

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 38-R-2020**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, ESTABLISHING
SUPPLEMENTARY RULES AND PROCEDURES FOR EMERGENCY
MEETINGS**

WHEREAS, a new outbreak of coronavirus disease, now identified specifically as COVID-19, was detected in China in December 2019; and

WHEREAS, since then, the disease has spread widely throughout the world, and as of March 13, 2020, worldwide there were over 145,000 reported cases of, and 5,416 deaths resulting from, COVID-19, and these numbers are increasing hourly; and

WHEREAS, on March 10, 2020, Governor Polis declared a state of epidemic disaster emergency in Colorado, and on March 11, 2020, the World Health Organization declared a global pandemic due to the spread of COVID-19; and

WHEREAS, according to the Centers for Disease Control and Prevention, one of the ways in which COVID-19 most quickly spreads through personal contact, including contact that occurs when people congregate in enclosed spaces; and

WHEREAS, the Town of Mead, Colorado, through its Board of Trustees, and other Town boards, commissions, and committees may find it necessary to meet virtually during this state of epidemic disaster to continue to act in the best interests of the health, safety, and welfare of its citizens, and

WHEREAS, the Board of Trustees finds that it is appropriate to adopt rules and procedures that permit virtual conduct of and participation in Town meetings during this state of epidemic disaster; and

WHEREAS, in adopting the attached policy, the Board of Trustees intends to follow the letter and spirit of the Colorado Open Meetings Law in every respect, and to the extent possible and practical under emergency circumstances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, COLORADO AS FOLLOWS:

Section 1. The Board of Trustees hereby approves and adopts the Town of Mead Emergency Meeting Rules and Procedures, attached hereto as **Exhibit 1**.

Section 2. If any part or provision of this resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this


resolution, it being the intention of the Board of Trustees that the various provisions hereof are severable.


Section 3. This resolution shall be effective immediately.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 21st DAY OF MARCH, 2020.

ATTEST:

TOWN OF MEAD:

By: 
Mary E. Strutt, MMC, Town Clerk



By: 
Colleen G. Whitlow, Mayor

Attachment(s):

Exhibit 1 - Town of Mead Emergency Meeting Rules and Procedures

EXHIBIT 1

Town of Mead – Emergency Meeting Rules and Procedures

I. Scope.

These Emergency Meeting Rules and Procedures shall apply to regular and special meetings of the Board of Trustees of the Town of Mead, Colorado and of all advisory boards, commissions and committees of the Town as set forth in Chapter 3 of the Mead Municipal Code (“MMC”) called as an emergency or under emergency conditions.

II. Emergency Meeting Rules and Procedures.

The Board of Trustees and any other Town board, commission, or committee (“Committees”) to which these rules apply may call and convene an emergency meeting only in compliance with the following Emergency Meeting Rules and Procedures (the “Rules”):

A. Emergency Meetings. All emergency meetings of the Board of Trustees shall be called, held and conducted in accordance with the provisions of Sec. 2-2-145 of the *Mead Municipal Code* (“MMC”) and these Rules. All emergency meetings of Committees shall be called, held and conducted in accordance with the MMC and these Rules. The Board intends that these Rules shall supplement but not amend Sec. 2-2-145 or Section 3-1-40 of the MMC, as applicable.

B. Calling Emergency Meeting. As set forth in Sec. 2-2-145 of the MMC, the Mayor or any two (2) Trustees may call an emergency meeting by providing notice to each member of the Board of Trustees by Trustees by telephone, or whatever other means are reasonable to meet the circumstances of the emergency. Town Committees shall follow the provisions of Section 3-1-40 of the MMC, to the extent practical.

C. Notice. Notice of an emergency meeting shall be provided as set forth in B. above. Said notice shall identify: (1) the nature of the emergency; (2) the purpose of the emergency meeting (or proposed draft agenda for said emergency meeting); and (3) the date, time and location of the meeting.

D. Location. The meeting location shall be:

1. Mead Town Hall; or
2. If Town Hall has been closed by public health authorities or other governing authority, then in a building situated within the jurisdictional boundaries of the Town where the public may congregate.

If no location as described in subsection D.2 above is reasonably available, the meeting may be held in accordance with section E. below.

E. Virtual Meetings. In the event an emergency meeting is properly called and noticed pursuant to B. and C. above, such meeting may be held by telephone, electronically, or other means of communication only if each of the following conditions is met:

1. The Mayor or any two (2) Trustees calling the emergency meeting in accordance with B. above, or the chair of the Committee calling the emergency meeting, determines that meeting in person is neither practical nor prudent due a health epidemic or declaration of emergency affecting the Town;
2. All members of the Board of Trustees or Committee 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 participation;
3. No quasi-judicial matters or witnesses will be heard, and no sworn testimony will be taken;
4. To the extent feasible, the public is provided an opportunity to listen to or otherwise monitor the meeting in real time;
5. All votes are conducted by roll call;
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: (i) the date and time of the meeting; (ii) the fact that the meeting will be conducted by telephone, electronically, or other similar means of communication; and (iii) the fact that the public may listen to or otherwise monitor the meeting electronically and the means for doing so.
9. To the extent possible, the Board or Committee shall provide adequate opportunity for the public to participate in the meeting that is commensurate with the similar opportunity that is routinely given during in-person meetings – e.g., the public comment portion of the Board of Trustees meeting agenda. The Mayor or Chair may, if deemed necessary and prudent due to a health epidemic or an emergency affecting the Town, and if adequate notice is provided to the public, permit the public to submit comments in advance of the meeting to be read into the record at a meeting.
10. The Board of Trustees only may also convene executive sessions in virtual regular or special meetings conducted if such sessions otherwise conform to the provisions of Colorado law. All Board members participating in an executive session taking place during a virtual meeting shall take all steps necessary to ensure that the privacy and confidentiality of the executive session are maintained at the highest level. No individual Board member may permit any other person to hear, see, or otherwise have access to executive sessions or related materials.
11. The Board or chair of a Committee may discontinue participation in a virtual meeting by one or more members or citizens during a meeting where such participation results in delays or interference in the meeting process; e.g., where the electronic connection is repeatedly lost, the quality of the electronic connection is unduly noisy, or a participant member is unable to hear speakers using a normal speaking voice amplified to a level suitable for the meeting audience in attendance. If a quorum is no longer present, the trustees or chair of a Committee may adjourn the meeting.