

## **ELECTRONIC MEETINGS DURING A STATE OF EMERGENCY OR DISASTER**

**Meetings to Which These Rules Apply.** Electronic meetings will only be permitted when any of the following entities declare that a state of emergency or a disaster exists in an area within the boundaries of Polk County, NC: Polk County, through declaration of the Chairman of the Board of Commissioners or otherwise as permitted by the Rules of Procedure of the County; the federal government of the United States of America; the Government of the State of North Carolina through the Governor of the State of North Carolina or other method permitted by Chapter 166A of the North Carolina General Statutes. **If no state of emergency or disaster exists, then these electronic rules may not be used.** These rules shall apply to meetings of the Board of Commissioners, or any Board appointed by the Board of Commissioners. Electronic Meetings can take place for any regular, special, or emergency meeting, subject to the conditions herein.

**Notice of Electronic Meeting.** If an Electronic Meeting is necessary, a public notice of the electronic meeting shall be sent as part of any notice required by North Carolina General Statutes §143- 318.12. The public notice, in addition to the information required by North Carolina General Statutes §143-318.12, shall provide: **the location of the physical meeting (which is where any Board members and Staff able to attend the meeting in person shall gather); and b. the location where, or manner in which, a member of the public, member of the media, or others, may listen to the Electronic Meeting in accordance with § 143-318.13 of the North Carolina General Statutes, or participate in the meeting, as appropriate.** The notice shall be provided in the manner required by Article 33C of Chapter 143 of the North Carolina General Statutes. If the Electronic Meeting is being used for any part of a regular meeting that is on the meeting schedule adopted by the Board of Commissioners, or any of their appointed boards, then the information required above shall be provided in a separate notice in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes. Any notice provided may also be posted on the County's website and social media accounts, if possible.

**Quorum.** Board members present, in person or electronically, shall be included in the calculation for determining if a quorum exists of the Board of Commissioners, or any other appointed board. If a Board member withdraws from the meeting, the rest of the meeting may be completed provided there is still a quorum present either in person or electronically. Any Board member withdrawing from the meeting shall no longer be included for purposes of the quorum calculation.

**Process of Opening Meeting.** Immediately prior to opening the meeting, the Chairman or other presiding officer shall communicate with the Board member(s) who is (are) participating electronically and ensure that he/she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line or electronic application shall be kept open. At the start of the meeting, the Chairman or presiding official shall identify the Board members who are participating electronically.

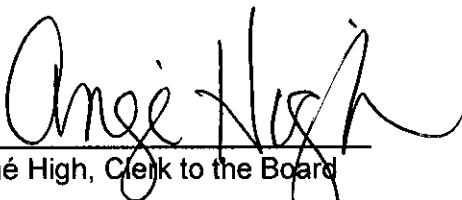
**Discussion and Voting.** Prior to taking a vote the Chairman or other presiding officer should inquire of the Board members participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, if any, and should allow those Board members to make any comments. However, it is the responsibility of the member to gain the attention of the Chairman or the presiding officer in order to be recognized for discussion.

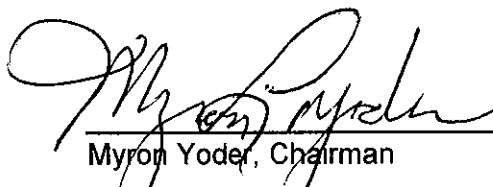
The Board members present for the meeting through electronic means are eligible to vote for all items considered by the Board during the meeting unless they abstain as permitted by these rules of procedure. A member voting must indicate verbally with an “aye” or “no” or “abstain” (when officially recused) such that the Clerk to the Board or his/her designee may record the vote. A Board member attending that does not respond to a call to vote through electronic means shall be considered an affirmative vote. If a Board member attending through electronic means becomes disconnected from the meeting, the Board member will not be counted as an affirmative or negative vote.

**Minutes.** The minutes of the meeting shall designate the name of each Board member who participated electronically, the nature of the electronic communication, and the duration of the Board member’s participation.

ATTEST:

POLK COUNTY BOARD  
OF COMMISSIONERS

  
\_\_\_\_\_  
Angé High, Clerk to the Board

  
\_\_\_\_\_  
Myron Yoder, Chairman

Effective Date retroactive to: 04/20/20  
Policy approved: 05/18/2020