

POLICY GOVERNING ELECTRONIC PARTICIPATION IN HALRB MEETINGS

Remote Participation in Meetings

Occasions may arise when a member of the Historical Affairs and Landmark Review Board (HALRB) is unable to be physically present at the meeting. Under certain circumstances, Virginia law permits members to participate in meetings through electronic means such as telephone and video conferencing. The law limits the instances in which this may occur, prescribes procedures that must be followed when a member participates in a meeting through electronic means, and requires that a written policy governing such participation be adopted. This Policy, as hereafter set forth, sets forth the instances when a member may participate in a meeting electronically and the procedures that apply.

Circumstances When Remote Participation Is Permitted

A HALRB member may participate in a meeting through electronic means from a remote location not open to the public under the following circumstances:

1. a. A member shall notify the chair on or before the day of the meeting that such member is unable to attend the meeting due to a personal matter, and shall identify with specificity the nature of the personal matter. The HALRB shall record in its minutes the specific nature of the personal matter and a general description of the remote location from which the member participated.
- b. Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the HALRB held per calendar year rounded up to the next whole number, whichever is greater.
2. A member may notify the chair that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or a family member's medical condition that requires the member to provide care for such family member; or the member is a caregiver as defined by VA. CODE § 2.2-3701 who must provide care for a person with a disability at the time the public meeting is being held, thereby preventing the member's physical attendance. The HALRB shall record this fact and the remote location from which the member participated in its minutes.
3. A member may notify the chair that such member is unable to attend a meeting due to the member's principal residence being more than 60 miles from the meeting location identified in the required notice for the meeting. The HALRB shall record this fact and the remote location from which the member participated in its minutes.
4. If a member's participation from a remote location pursuant to any of the reasons stated above is disapproved because such participation would violate the provisions of this Policy, such disapproval shall be recorded in the minutes with specificity.

Procedural Requirements

Participation by a member of the HALRB as authorized above shall be only under the following conditions:

1. A quorum of the HALRB is physically assembled at the primary or central meeting location. For purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability as defined in VA. CODE § 51.5-40.1, or who is a caregiver as defined in VA. CODE § 2.2-3701 for a person with a disability, and uses remote participation, counts towards the quorum as if the individual was physically present.
2. The HALRB makes arrangements for the voice of the member who is participating remotely to be heard by all persons at the primary or central meeting location.
3. This Policy shall be applied strictly and uniformly, without exception, to all members and without regard to the identity of the member requesting to participate remotely or the matters that will be considered or voted on at the meeting.