

ORDINANCE NO. 10-5

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF PESOTUM
THIS
4th DAY OF August, 2010.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
BOARD OF TRUSTEES OF THE VILLAGE OF PESOTUM, ILLINOIS
THIS 4th DAY OF August, 2010.

CERTIFIED BY THE UNDERSIGNED
CLERK OF THE VILLAGE OF PESOTUM, ILLINOIS THIS DATE.


CLERK

(SEAL)

ORDINANCE NO. 10-5

AN ORDINANCE DEFINING MEETING AND ADOPTING
PROCEDURES FOR ELECTRONIC ATTENDANCE AT
MEETINGS OF THE VILLAGE OF PESOTUM BOARD OF TRUSTEES
(hereinafter referred to as, "Village of Pesotum").

WHEREAS, on January 1, 2007, Public Act 94-1058, amending the Open Meetings Act, took effect and amended 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, the President and Board of Trustees must adopt rules that conform to the requirements and restrictions of the Open Meetings Act, 5 ILCS 120/7;

WHEREAS, the President and Board of Trustees of the Village of Pesotum desire to permit attendance of Trustees of the Village of Pesotum by means other than physical presence, in extraordinary and limited circumstances, and only as a result of personal illness or disability, employment purposes of a Trustee, business of the Village of Pesotum, or a family or other emergency, in compliance with the Open Meetings Act; it being the intent of the Village of Pesotum that public policy strongly encourages personal attendance in order to participate meaningfully in meetings and discourage the use of electronic attendance except in circumstances of unavoidable conflict;

WHEREAS, the President and Board of Trustees of the Village of Pesotum 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 the President and Board of Trustees of the Village of Pesotum, Champaign County, Illinois, 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. The Village of Pesotum hereby adopts the Electronic Attendance at Meetings Rules, attached hereto, that permit a Trustee of the Village of Pesotum to attend a meeting of the Village of Pesotum via electronic means, under extraordinary circumstances as defined in the Open Meetings Act, and pursuant to the Electronic Attendance at Meetings Rules.

Section 3. Severability. In the event that any section, clause, provision, or part of this Ordinance 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.

Section 4. Repeal of Prior Ordinances: All prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its passage and approval, and publication as provided by applicable law.

This Ordinance shall be effective ten (10) days after its passage, approval and publication, which shall be in pamphlet form.

ADOPTED THIS 4th day of August, 2010, by the President and Board of Trustees of the Village of Pesotum, Illinois.

Ayes:

Tricia Althaus
Cheryl Smitley
Cherrie Plumber
Josh Eisenmenger
Joyce Ragle
Kyle Logsdon

Nays:

APPROVED this 4th day of August, 2010.

(SEAL)

ATTEST:

Mary Jo Harvey
Mary Jo Harvey, Village Clerk

Anthony A. Sabulky
Village President

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4th day of August, 2010.

Mary Jo Farris
Village Clerk