

**TOOELE COUNTY
ORDINANCE 2020-11**

AN ORDINANCE (1) AMENDING SECTION 1-2-7, SPECIAL MEETINGS, (2) ENACTING SECTION 1-2-9, ELECTRONIC MEETINGS, (3) RENAMING TITLE 4 CHAPTER 3 TO “TERMS AND ELECTRONIC MEETINGS”, AND (4) ENACTING SECTION 4-3-4, ELECTRONIC MEETINGS, OF THE TOOELE COUNTY CODE (REVISING THE POLICY FOR SPECIAL MEETINGS AND ESTABLISHING POLICIES FOR ELECTRONIC MEETINGS FOR COUNTY BOARDS AND COMMITTEES)

WHEREAS, the Tooele County Commission recognizes the need to update the policy regarding special meetings to maintain consistency with State law; and

WHEREAS, Governor Gary R. Herbert issued an executive order on March 18, 2020 wherein he directed public bodies to adopt a resolution, rule, or ordinance governing the use of electronic meetings in accordance with Utah Code § 52-4-207.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – SECTION AMENDED. Section 1-2-7, *Special meetings*, of Chapter 2, *The Board of County Commissioners*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION II – SECTION ENACTED. Section 1-2-9, *Electronic meetings*, of Chapter 2, *The Board of County Commissioners*, of the Tooele County Code is hereby enacted to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION III – CHAPTER RENAMED. Chapter 3, *Terms*, of Title 4, *Boards and Committees*, of the Tooele County Code is hereby renamed *Terms and Electronic Meetings*.

SECTION IV – SECTION ENACTED. Section 4-3-4, *Electronic meetings*, of Chapter 3, *Terms and Electronic Meetings*, of the Tooele County Code is hereby enacted to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION V – REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION VI – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

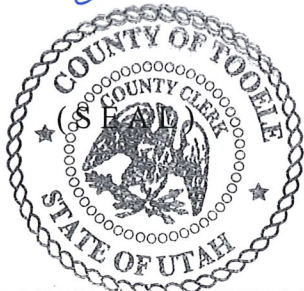
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 31st day of March 2020.

ATTEST:

TOOELE COUNTY COMMISSION:



MARILYN K. GILLETTE, Clerk


TOM TRIPP, Chairman



Commissioner Milne voted aye
Commissioner Thomas voted aye
Commissioner Tripp voted aye

APPROVED AS TO FORM:


SCOTT A. BROADHEAD
Tooele County Attorney

TOOELE COUNTY CODE
TITLE 1
GENERAL PROVISIONS

CHAPTER 2
THE BOARD OF COUNTY COMMISSIONERS

1-2-7. Special meetings.

(1) If, at any time, the business of the Board of County Commissioners requires a special meeting of the board, such meeting may be ordered by a majority of the board or by the chair. The order setting a special meeting must be in writing and signed by the board members or chair calling such meeting, be entered in the minutes of the board, and state the purpose(s) and proposed agenda for the meeting.

(2) Except in emergency situations, at least twenty-four hours' written notice of any special meeting must be given to board members and must be published as directed in Section 52-4-6, Utah Code Ann. (1953, as amended).

(3) No business may be transacted at such special meetings except as specified in the order setting the special meeting.

(4) Special meetings may be conducted at places other than the county seat; provided however, that proper notice shall be given of the time and place of the special meeting in accordance with law.

1-2-9. Electronic meetings.

(1) The Board of County Commissioners may hold electronic meetings.

(2) In order to hold an electronic meeting:

(a) a quorum of the Board must:

(i) be present at the chambers of the Board of County Commissioners for the meeting; and

(ii) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection.

(b) a request for an electronic meeting must be made by a board member at least three days prior to the meeting to allow for arrangements to be made for the electronic meeting.

(3) The Board shall:

(a) give public notice of the meeting:

(i) in accordance with Section 52-4-202, Utah Code Ann. (1953, as amended); and

(ii) post written notice at the anchor location.

(b) in addition to giving public notice required by Subsection (3)(a), provide:

(i) notice of the electronic meeting to the board members at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and

(ii) a description of how the members will be connected to the electronic meeting.

(4) The anchor location for the public meeting is the location which the board normally meets in the Tooele County Administration Building located at 47 South Main Street, Tooele, Utah.

(5) Space and facilities at the anchor location shall be provided so that interested persons and the public may attend and monitor the open portions of the meeting.

(6) If comments from the public will be accepted during the electronic meeting, space and facilities at the anchor location shall be provided so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

TITLE 4 BOARDS AND COMMITTEES

CHAPTER 3 TERMS AND ELECTRONIC MEETINGS

4-3-4. Electronic meetings.

