

BARNSTABLE COUNTY REGIONAL GOVERNMENT
POLICY ON REMOTE PARTICIPATION OF COUNTY PUBLIC BODIES
ADOPTED BY THE COUNTY COMMISSIONERS

Effective: March 2, 2022

In accordance with G.L. Chapter 30A, Section 20(d), and 940 CMR 29.10, it is the policy of the Barnstable County Regional Government to allow for remote participation by a member of a County Public Body during a meeting where the member is not physically present at the meeting, subject to the following policy stipulations:

- 1) At their meeting of January 11, 2012, the Barnstable Board of Regional Commissioners voted to allow remote participation of a member of a County Public Body in accordance with G.L. Chapter 30A, Section 20(d), the regulations set forth in 940 CMR 29.10, and these County policies, and at their meeting of March 2, 2022, the Barnstable Board of Regional Commissioners voted to amend these County policies in accordance with amendments to 940 CMR 29.10, as set forth below. This policy shall be effective as of March 2, 2022, shall be deemed to supplant the policy dated January 11, 2012, and shall hereby apply to all subsequent meetings of all county public bodies in Barnstable County.
- 2) Members of a public body who participate remotely and all persons present at the physical meeting location shall be clearly audible to other. The Chair, or, in the Chair's absence, the person authorized to Chair the meeting, shall make the determination of clear audibility.
- 3) Unless otherwise permitted by law, a quorum of the public body, including the Chair, or, in the Chair's absence, the person authorized to chair the meeting, shall be present at the physical meeting location, as required by G.L. c. 30A, § 20(d).
- 4) Members of a public body who participate remotely may vote and shall not be deemed to be absent for the purposes of G.L. c. 39, § 23D.
- 5) Members of a public body shall be permitted to participate remotely in a meeting if physical attendance at the meeting would be unreasonably difficult.
- 6) Remote participation is permitted by telephone, internet, or satellite enabled audio or video conferencing; or any other technology that enables the remote participant and all other persons at the meeting location to be clearly audible to one another. The public body shall determine which of the acceptable methods may be used by its members, provided that:
 - a) Accommodations shall be made for any member of a public body who requires TTY services, video relay services, or any other adaptive telecommunications.

b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

7) The Chair, or in the Chair's absence, the person authorized to chair the meeting shall decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or to be heard clearly by all persons present at the physical meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

8) Consistent with state regulations, the following procedures for remote participation shall be applicable:

a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the Chair or, in the Chair's absence, the person chairing the meeting, of his or her desire to participate remotely, and the reason for and facts supporting his or her request to do so.

b) At the start of the meeting, the Chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.

c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote, including when the vote is unanimous and including any simple procedural motions. This information shall also be recorded in the meeting minutes.

d) A member of a public body participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at that remote location, unless the presence of that person is approved by a simple majority vote of the public body.

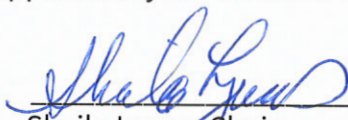
e) When feasible, the Chair or, in the Chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with G.L. c. 30A, § 22.

9) Any member of a public body who normally receives a mileage reimbursement for physical attendance at the public body meetings, and who participates remotely in a meeting, shall not be eligible for any mileage reimbursement for that meeting. Public bodies are encouraged to utilize free platforms to

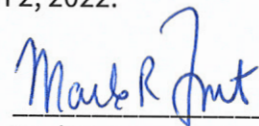
participate remotely, but any costs associated with remote participation will be borne by the County.

- 10) The Board of Regional Commissioners may revoke this remote participation policy in the same manner as it was adopted.

Approved by the Board of Regional Commissioners on March 2, 2022.


Sheila Lyons, Chair


Ronald Bergstrom, Vice-Chair


Mark Forest, Commissioner