

ORDINANCE 2021- 23

**MARTIN COUNTY BOARD OF COMMISSIONERS
ELECTRONIC ATTENDANCE POLICY FOR PUBLIC MEETINGS**

WHEREAS, in response to the COVID-19 pandemic and in recognition that public meeting rules could be amended to take advantage of technological advances, Indiana Code 5-14-1.5-3.5 was amended by the Indiana General Assembly in 2021; and

WHEREAS, the Indiana General Assembly passed House Enrolled Act 1437, which now requires at least fifty percent of a governing body to be physically present at a public meeting, but allows for electronic participation in some public meetings by other members of a governing body provided the governing body adopt a policy that complies with the amended law; and

WHEREAS, the Martin County Board of Commissioners (“Commissioners”) desires to adopt and follow the new electronic meeting rules for their meetings and other governing bodies and to encourage each Martin County Government governing body to adopt their own policy consistent with this Policy,

NOW THEREFORE BE IT RESOLVED, that:

1. The Martin County Board of Commissioners (“Commissioners”) desires to adopt and follow the newly-amended Indiana Code 5-14-1.5-3.5. Those procedures are listed in “Exhibit A”, which is attached hereto and incorporated herein. Exhibit A shows language that has been removed from the Indiana Code in a strike-through format and new language is shown in bold.

2. The Commissioners recognize that the procedures in Exhibit A are not required if and when either the Governor declares a statewide disaster emergency or the Commissioners declare a local disaster emergency. In that event, newly enacted Indiana Code 5-14-1.5-3.7 takes effect. For clarification and public education, House Enrolled Act 1437, which contains Section 3.7, is attached hereto and incorporated herein as “Exhibit B”.

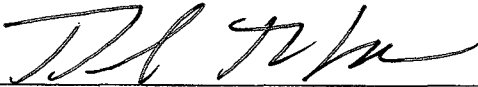
3. All members of the public shall be admitted to Commissioners’ meetings if they wish to participate electronically and shall be able to view or listen and participate in the meeting under the regular rules allowed for public participation. Meeting notices shall be posted as required by law and those notices along with information about how to attend meetings electronically will also be listed on the Martin County Government website.

4. Staff members may participate electronically in all meetings, including those listed in subsection (i), which are meetings which members of the Board of Commissioners must attend in person, provided there is no actual need for a staff member to be physically present at a particular meeting. Such need will be determined at the sole discretion of the President of the Board of Commissioners, unless a majority of the Board of Commissioners votes to require a staff member to attend a particular meeting.

5. Until each governing body adopts its own policies, the Board of Commissioners exercise their executive and legislative powers to declare that the policies they are now adopting shall apply to each and every governing body of Martin County Government. The Commissioners encourage each governing body to adopt policies that mirror these and that conform to Indiana law at their earliest convenience.

Adopted this 21 day of Sept, 2021.


**BOARD OF COMMISSIONERS
MARTIN COUNTY, INDIANA.**



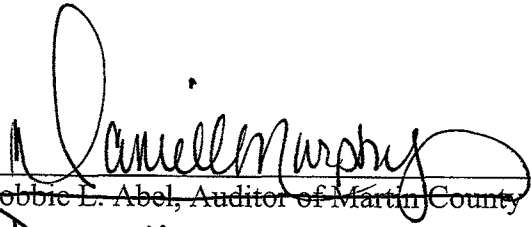
Paul R. George, President



Aaron C. Summers, Commissioner



Cody J. Roush, Commissioner

ATTEST: 

Bobbie E. Abel, Auditor of Martin County
Danielle Murphy