

RESOLUTION OF THE BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA  
FOR THE ADOPTION OF A POLICY FOR REMOTE PATRTICIPATION IN MEETINGS  
BY BOARD MEMBERS

WHEREAS, the Board of the Supervisors of Dinwiddie County, Virginia (the "Board") wishes to enact a policy, pursuant to Virginia Code Section 2.2-3708.2, governing remote participation in Board meetings by Board members (the "Policy"); and

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby adopt the Policy for Remote Participation presented as Exhibit A.

## EXHIBIT A

### BOARD OF SUPERVISORS OF DINWIDDIE COUNTY, VIRGINIA POLICY REGARDING ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

Except as provided hereafter, the Board of Supervisors of Dinwiddie County, Virginia (the "Board") does not conduct any meeting wherein the public business is discussed through telephonic, video, electronic, or other electronic communication means where the members are not physically assembled. This policy is applied strictly and uniformly, without exception, to the entire membership of the Board 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.

#### I. Definitions

"Electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

"Meeting" means any gathering of three or more members of the Board, or a quorum of members if less than three, of any of its committees or advisory committees, at which public business is discussed.

#### II. Quorum Physically Assembled

A. The Board may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if:

1) On or before the day of a meeting, a member of the Board notifies the Chair that the member is unable to attend the meeting:

a. due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or

b. that the member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter; and

2) The Board approves the member's participation by a majority vote of the members present at the primary or central meeting location. Electronic participation by a Board member due to a personal matter is limited to two meetings each calendar year. Electronic participation due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance is not subject to the same limitation.

B. If participation by a Board member through electronic communication means is approved pursuant to subsection A above, the Board records in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved due to a temporary or permanent disability or other medical condition, the Board also includes in its minutes the fact that the member participated through electronic

communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved due to a personal matter, the Board also includes in its minutes the specific nature of the personal matter cited by the member. If a Board member's participation from a remote location due to a personal matter is disapproved, such disapproval is recorded in the minutes with specificity.

C. A Board member may participate in a meeting by electronic means pursuant to subsections A and B above only when:

- 1) A quorum of the Board is physically assembled at one primary or central meeting location; and
- 2) The Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

D. Without limiting the Board's powers during states of emergency, during a pandemic, two members may participate remotely in the same meeting if there is a physical quorum in the primary meeting place. The existence of a pandemic shall be deemed a sufficient personal reason.

### III. Meetings in Declared States of Emergency

A. The Board may meet by electronic communication means without a quorum of the Board physically assembled at one location when the Governor has declared a state of emergency in accordance with Virginia Code Section 44-146.17, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. If the Board convenes such a meeting, it shall:

- 1) Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;
- 2) Make arrangements for public access to such meeting; and
- 3) Otherwise comply with the provisions of Virginia Code Section 2.2-3708.2.

B. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

C. This policy shall not limit the emergency powers of the Board of Supervisors to hold meetings under exceptional emergency if such meeting is permissible in the opinion of legal counsel.