

RESOLUTION NO. 2020-____-CM

**PUBLIC MEETINGS OF TIPPECANOE COUNTY GOVERNING BODIES
DURING COVID-19 EMERGENCY**

WHEREAS, the Tippecanoe County Health Department has declared a public health emergency related to the spread of the COVID-19 virus; and

WHEREAS, the Tippecanoe County Health Department has issued guidance recommending that events open to the public with fifty or more people be modified, postponed, or canceled for the safety and well-being of staff, participants, and the community;

WHEREAS, the Indiana State Department of Health and the Centers for Disease Control have issued advisories that individuals who are sick should self-isolate and that individuals who are not sick should avoid public gatherings if COVID-19 is spreading in their community;

WHEREAS, the Open Door Law (IC 5-14-1.5) does not provide guidance with respect to health emergencies but the Public Access Counselor has declined to find a violation in situations involving unexpected inability to accommodate all members of the public (*See* Opinion of the Public Access Counselor 16-FC-296); and

WHEREAS, the Board of Commissioners wishes to provide guidance to governing bodies in Tippecanoe County government with respect to maintaining open meetings while addressing the necessities of the health emergency;

NOW, THEREFORE, BE IT RESOLVED:

Sec. 1. The presiding officer of the governing body (as defined by IC 5-14-1.5-2(b)) should generally make the necessary determinations under this Resolution subject to the governing body's rules for overriding a presiding officer's determinations.

Sec. 2. Non-urgent agenda items, particularly those likely to be subjects of particular

public interest should be postponed.

Sec. 3. If a meeting agenda does not include urgent items, consideration should be given to cancelling or postponing the meeting.

Sec. 4. The governing body should take advantage of the County's streaming capabilities whenever possible to allow interested members of the public to view the proceedings remotely.

Sec. 5. At a meeting where fifty (50) people or more (inclusive of staff and members of the governing body) are in attendance, the presiding officer may direct that members of the public be removed or excluded from the meeting room. When determining who may stay and who must leave, the presiding officer should give priority to the following:

- a. Individuals with a direct interest in the proceedings;
- b. Members of the media;
- c. Individuals chosen by other concerned citizens as spokespersons for the concerns of the group;
- d. Those who have arrived earliest.

Sec. 6. The meetings should be recorded.

Sec. 7. This Resolution shall remain in effect until declaration of public health emergency by the Tippecanoe County Health Department is rescinded.

Adopted this ____ day of March 2020.

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

Tracy A. Brown, President

Thomas P. Murtaugh, Vice President

David S. Byers, Member

ATTEST:

Robert Plantenga, Auditor of Tippecanoe County