- (1) Tooele County boards and committees may hold electronic meetings.
- (2) In order to hold an electronic meeting:
 - (a) a quorum of the board or committee must:
 - (i) be present at the location the board or committee normally meets for the meeting; and
 - (ii) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection.
 - (b) a request for an electronic meeting must be made by a board or committee member at least three days prior to the meeting to allow for arrangements to be made for the electronic meeting.
- (3) The board or committee shall:
 - (a) give public notice of the meeting:
 - (i) in accordance with Section 52-4-202, Utah Code Ann. (1953, as amended); and
 - (ii) post written notice at the anchor location.
 - (b) in addition to giving public notice required by Subsection (3)(a), provide:
 - (i) notice of the electronic meeting to the board or committee members at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
 - (ii) a description of how the members will be connected to the electronic meeting.
- (4) The anchor location for the public meeting is the location which the board or committee normally meets.
- (5) Space and facilities at the anchor location shall be provided so that interested persons and the public may attend and monitor the open portions of the meeting.
- (6) If comments from the public will be accepted during the electronic meeting, space and facilities at the anchor location shall be provided so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

TOOELE COUNTY CODE
TITLE 1
GENERAL PROVISIONS

CHAPTER 2
THE BOARD OF COUNTY COMMISSIONERS

1-2-7. Special meetings.

~~If at any time the business of the County requires a special meeting of the Board, such meeting may be ordered by a majority of the Board or by the Chairman thereof. The order must be signed by the members or Chairman calling such meeting and must be entered in the minutes of the Special Board Meeting. Five days' notice of such meeting must be given by the Clerk to the members not joining in the order. The order must specify the business to be transacted at such meeting, and none other than that special meeting unless all the members are present and consent thereto. (§17-5-7, U.C.A.)~~

(1) If, at any time, the business of the Board of County Commissioners requires a special meeting of the board, such meeting may be ordered by a majority of the board or by the chair. The order setting a special meeting must be in writing and signed by the board members or chair calling such meeting, be entered in the minutes of the board, and state the purpose(s) and proposed agenda for the meeting.

(2) Except in emergency situations, at least twenty-four hours' written notice of any special meeting must be given to board members and must be published as directed in Section 52-4-6, Utah Code Ann. (1953, as amended).

(3) No business may be transacted at such special meetings except as specified in the order setting the special meeting.

(4) Special meetings may be conducted at places other than the county seat; provided however, that proper notice shall be given of the time and place of the special meeting in accordance with law.

1-2-9. Electronic meetings.

(1) The Board of County Commissioners may hold electronic meetings.

(2) In order to hold an electronic meeting:

(a) a quorum of the Board must:

(i) be present at the chambers of the Board of County Commissioners for the meeting; and

(ii) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection.

(b) a request for an electronic meeting must be made by a board member at least three days prior to the meeting to allow for arrangements to be made for the electronic meeting.

(3) The Board shall:

(a) give public notice of the meeting:

- (i) in accordance with Section 52-4-202, Utah Code Ann. (1953, as amended);
and
 - (ii) post written notice at the anchor location.
 - (b) in addition to giving public notice required by Subsection (3)(a), provide:
 - (i) notice of the electronic meeting to the board members at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
 - (ii) a description of how the members will be connected to the electronic meeting.
 - (4) The anchor location for the public meeting is the location which the board normally meets in the Tooele County Administration Building located at 47 South Main Street, Tooele, Utah.
 - (5) Space and facilities at the anchor location shall be provided so that interested persons and the public may attend and monitor the open portions of the meeting.
 - (6) If comments from the public will be accepted during the electronic meeting, space and facilities at the anchor location shall be provided so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
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TITLE 4
BOARDS AND COMMITTEES

CHAPTER 3
TERMS AND ELECTRONIC MEETINGS

4-3-4. Electronic meetings.

- (1) Tooele County boards and committees may hold electronic meetings.
- (2) In order to hold an electronic meeting:
 - (a) a quorum of the board or committee must:
 - (i) be present at the location the board or committee normally meets for the meeting; and
 - (ii) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection.
 - (b) a request for an electronic meeting must be made by a board or committee member at least three days prior to the meeting to allow for arrangements to be made for the electronic meeting.
- (3) The board or committee shall:
 - (a) give public notice of the meeting:
 - (i) in accordance with Section 52-4-202, Utah Code Ann. (1953, as amended);
and
 - (ii) post written notice at the anchor location.
 - (b) in addition to giving public notice required by Subsection (3)(a), provide:
 - (i) notice of the electronic meeting to the board or committee members at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and

(ii) a description of how the members will be connected to the electronic meeting.

(4) The anchor location for the public meeting is the location which the board or committee normally meets.

(5) Space and facilities at the anchor location shall be provided so that interested persons and the public may attend and monitor the open portions of the meeting.

(6) If comments from the public will be accepted during the electronic meeting, space and facilities at the anchor location shall be provided so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.