

**RESOLUTION
BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT**

A RESOLUTION REVISING THE ELECTRONIC BOARD MEETING POLICY DURING COVID-19 PANDEMIC

WHEREAS, the Evans Fire Protection District ("*District*") is a political subdivision of the State of Colorado, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.* ("*Act*"), to provide fire, life safety, and emergency medical services (collectively, "*Emergency Services*") to the citizens and property within its jurisdiction, and to individuals passing through its jurisdiction;

WHEREAS, the District's Board of Directors ("*Board*") conducts monthly public meetings, and special public meetings on an as-needed basis, to carry out its statutory responsibilities for "the management, control, and supervision of all the business and affairs of the District." C.R.S. § 32-1-1001(1)(h);

WHEREAS, the severe acute respiratory syndrome coronavirus SARS-CoV-2, commonly referred to as COVID-19, is highly infectious and can cause severe and potentially fatal respiratory symptoms in infected individuals. On March 10, 2020, Colorado Governor Jared Polis declared a State of Emergency as a result of the spread of COVID-19 within Colorado. On March 11, 2020, the World Health Organization declared COVID-19 to be a pandemic;

WHEREAS, in response to the COVID-19 pandemic, the Board adopted Resolution No. 2020-03 Establishing an Electronic Board Meeting Policy During COVID-19 Pandemic to promote social distancing in accordance with the recommendations of federal and state public health agencies and thereby reduce the risk of exposure to COVID-19 for Board members, Chief Staff, other District personnel, and the public who attend the meetings;

WHEREAS, since the adoption of Resolution No. 2020-03, conditions with respect to the transmission of COVID-19 have improved within the State of Colorado and Weld County. On June 1, 2020, Colorado Governor Jared Polis issued Executive Order D 2020-091, "Safer at Home and in the Vast, Great Outdoors" which permits many Coloradans to return to work and other activities while following applicable public health recommendations. However, vulnerable individuals are still encouraged to stay home, and the possibility exists for renewed aggressive spread of COVID-19 in the future;

WHEREAS, presently, the Board determines that conducting meetings in a physical location, either fully or partially, no longer poses a significant risk of exposure to COVID-19 for many Board members, Chief Staff, and other District personnel, and members of the public who attend the meetings; however, because the future of the pandemic remains uncertain, the Board must have discretion to conduct its public meetings either physically or electronically, or as a combination of both, as conditions warrant;

WHEREAS, the Colorado Open Meetings Law expressly contemplates that the Board may conduct its public meetings by electronic methods. *See* C.R.S. § 24-6-402(1)(b) ("Meeting" means

any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.");

WHEREAS, the District has the capability for the Board to conduct its regular and special public meetings through electronic communications systems that will allow the public to access and hear the meetings, when appropriate; and

WHEREAS, by this Resolution, the Board desires to rescind Resolution No. 2020-03, and to revise its electronic Board meeting policy to enhance flexibility in conducting the Board's public meetings in order to promote both the public health and the efficient conduct of District business.

NOW THEREFORE, be it resolved by the Board of Directors of the Evans Fire Protection District that, effective immediately upon adoption of this Resolution:

1. So long as Governor Jared Polis continues the COVID-19 State of Emergency within the State of Colorado, the Board shall be authorized to conduct its public meetings either: (a) at a physical location; (b) at a physical location with remote attendance availability, or (c) electronically. Any remote attendance availability or electronically conducted Board meeting will be provided by teleconferencing or video conferencing with a telephone call-in option, with user access information to be made available on the District's Board meeting notice and agenda.

2. A copy of this Resolution shall be posted on the District's website. Additionally, notice of all District Board meetings and the manner of attendance will be included on the District's Board meeting notice and agenda and posted to the District's website at least 24 hours prior to each regular or special meeting.

3. The policy stated in this Resolution shall remain in effect until such time as Governor Jared Polis declares that the statewide COVID-19 State of Emergency has ended, or such statewide COVID-19 State of Emergency otherwise terminates or expires. At such time, this Resolution shall automatically expire with no further action required of the Board.

4. The Board expressly authorizes the President and Secretary to sign this Resolution on behalf of all Board members in multiple counterparts and by facsimile or electronic PDF, all of which shall constitute a single, valid Resolution of the Board as if signed by each Board member in paper format. The Board further expressly authorizes the President and Secretary to sign any other Resolutions and any Board meeting minutes approved by the Board while this policy is in effect in accordance with the procedures set forth in the preceding sentence.

5. This Resolution supersedes and replaces Resolution No. 2020-03 previously adopted by the Board, which Resolution is hereby rescinded and rendered null and void for all purposes.

ADOPTED and APPROVED this 27th day of July, 2020.

BOARD OF DIRECTORS
EVANS FIRE PROTECTION DISTRICT



President



Secretary