

RESOLUTION NO. 26-669

A RESOLUTION OF THE TOWN OF MOUNT CARMEL, TENNESSEE ESTABLISHING A POLICY ALLOWING GOVERNING BODY MEMBERS TO PARTICIPATE IN MEETINGS BY ELECTRONIC MEANS UNDER SPECIFIC CIRCUMSTANCES.

WHEREAS, Public Chapter 411, Acts of 2025, was passed by the Tennessee General Assembly during the 2025 legislative session and signed by Governor Lee on May 9, 2025; and

WHEREAS, the governing body wishes to allow electronic participation in meetings under specified circumstances;

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee that:

SECTION 1. Electronic Participation in Municipal Legislative Body Meetings.

(1) Having adopted Tennessee Code Annotated § 6-54-149 by a two-thirds (2/3) majority vote, a member of the Board of Mayor and Alderman (hereinafter “governing body”) may participate in a scheduled governing body meeting by electronic means, including, but not limited to, videoconferencing or other web-based media, but only for the following reasons:

- (a.) The member of the governing body is dealing with a family or medical emergency;
- (b.) The member of the governing body has been called into military service; or
- (c.) The member of the governing body is unable to attend a meeting due to inclement weather.

(2). Such determination shall be made on a case by case basis at the start of the meeting by a majority vote of the governing body members constituting a quorum present at the physical location of the meeting.

SECTION 2. Member Requirements to Participate Electronically. Any member who is absent shall only participate in a meeting through electronic means if the member meets the following requirements:

- (1) The member must be visually identified by the Mayor, or in their absence, the Vice-Mayor or other Chairman of the meeting, as required by Tennessee Code Annotated §6-54-149.
- (2) The member shall notify the Town Recorder by 5:00 p.m. the day prior to the meeting of the member’s intent to participate electronically. The member shall state in the notice to the Town Recorder that the member has a family emergency, medical emergency, military service, and/or inclement weather condition qualifying the member for electronic participation.
- (3) The member shall have the ability to log into the virtual meeting platform using their own computer equipment. In order to speak, the member shall use their computer’s microphone, a headset, or phone for sound.

- (4) The member shall keep their microphones muted unless they are actively speaking.
- (5) During the calling of the roll, the member shall un-mute their microphone and announce their name as an electronic participant. The Town Recorder shall record this person as present for voting purposes, but not for quorum purposes.

SECTION 3. In-Person Quorum. The legislative body shall not conduct a meeting that includes electronic participation unless a quorum of the governing body is present at the physical location of the meeting. No more than two (2) members may participate electronically in each meeting.

SECTION 4. Annual Limitation. A member of the governing body shall not participate electronically in meetings more than two (2) times per calendar year.

SECTION 5. Public Access.

(1) All meetings of the governing body conducted by electronic means under this section must remain open and accessible to the public by providing real-time, live audio or video access to the public.

(2) A clear audio or video recording of the meeting shall be made available to the public as soon as practicable following the meeting, and in no event more than two (2) business days after the meeting.

SECTION 6. Public Notice. In the public notice required by the Tennessee code Annotated § 8-44-103, the governing body shall provide information regarding how the public can obtain real-time, live access to, or a broadcast of, the meeting, and the governing body shall provide an agenda for the meeting in such notice.

SECTION 7. Staff Facilitation of Electronic Access. Upon notice of electronic participation by a member of the governing body, the town recorder shall facilitate the implementation of electronic access to the member by setting up appropriate equipment and providing electronic access instructions to the member no later than one (1) hour prior to the meeting. The first two (2) members to notify the Town Recorder of an intent to participate electronically shall receive the necessary information allowing them to participate electronically.

SECTION 8. Effective Date. This resolution shall take effect immediately upon passage, the public welfare requiring it.

Approved by Two-Thirds (2/3) Majority Vote on

January 22, 2026

John K. Gibson
Mayor

Tyler Williams
Town Recorder

