

Town of North Yarmouth
Planning Board Remote Participation Policy

I. Purpose

Title 1 M.R.S. § 403-B provides means for public bodies, in limited circumstances, to meet remotely for public meetings. When able, members of boards, committees, and commissions should continue to meet in-person, however, it's recognized that certain circumstances require meetings to either be cancelled, postponed, or be forced to have lack of attendance by members because of personal illnesses, conditions, emergencies, and travel. The purpose of this policy is to provide guidelines to allow each public body of the Town of North Yarmouth the option to meet remotely while also satisfying all legal requirements set by Maine FOAA Laws or the Town's Charter.

II. Appointed Boards & Committee's Adoption of Remote Participation

Pursuant to Title 1 M.R.S. § 403-B and the Town's Charter, the Town of North Yarmouth's Select Board, elected commissions and committees, standing committees, and any ad-hoc committee established by the Select Board and any other public body that is subject to the Maine Freedom of Access Act's (1 M.R.S. §§ 400 et. Seq.) public meeting requirements, may adopt a remote participation policy to govern the participation, via remote methods, of members of the body and the public in public proceedings or meetings of the body.

- A. The Select Board recommends that the language used in its adopted policy be consistent with other boards, committees, and commission's adopted remote participation policies. Each board, committee, and commission may also approve this policy, as is.
- B. Title 1 M.R.S § 403-B requires each board, standing committee, ad-hoc committee and commission to hold a public hearing and provide notice of such hearing as required by state law. After a hearing is conducted, the board, committee, or commission may adopt or amend and adopt their published remote participation policy.

III. Remote Participation by Board Members

Members of the Planning Board are expected to be physically present for meetings except when not practicable due to the following reasons:

- A. In the case of an emergency or urgent issue that requires the body to meet via remote methods.
- B. An illness, physical condition, family emergency, a board member being temporarily absent within the boundaries of the Town, or any temporary absence of a member that causes significant difficulty traveling to the meeting location.
- C. The Planning Board Chair, in consultation with other board members, if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in-person will notify the chair or presiding officer as far in advance as possible.

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IV. Remote Participation by the Public

Any meeting of the Planning Board, when any member of the Board participates via remote methods, will be broadcast on Town Hall Streams or any other streaming platform that is advertised prior to the meeting as well as being broadcast through an internet-based meeting software, preferably Zoom, in such a way to allow the public to offer comment. The public will additionally be provided an opportunity to attend the meeting in-person unless there is an emergency or urgent issue that requires the Board to meet using remote methods.

V. Technology Requirements for Remote Participation

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. If remote participation as notified and advertised on the town's communication platforms prior to the meeting cannot be achieved, the meeting must be recessed until such time that remote participation can be continued or until the Planning Board can post reasonable notice that the meeting will continue in-person at a future date. If technological requirements cannot be met, meetings will continue in-person until such time the technology is installed to allow proper means for remote participation to continue, both the members and public. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

VI. Public Notice Required

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodations to access the meeting.

VII. Agendas & Materials Available Electronically

The Planning Board will make all documents and materials to be considered available, electronically, or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs to the Town.

VIII. Voting

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the Planning Board and the public. A Planning Board member who participates remotely will be considered present for purposes of a quorum and voting.

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IX. Amendments

Amendments to this policy must be in writing and considered using the same procedures as required for its adoption.

This policy will remain in force indefinitely unless amended or rescinded.

Audrey Lones, Chairperson

Chris Cabot, Secretary

Sandra Falsey

Kimry Corrette

Jeffrey Brown

Paul Metevier, Alternate

Sanford Peabody, Alternate

DRAFT