

PARKE COUNTY BOARD OF COMMISSIONERS

ORDINANCE No. 2022-03

AN ORDINANCE PERMITTING VIRTUAL ATTENDANCE AT MEETINGS

**WHEREAS**, the Indiana law provides that powers not specifically reserved for the State are delegated to the local government and may be regulated by a municipality [Home Rule], as delineated in I.C. 36-1-3; and

**WHEREAS**, I.C. 5-14-1.5-3.5 was recently amended to permit the attendance by members of a governing body via electronic communication (virtually); and

**WHEREAS**, The Board of Commissioners (“Board of Commissioners”) for Parke County, Indiana finds it is in the best interests of the citizens of Parke County and the various members of the Board of Commissioners that serve those citizens to provide for virtual attendance at meetings under the particularized circumstances as set forth herein.

**THEREFORE, IT IS ORDAINED** that the virtual attendance at meetings of the Parke County Board of Commissioners is permitted, in compliance with Indiana Code, and under the following circumstances:

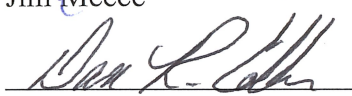
1. *At least a quorum of the members of the Board of Commissioners participate in the meeting in person.*
2. *The public is able to simultaneously attend and observe the meeting by electronic communication (virtually), unless it is held in executive session, as set forth in Indiana law.*
3. *The member(s) participating virtually in the meeting must be participating by video and audio conferencing.*
4. *A memorandum or minutes of the meeting must be prepared stating which members appeared in person, which members appeared virtually, and which members were absent, and what means of electronic communication were utilized. The memorandum/minutes must also include which members of the public attended and observed the meeting virtually.*
5. *All votes taken during a meeting in which a member or members appear virtually must be taken by roll call and such votes reflected in the minutes.*
6. *A member may not attend more than 50% of the Board of Commissioners meetings virtually unless they satisfy a requirement listed in I.C. 5-14-1.5-3.5(h).*
7. *A member may not attend a meeting virtually if the Board of Commissioners is taking final action to: adopt a budget; make a reduction in personnel; initiate a referendum; establish or increase a fee; establish or increase a penalty; use the County’s eminent domain authority; or establish, raise or renew a tax (I.C. 5-14-1.5-3.5(j)).*

**IT IS FURTHER ORDAINED** that all prior Code sections or Ordinances in conflict with the subject matter herein shall be repealed effective the date of passage of this Ordinance. Should any court determine any portion or section of this Ordinance is illegal or unconstitutional that portion or section shall be removed and the remaining Ordinance shall remain in full force and effect.

PASSED AND ADOPTED BY THE PARKE COUNTY BOARD OF COMMISSIONERS  
THIS 7th DAY OF MARCH, 2022.

Parke County Board of Commissioners

  
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Jim Meece

  
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Dan R. Collom

  
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Bruce Hartman

Attest:

  
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Laura J. Fischer, Parke County Auditor