

# **UTAH COUNTIES INDEMNITY POOL ELECTRONIC MEETING POLICY**

## **SECTION A EFFECTIVE DATE AND FREQUENCY OF REVIEW**

1. The effective date of this policy is August 19, 2010.
2. This policy should be reviewed annually, but not less than every five years by the Board of Directors.
3. This policy should also be reviewed at any time that changes to laws or rules governing Electronic Meetings of political subdivisions are amended, or recommendations are made by the UCIP CEO or CFO, which would require review and update to this policy.
4. Failure to review this policy in the frequency stated shall not nullify, void, limit or waive this policy or any action taken under this policy.
5. This policy is considered to be amended at the time any new federal or state law becomes effective which conflicts with this policy, but only to the extent necessary to come into compliance with new law.

## **SECTION B PURPOSE**

1. The purpose of this policy is to assure all Electronic Meetings conducted by UCIP are conducted in compliance with Utah Code Ann. §52-4-101 et. seq., 1953 as amended.
2. The purpose for holding Electronic Meetings is primarily to enable members of the Board of Directors to participate in the Meeting electronically.
3. Provision may be made for a member of the public to monitor an open meeting of the Board through electronic means provided that:
  - a. The member of the public so requests in writing at least three days prior to the Meeting; and
  - b. UCIP will not be required to acquire any equipment, facilities or expertise which UCIP does not already possess in order to accommodate the request.

## **SECTION C AUTHORITY**

1. The Board of Directors has authority to adopt this policy under the UCIP Interlocal Agreement, Bylaws, and under Utah Code Ann. §52-4-101 et. seq., 1953 as amended.

## **SECTION D APPLICABILITY AND SCOPE**

1. This Policy applies to all Electronic Meetings conducted by UCIP which are governed by the Utah Open and Public Meetings Act, Utah Code Ann. §52-4-101 et. seq., 1953 as amended.
2. Notwithstanding anything to the contrary in this Policy, with the exception of a Public Hearing, the general public and other interested persons need not be provided an opportunity to participate in, as opposed to attend and monitor, an Electronic Meeting.

## **SECTION E DEFINITIONS**

1. Anchor Location: the physical location from which the Electronic Meeting originates or from which the participants are connected.
2. Board: the Board of Directors of the Utah Counties Indemnity Pool.
3. CEO: the Chief Executive Officer of the Utah Counties Indemnity Pool.
4. CFO: the Chief Financial Officer of the Utah Counties Indemnity Pool.
5. Electronic Meeting: a Public Meeting convened or conducted by means of a conference using electronic communications.
6. Meeting: the convening of the UCIP Board of Directors, with a Quorum present, including a workshop or an executive session, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the UCIP Board of Directors has jurisdiction or advisory power.
7. Meeting: is not a chance gathering or social gathering.
8. Meeting: is not a convening of the Board if;
  - a. No public funds are appropriated for expenditure during the time the Board is convened; and
  - b. The Board is convened solely for the discussion or implementation of administrative or operational matters for which no formal action by the Board is required or that would not come before the public body for discussion or action.
9. Monitor: to hear or observe, live, by audio or video equipment, all of the public statements of each member of the public body who is participating in a Meeting.
10. Participate: the ability to communicate with all of the members of the Board attending a Meeting, either verbally or electronically, so that each member of the Board in attendance can hear or observe the communication.

11. Quorum: a simple majority of the membership of the Board, unless otherwise defined by the UCIP Bylaws.
12. Quorum: is not a Meeting of two Board members by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have advisory power.

## **SECTION F POLICY STATEMENTS**

1. An Anchor Location must be established for all Electronic Meetings.
2. A Quorum of the Board need not be present at an Anchor Location for an Electronic Meeting to be held.
3. A Board member who is not physically present may participate in the Meeting through electronic means and be counted toward the required Quorum, and may make, second and vote on all motions and participate in the discussions as though present.
4. As few as one Board member may be present at the Anchor Location for an Electronic Meeting to be held provided that the Board member who chairs the Meeting is physically present at the Anchor Location. If neither the Chair nor the Vice Chair is physically present at the Anchor Location, but there is still a Quorum, a Board member who is physically present at the Anchor Location will preside over the Meeting.
5. Space and facilities must be provided at the Anchor Location so that all interested persons may attend and monitor the open portions of the Meeting.
6. If the Meeting is a Public Hearing, space and facilities must be provided at the Anchor Location so that interested persons and the public may attend, monitor and participate in the hearing.
7. A request from a member of the public to monitor a meeting electronically that is not being held as an Electronic Meeting may be denied by the Chair, or Vice Chair in the Chair's absence, based on budget, public policy or logistical considerations deemed sufficient by the Chair or Vice Chair.

## **SECTION G PROCEDURES AND RESPONSIBILITIES**

1. The UCIP Chief Executive Officer shall assure that not less than 24 hours' advance public notice, including the agenda, date, time, location, and a description of how the Board members will be connected to the Electronic Meeting, will be given for each Electronic Meeting of the Board by:
  - a. Posting a written notice at the principal office of UCIP; and
  - b. Posting written notice at the Anchor Location; and

- c. Providing notice to all Board members; and
- d. Providing written or electronic notice to at least one newspaper of general circulation and to a local media correspondent; and
- e. Posting notice of the Electronic Meeting on the Utah Public Notice Website created under Utah Code Ann. §63F-1-701 et. seq., 1953 as amended; and
- f. Providing any other additional notice or posting as directed by the Chair or the Board.

## **SECTION H REVISION HISTORY**

- 1. Resolution Adopted: August 19, 2010
- 2. Adopted: December 21, 2017
- 3. Reviewed: December 20, 2018
- 4. Reviewed: December 19, 2019
- 5. Revised: June 18, 2021

## **SECTION I APPENDICES**

- 1. Utah Open and Public Meetings Act