

**RESOLUTION NO. 2020-17**

**A RESOLUTION APPROVING A POLICY REGARDING ELECTRONIC PARTICIPATION FOR PUBLIC MEETINGS AND QUASI-JUDICIAL HEARINGS DURING EMERGENCY SITUATIONS**

**WHEREAS**, the Novel Coronavirus 2019 (COVID-19) Pandemic is causing widespread human and economic impacts to the Town; and

**WHEREAS**, on March 10, 2020, the Governor of the State of Colorado issued a Declaration of Statewide Emergency in response to COVID-19; and

**WHEREAS**, on March 16, 2020, the Mayor of the Town of Keenesburg, pursuant to C.R.S. § 24-33.5-709, executed an Order Declaring a Local Disaster Emergency in and for the Town of Keenesburg (the “Mayor’s Declaration”); and

**WHEREAS**, by Resolution No. 2020-14 adopted on March 16, 2020, the Board of Trustees continued in effect the Mayor’s Declaration until terminated by resolution of the Board; and

**WHEREAS**, by Resolution No. 2020-12 adopted on March 16, 2020, the Town Board of Trustees approved a policy authorizing electronic participation at public meetings of the Board and Planning Commission; and

**WHEREAS**, such policy did not authorize the Board or Planning Commission to hold quasi-judicial hearings at electronic meetings; and

**WHEREAS**, on March 25, 2020, the Governor issued Executive Order 2020-17, ordering the Colorado Department of Public Health and Environment (“CDPHE”) to issue a state-wide “Stay at Home” public health order; and

**WHEREAS**, thereafter, also on March 25, 2020, the CDPHE issued an Amended Public Health Order 20-24 Implementing Stay at Home Requirements, which Order has been updated twice by the CDPHE and, as updated, requires all individuals currently living within the State of Colorado to stay at home whenever possible, and only to leave to perform or utilize “Necessary Activities,” as defined in the Order; and

**WHEREAS**, current available information indicates the Town Board and Planning Commission may not be able to meet in person for an extended period of time and thus the nature and extent of the COVID-19 Pandemic is extraordinary; and

**WHEREAS**, the Board finds that holding quasi-judicial hearings constitutes an important function of Town government; that not holding such hearings for an extended period of time may present a burden to Town residents, property owners, and businesses; and that the public health,

safety, and welfare of the Town will best be secured and protected during this COVID-19 Pandemic by permitting quasi-judicial hearings to proceed at electronic meetings in accordance with the procedures set forth in the policy regarding Electronic Participation for Public Meetings and Quasi-Judicial Hearings during Emergency Situations (the “Policy”) that accompanies this resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:**

**Section 1.** The proposed policy regarding Electronic Participation for Public Meetings and Quasi-Judicial Hearings during Emergency Situations is hereby approved in essentially the same form as accompanies this resolution

INTRODUCED, READ, and ADOPTED this 6<sup>th</sup> day of April, 2020.

TOWN OF KEENESBURG, COLORADO

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Kenneth Gfeller, Mayor

ATTEST:

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Christina Fernandez, Town Clerk