

**VILLAGE OF MT. ZION
MACON COUNTY, ILLINOIS**

Ordinance No.
2020-5

**AN ORDINANCE DEFINING MEETING AND ADOPTING PROCEDURES FOR
ELECTRONIC ATTENDANCE AT MEETINGS**

CERTIFICATE

State of Illinois)
)
)
County of Macon)

I, Dawn Reynolds, duly appointed Village Clerk of the Village of Mt. Zion, Macon County, State of Illinois, and as such, custodian of all Village records, do hereby certify that the attached Ordinance No. 2020-5, is a true and correct copy of AN APPROVED ORDINANCE OF THE VILLAGE OF MT. ZION, MACON COUNTY, ILLINOIS that was adopted by the Mt. Zion Village Board on May 18, 2020.

In witness whereof, I hereby set my hand and affix the seal of the Village of Mt. Zion on this 18th day of May, 2020.

Seal



Dawn Reynolds, Village Clerk

Ordinance NO. 2020-5

MT. ZION ORDINANCE DEFINING MEETING AND ADOPTING PROCEDURES FOR ELECTRONIC ATTENDANCE AT MEETINGS

WHEREAS, on January 1, 2007, Public Act 94-1058, amending the Open Meetings Act, takes effect and amends the definition of a “meeting” to mean “Any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as , without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business,” and it permits attendance of members of the public body at public meetings by a means other than physical presence;

WHEREAS, to permit attendance by a means other than physical presence, Mt. Zion must adopt rules that conform to the requirements and restrictions of the Open Meetings Act 5 ILCS 120/7;

WHEREAS, the corporate authorities of Mt. Zion desire to permit the attendance of members of the public body by means other than physical presence in compliance with the Open Meeting Act;

WHEREAS, the Elected officials of Mt. Zion find that it is necessary that any existing ordinances, resolutions or policies be amended to conform with the term “meeting” to include electronic gatherings as defined in Section 120/1.02 of the Open Meetings Act.

NOW, THEREFORE, BE IT ORDAINED by Mt. Zion as follows:

Section 1. Recitals. The preliminary paragraphs set forth above are incorporated herein as part of this Ordinance.

Section 2. Electronic Attendance at Meetings Rules. Mt. Zion hereby adopts the Electronic Attendance at Meetings Rules, attached hereto, that permits a member of the public body to attend any meeting of a public body as defined in the Open Meetings Act via electronic means.

Section 3. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication according to law.


Section 4. Severability. In the event that any section, clause, provision, or part of this Ordinance/ Resolution shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

AYES: 6

NAYS: 0

ABSENT: 0


APPROVED:



Mayor

DATE: 5/18/2020

ATTEST:



(Clerk/Secretary)

**MT. ZION
ELECTRONIC ATTENDANCE AT MEETINGS RULES**

Section 1. **Rules Statement.** It is the decision of Mt. Zion that any member of the Board of Trustees may attend any open or closed meeting of the Board of Trustees via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.

Section 2. **Prerequisites.** A member of the Board of Trustees may attend a meeting electronically if the member meets the following conditions:

- (a) The member should notify the Mt. Zion Clerk at least one hour before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements may result in denial of a request for remote attendance.
- (b) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting,
 - (1) The member cannot attend because of personal illness or disability; or
 - (2) The member cannot attend because of employment purposes or the business of Mt. Zion, or
 - (3) The member cannot attend because of a family or other emergency.

Section 3. **Authorization to Participate.**

- (a) The Clerk of Mt. Zion, after receiving the electronic attendance request, shall inform the Board of Trustees of the request for electronic attendance.
- (b) After establishing that this a quorum is physically present at meeting where a member of the Board of Trustees desires to attend electronically, the presiding officer shall state that (i) a notice was received in accordance with these Rules, and (ii) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by two-thirds of the members of the Board of Trustees physically at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the Board of Trustees physically present at the

meeting, then the request by the Board of Trustees and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

- Section 4. Adequate Equipment Required.** The member participating electronically, and other members of the Board of Trustees must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the Board of Trustees shall provide equipment adequate to accomplish this objective at the meeting site.
- Section 5. Minutes.** Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.
- Section 6. Rights to Remote Member.** A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.
- Section 7. Committees, Boards and Commissions.** These rules shall apply to all committees, boards and commissions established by authority of the Board of Trustees.

These rules are effective this 18th day of May 2020.


MAYOR

ATTEST:


Clerk