

**Town of Prospect
958 Bangor Road
Prospect, Maine 04981**

REMOTE PARTICIPATION POLICY

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meeting of the body.

Maine's Freedom of Access Act requires that each board make a "record" of each meeting, regardless of whether the meeting is held in person or remotely. 1 M.R.S. § 403. The record, at a minimum, must include 1) the date, time, and place of the meeting, 2) the members of the body holding the meeting recorded as either present or absent, 3) all motions, and votes taken, by individual member, if there is a roll call. Note that all votes taken during a meeting using remote methods must be taken by roll call vote that can be seen and heard if using video technology, or heard if only using audio technology, by the other members of the board and the public. 1 M.R.S. § 403-B(G). A board may satisfy this "record" requirement by taking written minutes or recording the meeting. Audio recordings of all remote meetings will be made and, under the FOAA, such recordings will be public record and provided to any person upon request except when the meeting was conducted in executive session

Members of the body are expected to be physically present for meetings except when not practicable, such in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. The chair or presiding officer of the body will make a determination that remote methods of participation are necessary in a timely manner as possible under the circumstance. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible.

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. Remote participation will not be by text-only means such as email, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. If public input is allowed or requested at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods. The Chair or Presiding officer may make advance arrangements for any person presenting to or consulting with the body if it is impractical or costly for that person to attend in person.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or by law. FOAA requires that notice of a remote meeting be

provided in the same manner as regular meetings. The notice of the meeting must be posted in "ample time" and in a manner reasonably calculated to notify the public of the meeting and allow for the public to attend. FOAA requires that the notice for remote meetings also include the means by which

members of the public can access the meeting using remote methods and the location where members of the public can physically attend the meeting. 1 M.R.S. § 403-B(E).

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 accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body 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 are incurred by the body.

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 body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

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

Municipal Officers of Prospect

Sign Diane Terry
Sign William A. Sneed

Print DIANE TERRY
Print WILLIAM A. SNEED

Sign _____

Print _____

Dated: 8/18/2022

Attested By: Jill Riley Prospect Town Clerk

Effective: 8/18/2022

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