

Development Authority of the North Country Governance Policies

Subject: Videoconference Participation Policy

Adopted: August 25, 2022

Resolution: 2022-08-63



VIDEOCONFERENCE PARTICIPATION POLICY

SECTION 1.0 PURPOSE

In compliance with Public Officers Law 103-2(2)(a), the Development Authority of the North Country, following a public hearing held on August 25, 2022, authorized the use of videoconferencing for meetings of the Board of Directors and its committees as described in POL 103-a, pursuant to the procedures outlined below.

SECTION 2.0 PROCEDURE

The following procedures are hereby established to satisfy the requirement of POL 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

- 1) All members of the Development Authority of the North Country Board and committees shall be physically present for public meetings of the Authority at a location(s) that allows physical attendance by the public unless prevented from doing so due to extraordinary circumstances.
- 2) For purposes of this policy, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, work-related business conflicts, weather, or another significant, unexpected factor which precludes the Board member’s physical attendance at such meeting, or at the reasonable discretion of the Executive Director or Board chair.
- 3) Members may participate by videoconference from a location that is not open to the public only if there is a quorum of members at physical locations open to the public.
- 4) If a Board member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a

private location due to extraordinary circumstances, the member must notify the Executive Director one week in advance of the meeting and provide the extraordinary circumstance that precludes physical attendance at a location that permits public attendance. In the event that the extraordinary circumstance occurs within a week before the meeting, the member should make the request as soon as practicable.

- 5) If a Board member is participating in the meeting via videoconference and their location is open to the public, that address as well as any other meeting locations open to the public for physical attendance will be published as part of the meeting notice.
- 6) A Board member participating from a location that does not permit public access will not count toward the meeting quorum, but may participate in and, if a voting member, vote at the meeting.
- 7) Except in the case of executive sessions, any Board member participating in a meeting via videoconferencing must be visible on camera at all times and must be able to be heard by the public. Board members cannot participate in meetings by phone or on a videoconferencing application with the camera turned off.
- 8) The public meeting notice(s) will inform the public that videoconferencing will be used and will identify the public physical location(s) where members will be participating.
- 9) Any meeting of the Authority conducted by videoconference will be recorded and the recording will be available on the Authority's website at www.danc.org within five business days following the meeting. The recording will remain on the website for five years.
- 10) All meeting minutes will identify which Board members participated in person and which Board members participate by videoconference.
- 11) The in-person participation requirements in the New York State Open Meetings Law shall not apply during a state disaster emergency declared by the governor pursuant to section 28 of Executive Law, if the Authority determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Authority to hold an in-person meeting.