

TOWN COUNCIL ELECTRONIC MEETING POLICY

It is the policy of the Clifton Town Council that individual Town Council members may participate in meetings of the Town Council by electronic means as permitted by Virginia Code § 2.2-3708.3, as amended. This policy shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Whenever an individual member wishes to participate from a remote location, the law requires a quorum of the Town Council to be physically assembled at the primary or central meeting location, and there must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

When such remote participation is due to a temporary or permanent disability or other medical condition of a public official or a family member that requires the public official to provide care, the number of meetings is not limited. If remote participation is due to an emergency or personal matter, such participation is limited by law to two meetings or 25% of the meetings each calendar year, whichever is greater.

In the event of a declaration of emergency issued by the Governor in accordance with Code of Virginia section 44-146.7 or by the Town in accordance with Code of Virginia section 44-146.21, and for the duration of the emergency, the Town Council may meet without a quorum physically assembled at one location as provided in Code of Virginia section 2.2-3708.2(A)(3), provided that the catastrophic nature of the declared emergency makes it impractical or unsafe to assemble a quorum in a single location, and the purpose of the meeting is to provide for the continuity of Town operations or the discharge of the Council's lawful purposes, duties and responsibilities. In such event, the Council shall give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with notice provided to members of the Council; make arrangements for public access to the meeting through electronic communication means, including videoconferencing if available; and provide the public with the opportunity to comment at the meeting if the meeting is one at which public comment is customarily received. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

AUTOMATIC APPROVAL

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act. If a member's participation from a remote location is challenged, then the Clifton Town Council shall vote whether to allow such participation. If the Town Council votes to disapprove of the member's participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.

Note that if the member's electronic participation is disapproved, the member may still monitor the meeting, but MAY NOT participate.

MEETING PROCEDURES FOR REMOTE PARTICIPATION

1. Implement policy that has previously been adopted by the public body.
2. Prior to the meeting, member notifies the chairperson that he or she plans to participate remotely and the reason, medical or personal.
3. A physical quorum must be present at the meeting place.
4. At the beginning of the meeting, after a physical quorum has been declared, chairperson must:
 - a. Identify the remote participant.
 - b. Identify the general location of the remote participant (the exact address is not necessary).
 - c. Describe the remote participation reason:
 - i. Medical disability/illness or caring for a family member with a medical disability/illness need not be described in detail.
 - ii. Personal reason (work, travel, traffic, emergency) must be described.
5. The remote participant must hear and be heard during the meeting.
6. The remote participant may participate and vote as if physically present.
7. Frequency of remote participation:
 - a. A medical disability/illness reason can be used for an unlimited number of meetings
 - b. A personal reason is limited to 25% of calendar year meetings, rounded up to the nearest whole number.
8. If there is an objection to the remote participation:
 - a. A vote is taken on the matter.
 - b. If the objection passes, the remote participant may listen, but not participate in the discussion or voting.