

**Town of Vienna, Virginia**

**RESOLUTION AND POLICY ON ELECTRONIC PARTICIPATION OF MEMBERS OF THE TOWN BUSINESS LIAISON COMMITTEE OF THE TOWN OF VIENNA**

**Electronic Remote Participation in Meetings in the Event of Emergency or Personal Matter**

At a regularly scheduled meeting of the Town Business Liaison Committee of the Town of Vienna held on \_\_\_\_\_, 2021, on a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the following Resolution and Policy was adopted by a vote of \_\_ to \_\_:

**Whereas**, the Town of Vienna desires to ensure the active participation of the members of its public bodies; and

**Whereas**, the provisions of the Virginia Freedom of Information Act related to public meetings, specifically Virginia Code §2.2-3708.2, permits in limited circumstances participation in a meeting of the public body through electronic communication from a remote location that is not open to the public; and

**Whereas**, the occasional electronic participation of members of the Town Business Liaison Committee will not detrimentally effect the collegial and deliberative process of the Town Business Liaison Committee meetings; and

**Whereas**, the Town Business Liaison Committee of the Town of Vienna wishes to adopt a policy pursuant to and consistent with Virginia Code §2.2-3708.2;

**Now, Therefore**, by recorded vote at a public meeting, the Town Business Liaison Committee of the Town of Vienna approved this Resolution in accordance with Virginia Code §2.2-3708.2 and hereby adopts the following Policy and Procedures for participation of Town Business Liaison Committee Members through electronic communication:

**Policy on Electronic Participation at Town Business Liaison Committee Meetings by Members of the Vienna Town Business Liaison Committee**

This written Policy on Electronic Participation (“Policy”) shall be applied strictly and uniformly, without exception, to the entire membership of the Vienna Town Business Liaison Committee 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.

A. A member of the Vienna Town Business Liaison Committee may participate in a Town Business Liaison Committee meeting through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B:

1. If by noon on the day of a meeting a Town Business Liaison Committee member notifies the Mayor that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the Town Business Liaison Committee records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. If a Town Business Liaison Committee member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer; or

2. If a Town Business Liaison Committee member notifies the Mayor that such member is (i) unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. and the Town Business Liaison Committee records this fact and the remote location from which the member participated in its minutes.

B. Participation by a Town Business Liaison Committee member of a public body as authorized under subsection A shall be only under the following additional conditions:

1. In the event of a notification and request to the Chair of Town Business Liaison Committee member to participate in a meeting of the Town Business Liaison Committee through electronic communication, at the beginning of the public meeting where the Town Business Liaison Committee member requests to participate electronically, the Town Business Liaison Committee shall acknowledge the request and shall record in its minutes the specific nature of the emergency, personal matter, temporary or permanent disability or other medical condition that prevents the Town Business Liaison Committee member's attendance, and the remote location from which the Town Business Liaison Committee member will participate. The Town Business Liaison Committee Clerk shall then report as to whether the requesting Town Business Liaison

Committee member has participated electronically before in the calendar year and whether it was on the basis of Policy Section A.1 or A.2. If the requesting Town Business Liaison Committee member has not participated electronically twice or at 25 percent of the Town Business Liaison Committee meetings on the basis of Policy Section A.1, whichever is fewer, or the Town Business Liaison Committee determines the requesting Town Business Liaison Committee member has satisfied the notice provisions of Policy section A.2, the Town Business Liaison Committee members in physical attendance at the meeting may vote to approve the Town Business Liaison Committee members request under the following additional conditions as noted in the minutes:

- a. A quorum of the Town Business Liaison Committee is physically assembled at the primary or central meeting location; and
- b. The Town Business Liaison Committee has made arrangements for the voice of the remote Town Business Liaison Committee member by telephonic, audio/video, electronic or other communication where it can be heard by all persons at the primary or central meeting location. Such arrangements shall not be arbitrarily withheld.
- c. Include a copy of any agenda(s) for any electronic meeting(s) held with the annual report sent to the FOIA Council and Joint Commission on Technology and Science.
- d. Make available at the meeting and online a public comment form that has been prepared by the Virginia FOIA Council pursuant to Virginia Code §2.2-3708.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2021.

Signed and dated: \_\_\_\_\_

\_\_\_\_\_  
, Chair

A COPY ATTEST:

\_\_\_\_\_  
Committee Clerk