

TOWN OF LYONS, COLORADO

RESOLUTION 2022-56

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
ESTABLISHING A REMOTE MEETING POLICY**

WHEREAS, the Town of Lyons ("Town") is authorized to enact resolutions regulating the conduct of boards, committees, and commissions; and

WHEREAS, Section 2-2-140 of the Lyons Municipal Code ("LMC") provides that the Town of Lyons Board of Trustees (the "Board") may by resolution amend or modify the, and manner of business of Board meetings; and

WHEREAS, in 2020, the Board Enacted Ordinance 1080 which established a remote meeting policy that applies during emergencies; and

WHEREAS, the Board desires to enact a policy permitting remote meeting participation by Trustees, board members, commissioners, committee members, and members of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The above recitals are incorporated by reference.

Section 2. The Board of Trustees hereby approves the Remote Meeting Policy Attached as Exhibit A.

Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 16TH DAY OF MAY 2022

TOWN OF LYONS, COLORADO



Hollie Rogin, Mayor

ATTEST:



Dolores M. Vasquez, CMC – Town Clerk

Exhibit A

Remote Meeting Policy of the Town of Lyons

Last Revised May 16, 2022

I. Remote Meeting Participation.

Meetings of the Town of Lyons Board of Trustees, Boards, Commissions, and Committees (collectively "Boards and Commissions") shall be primarily conducted in-person. All meetings of Boards and Commissions will be open to the public by telephone or electronically. Town Staff may also attend Board and Commission meetings electronically or telephonically as appropriate. Individual Trustees, Board Members, Commissioners, and Committee Members (collectively "Members") may participate in meetings by telephone or electronically using a platform approved by the Town. Generally, a Member's participation in a meeting shall be in-person at Town Hall or other designated public meeting place unless said Member has reason to be away for either personal or health reasons or because all Town meetings are being held remotely due to a Town emergency. In the case of all Town meetings being held remotely this Policy shall be superseded by the requirements of Lyons Municipal Code Section 2-5-40 to the extent in conflict with this Policy.

A Member may participate in meetings held by telephone or electronically if all of the following conditions are met:

- A. All members of the Board or Commission, Town staff, and the public can hear one another clearly, can communicate with one another, and can hear or read all meeting information in a manner designed to provide maximum participation; and
- B. The Member is in a physical location with good connectivity (telephone or internet) that is free from distractions; and
- C. Members of the public can hear the public meeting, including all members participating remotely, and are afforded opportunities to participate in public comment; and
- D. All votes are conducted in a manner that documents each member's vote; and
- E. 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 or Commission may participate remotely.

Meetings at which the Members of the Board or Commission are personally present, in whole or in part, which provide electronic means to allow for the public to participate remotely shall be known as "hybrid" meetings. Meeting notices shall advise the public when a public meeting is anticipated to be in a hybrid format, however, such notices shall also advise the public that unanticipated technological issues that prevent a meeting from being held in a hybrid format shall not be grounds for cancelling a public meeting.

II. Arranging for Electronic Participation.

- A. A Member desiring to participate by telephonic or electronic means shall contact the Town Clerk or Deputy Town Clerk at least twenty-four hours in advance of a public meeting to provide notice of a meeting conducted under this Policy.
- B. Telephonic or electronic participation shall only occur using a telephonic or electronic platform approved by the Town.
- C. The Mayor or Chairperson is authorized to discontinue a Member's participation in a meeting if the communication of the Member is unclear to the meeting participants. The Mayor or Chairperson shall state for the record the reason for discontinuing a Member's participation and the time of such discontinuance. The Member may be readmitted later in the meeting if such technological issues is corrected. The Mayor or Chairperson shall state for the record the time at which such member was readmitted to the meeting.
- D. No Member may attend more than 25% of regularly scheduled meetings remotely unless otherwise authorized by the Mayor or Chairperson for good cause shown.

III. Effect of Electronic Participation.

- A. Effect of Electronic Participation. A Member who participates in a meeting by electronic means consistent with this Policy shall be considered "present" at the meeting for purposes of establishing a quorum and entitled to vote on matters coming before the Board or Commission.
- B. Executive Sessions. In the event that the Board or Commission holds an executive session, participants shall be authorized to attend via telephonic or electronic participation. A Member participating in an executive session remotely shall: (a) have a secure telephone or electronic connection, and (b) self-certify that they are located within a controlled area to which no other person has access (typically indoors, within a closed room).
- C. Quasi-Judicial Hearings. A Member may not actively participate in a quasi-judicial public hearing or vote upon the outcome of such quasi-judicial public hearing in recognition that virtual participation has inherent limitations, including limiting one's ability to fully evaluate a speaker's non-verbal language in assessing veracity or credibility, and observing nonverbal explanations (e.g., pointing at graphs and charts) during a speaker's presentation or testimony. A Member who is not physically present at a quasi-judicial public hearing shall not be prohibited from monitoring/listening to the quasi-judicial public hearing through an electronic means.

IV. Public Participation/Hybrid Meetings.

For meetings where it is practical for the Town to utilize an electronic communication platform (e.g. Zoom, or other approved platform), members of the public may participate in such meetings and make comments at such times as are designated by the Mayor or Chair Person. Such participation shall be governed by the Town's Virtual Meeting Rules of Decorum and Etiquette, which may be amended from time to time.

V. Waivers, Modifications, and Amendments to Policy

The Town shall provide reasonable accommodations and shall waive or modify provisions of this Policy as necessary to provide disabled individuals full and equal access to remote meetings. This Policy may also be amended from time to time by resolution of the Town of Lyons Board of Trustees