

# WOODMEN HILLS METROPOLITAN DISTRICT

## RESOLUTION NO. 2012-02

### RESOLUTION ADOPTING AN ELECTRONIC MAIL POLICY.

**WHEREAS**, the Woodmen Hills Metropolitan District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and Section 24-72-204.5, C.R.S., requires that political subdivisions of the State of Colorado that operate or maintain an electronic mail (“e-mail”) communications system, adopt a written policy regarding monitoring of e-mail communications and the circumstances under which it will be conducted; and

**WHEREAS**, Section 24-6-402(2)(d)(III), C.R.S., provides that if elected officials subject to the Colorado Open Meetings Law (Sections 24-6-401 and 24-6-402, C.R.S.) use e-mail to discuss pending legislation or other public business among themselves, the e-mail shall be subject to the requirements applicable to public meetings; and

**WHEREAS**, the District Board of Directors (“Board”) wishes to set forth its policy for the monitoring of e-mail communications by, to and between District personnel, and further to set forth its policy for purposes of complying with the public meetings requirements of the Colorado Open Meetings Law applicable to e-mail regarding pending legislation or other public business among the Board, and further to set forth and clarify its policy regarding use of the District’s e-mail systems;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Woodmen Hills Metropolitan District, as follows:

1. **District E-mail System Use and Monitoring.**

(a) **District Systems.** The District’s e-mail system is a business tool owned and paid for by the District for use by employees of the District and the Board (collectively “System Users”). The e-mail system is designed to facilitate the District’s business transactions and is limited to communications solely related to District business-related subjects. The e-mail system is not to be used for communications of a personal, private, or non-business matter or nature.

(b) **Private Systems.** System Users shall use the District’s e-mail system for sending and receiving all e-mail related to District business and affairs. The use by System Users of private e-mail systems to conduct District business is strictly prohibited, with the exception of receiving occasional or inadvertent e-mail, which will be answered only through the District’s e-mail system. The District shall provide no support to System Users who use private e-mail systems to conduct or discuss District business, and shall not reimburse any costs associated with such use of private e-mail systems,

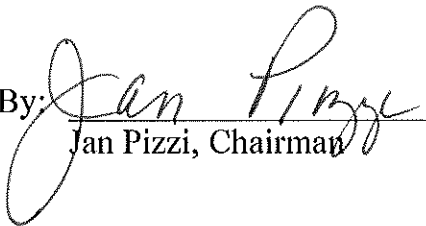
distribution list of all persons wishing to attend such e-mail meetings. If required by the Colorado Open Meetings Law, copies of e-mail correspondence among Board members subject to such State law shall be provided to the District Manager and forwarded to persons on the e-mail distribution list. The District Manager shall promptly mail a copy of such correspondence by U.S. Mail to persons on the distribution list who do not have e-mail capability. The District Manager shall keep a printed copy of all e-mail subject to the provisions of the Colorado Open Meetings Law among Board members, which shall be available for public review. Any correspondence between Board members in the form of e-mail may be a public record under the Public Records law and may be subject to public inspection under Section 24-72-203, C.R.S. No policy, position, resolution, rule or regulation shall be approved, or formal action shall be taken via e-mail. Directions regarding implementation of policies, positions, resolutions, rules or regulations and direction to staff regarding administrative matters shall not constitute approval of a policy, position, resolution, rule or regulation or formal action.

3. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

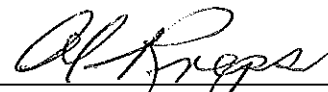
4. **Effective Date.** This Resolution shall take effect and be enforced immediately upon its approval by the Board.

Adopted this 26<sup>th</sup> day of January, 2012.

WOODMEN HILLS METROPOLITAN  
DISTRICT

By:  \_\_\_\_\_  
Jan Pizzi, Chairman

ATTEST:

By:  \_\_\_\_\_  
Al L. Kreps, Secretary