this 6th day of May, 2020.


Jeff Hadfield, Chairman
Box Elder County Commission

ATTEST:



Marla Young, Clerk
Box Elder County