

WMPO Board Member Remote Participation Policy and Procedure
Adopted September 29, 2021
Amended August 30, 2023

WHEREAS, the Board of the Wilmington Urban Area Metropolitan Planning Organization (WMPO) acknowledges that Board member attendance at Board meetings is essential for Board members to perform their official duties and to add to the diversity of thought and opinion in the Board's deliberations;

WHEREAS, the Board strongly encourages its members to be physically present for all Board meetings, and it is the goal of the Board that Board meetings be held in-person with Board members physically present at the meeting location. The Board recognizes, however, that extenuating circumstances may prevent a Board member from being physically present at a meeting;

WHEREAS, the Board further recognizes that advances in online, audio and video conferencing technology make it possible for Board members in remote locations to communicate and deliberate effectively with each other during meetings via electronic methods which provide for simultaneous communication;

WHEREAS, the Board also recognizes that allowing Board members to participate remotely in meetings will help ensure full participation of the Board at its meetings.

NOW THEREFORE, in order to promote full participation of Board members at meetings while also ensuring access and transparency for the public as required by the Open Meetings Law, the Board authorizes its members to participate remotely in Board meetings subject to the following rules and requirements:

A. AUTHORIZED CIRCUMSTANCES FOR REMOTE PARTICIPATION. The Board authorizes remote participation by its members in any meeting of the Board consistent with the following conditions and requirements.

1. A Board member may attend a meeting and participate in Board deliberations and decisions by remote participation if the member is prevented from physically attending the meeting due to any of the following reasons:

- a. personal illness or disability
- b. out-of-town travel
- c. unexpected lack of child-care
- d. family member illness or emergency
- e. weather conditions
- f. military service
- g. employment or business obligations
- h. an unexpected scheduling conflict

Remote participation is not intended to be used solely for a Board member's convenience.

2. Acceptable means of remote participation include telephone-, Internet-, or satellite enabled audio or video conferencing, or any other technology that provides for simultaneous communication during the meeting and enables the remote member(s) and all persons present at the meeting location to be clearly audible to one another. "Simultaneous communication" shall mean any communication by conference telephone, conference video, or other electronic means. Text messaging, instant messaging, email, and web chat without audio are not acceptable means of remote participation.

3. No Board member may participate remotely more than two (2) times during a calendar year; provided however, that in justifiable circumstances, the Board may, by majority vote, agree to waive this limitation. The two-meeting per year limitation on remote participation in this section does not apply to situations where a Board member is in quarantine or is experiencing a long-term illness.

B. CONDITIONS AND REQUIREMENTS FOR REMOTE PARTICIPATION.

1. A Board member may participate remotely only when the acceptable means of simultaneous communication allows for the member who is participating remotely to do all of the following:

- a. Hear what is said by other members of the Board.
- b. Hear what is said by any individual addressing the Board.
- c. To be heard by all members of the Board when speaking to the Board.
- d. To be heard by all other persons present at the meeting location.

2. A Board member participating remotely will be considered present at the meeting for purposes of establishing a meeting quorum only during the period where simultaneous communication is maintained for that member.

3. A Board member considered present through remote participation will be permitted to vote on any action item at the meeting except:

- a. any item for which the member was not participating remotely during the entire discussion and deliberation of the matter preceding the vote; and
- b. any item that was being discussed when an interruption to the electronic communication occurred, if the Board's discussion was not suspended during the interruption. A brief loss of simultaneous communication will not disqualify the member from voting on the matter under discussion.

4. A Board member may participate remotely in a closed session of the Board provided the member provides assurance to the Board that no other person is able to hear, see, or otherwise participate in the closed session from the remote location.

C. PROCEDURE FOR REMOTE PARTICIPATION.

1. A Board member who desires to participate in a meeting remotely shall use his or her best efforts to notify the Chair or Executive Director at least one business day prior to the meeting so that necessary arrangements for remote participation can be made.

2. The Chair or the Chair's designee at the meeting location shall initiate contact with the Board member prior to the start of the meeting to secure remote participation.

3. The Chair shall announce the remote participant and the means of remote participation at the beginning of the meeting.

4. Any Board member participating remotely must identify himself or herself in each of the following situations:

a. When the roll is taken or the meeting is commenced.

b. Prior to participating in the deliberations, including making motions, proposing amendments, and raising points of order.

c. Prior to voting.

5. The Chair may decide how to address technical difficulties that arise when utilizing remote participation.

6. When possible, the Chair should temporarily suspend discussion while reasonable efforts are made to correct any problem that interferes with the ability of a member who is participating remotely to hear or be heard clearly by all persons present at the meeting location and by any other Board members who may also be participating remotely at that meeting. If, however, the technical difficulties distract from or impede the orderly progress of the meeting, a majority of the members physically present may vote to end the remote participation.

7. A Board member participating remotely shall notify the Chair if leaving the meeting before it is adjourned or rejoining the meeting after a period of absence.

8. All votes taken during any meeting where a Board member is participating remotely will be by a voice vote and a roll call vote may be taken if requested by any member of the Board.

9. All remote participation will be noted in the official Board minutes. Any interruption to or discontinuation of the Board member's remote participation will also be noted in the minutes.

10. The Executive Director is directed to provide the technology sufficient to implement this policy in accordance with all applicable laws.

D. NOT EXCLUSIVE. This remote participation policy is intended to apply when there is no declaration of emergency under N.C.G.S. sec. 166A-19.20 in effect. Upon the issuance of a declaration of emergency under N.C.G.S. sec. 166A-19.20, the provisions of N.C.G.S. sec. 166A-19.24 and any other applicable statutes or regulations shall control. This remote participation policy does not apply to remote meetings under N.C.G.S. sec. 166A-19.24.