



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday December 18, 2019

Agenda Item

Item 6. B. - Remote meeting participation

Prepared By

Linda Loomis, Administrator

Summary

Staff is working to prepare and agreement with Carver County. Once that is complete, Tierney can begin installation of the remote equipment. The LMRWD must adopt a policy for remote participation.

Legal Counsel provide a draft a proposed policy for the Managers to consider. The proposed draft has been sent to Attorney John Kolb for review. The Managers should review the draft Data Practices Policy. This is a rather lengthy policy and the Managers may wish to table this item to take additional time for review.

Attachments

District Policy for Remote Meeting Participation

Recommended Action

Motion to adopt District Policy for remote Meeting Participation

Lower Minnesota River Watershed
District Policy for Remote Meeting Participation

Purpose: To allow Lower Minnesota River Watershed District (District) Board Managers to attend and participate in meetings by interactive video teleconference (Skype or similar interactive media) in a manner consistent with the Open Meeting Law (Minnesota Statutes, chapter 13D).

Background: By an advisory opinion issued December 28, 2018, the State confirmed that watershed district managers may participate in meetings while out of state via interactive video teleconference, pursuant to Minnesota Statutes, section 13D.02, as long as the conditions of that section are met.

Policy: Any manager may attend and participate in any meeting of the Board by interactive video teleconference if the following requirements have been met:

1. The manager seeking to attend a meeting by interactive video teleconference must physically be unable to attend the meeting in person (e.g., the manager is located out of state or beyond a four hour commute to the meeting);
2. The manager seeking to attend a meeting by interactive video teleconference must be located in a space that is open and accessible to the public (i.e. a public library, municipal building or a conference room therein);
3. A quorum of the Board must be physically present at the regular meeting location;
4. Technological equipment and facilities, to include cameras, microphones, speakers, computers and related software and internet or network connectivity is present at both the regular meeting location and the remote participant location and in working order to allow the following conditions to be met at all times during the meeting:
 - a. All Board members participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;
 - b. Members of the public attending the meeting, wherever their physical location, can hear and see all discussion and testimony and all votes of members of the Board.

Each manager participating in a meeting, whether in the regular meeting location or in a remote location, shall have all the privileges of a manager to participate in discussion and voting on all matters in all proceedings. If at any time a quorum of the governing body at the regular meeting location has determined the method of attendance by interactive video teleconference has become disruptive or troublesome to meeting proceedings, or that the conditions of part 4 a & b, above, are no longer met, the remote attendee will no longer be considered in attendance and the remote attendee's participation in the meeting will terminate. Reasons to terminate the link to the remote attendee may include be poor quality video or audio, excessive lag time, or other failure of technology. Nothing in this paragraph will prevent a manager from continuing to monitor a meeting after his or her remote participation is terminated.

A manager who desires to participate in a meeting by interactive video teleconference shall notify the District Board President and Administrator at least fourteen (14) days in advance of the manager's absence from the meeting site.

When interactive video teleconference is used to conduct a regular, special, or emergency meeting, the District will provide notice of the regular meeting location and notice of any site where a member of the Board will be participating in the meeting by interactive television. The timing and method of providing notice must be as described in section 13D.04. The posted notice will also comply with the following requirements:

- Notice will be posted by District Staff at the District office and on the District website, and to those on the District's email distribution list of people requesting an email notice of hearings and special meetings.
- Notice will be posted at the remote location by the remote attendee.
- The notice will specify the time zone for the meeting time at both locations.

If interactive video teleconference is used to conduct a meeting, to the extent practical, the District shall allow a person or manager to monitor the meeting electronically from a remote location. The District may require the person making such a connection to pay for documented marginal costs that the District incurs as a result of the additional connection.

Any changes in Minnesota State Statute may void or require amendment of this policy.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District this 18th day of December, 2019.