

Proposed Amendment to the Warner Select Board Rules of Procedure

Select Board Attendance Policy

- (a) The Select Board may, but is not required to, allow one member of the select board to participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.
- (b) Except in an emergency, a quorum of the Select Board shall be physically present at the location specified in the meeting notice as the location of the meeting. An "emergency" means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the Chair of the Select Board, and the facts upon which that determination is based shall be included in the minutes of the meeting.
- (c) The Select Board member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any member participating in such fashion shall identify all persons present in the location from which the member is participating. (see RSA 91-A:2, III)¹
- (d) At the first meeting of the new Select Board, the policy for a Select Board member to participate in a Select Board meeting by electronic or other means of communications (as per RSA 91-A:2, III), shall be moved but not voted on until the next regularly scheduled meeting, not less than seven days later.

Placed after Presiding Officer section in Select Board Rules of Procedure

1. Meetings Open to Public

RSA 91-A:2 III A public body may, but is not required to, allow one or more members of the body to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body, subject to the provisions of this paragraph.

(a) A member of the public body may participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.

(b) Except in an emergency, a quorum of the public body shall be physically present at the location specified in the meeting notice as the location of the meeting. For purposes of this subparagraph, an "emergency" means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the chairman or presiding officer of the public body, and the facts upon which that determination is based shall be included in the minutes of the meeting.

(c) Each part of a meeting required to be open to the public shall be audible or otherwise discernable to the public at the location specified in the meeting notice as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting, and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any member participating in such fashion shall identify the persons present in the location from which the member is participating. No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.

(d) Any meeting held pursuant to the terms of this paragraph shall comply with all of the requirements of this chapter relating to public meetings and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

(e) A member participating in a meeting by the means described in this paragraph is deemed to be present at the meeting for purposes of voting. All votes taken during such a meeting shall be by roll call vote.