

TOWN OF CORTLAND
REMOTE ATTENDANCE POLICY
POLICY NO 2025-XX (UPDATED)

Section 1. **Policy Statement.** It is the policy of the Town of Cortland that a member of any group associated with this unit of government which is subject to the provisions of the Open Meetings Act (Covered Group) may attend and participate in any open or closed meeting of that Covered Group by a means other than physical presence in accordance with this policy and any other applicable laws. “Other means” shall mean by video or audio conference.

Section 2. **Prerequisites.** A member of the Covered Group of the Town of Cortland shall be provided the opportunity to attend an open or closed meeting from a remote location if the member meets the following conditions and a majority of a quorum of the Covered Body votes to approve the remote attendance:

- (i) the member must notify the recording secretary or clerk of the Covered Body at least 24 hours before the meeting unless advance notice is impractical;
- (ii) the member must meet one of the following reasons described herein why he or she is unable to physically attend the meeting, including either: (1) that the member cannot attend because of personal illness or disability (2) the member cannot attend because of employment purposes or the business of Town of Cortland (3) the member cannot attend because of a family or other emergency or (4) the member cannot attend because of unexpected childcare obligations; and
- (iii) a quorum of the Covered Body must be physically present.

Section 3. **Voting Procedures.** After roll call, a vote of the Covered Body shall be taken, considering the prerequisites set forth in Section 2, on whether to allow an off-site board member to participate remotely. All of the members physically present are permitted to vote on whether remote participation will be allowed. A vote may be taken to permit remote participation for a stated series of meetings if the same reason applies in each case. Otherwise, a vote must be taken to allow each remote participation.

Section 4. **Quorum and Vote Required.** A quorum must be established by members physically present at any meeting before it can be considered whether to allow a member to participate in the meeting remotely. A vote of a majority of a quorum shall be necessary to decide the issue. For the meeting to continue there shall

always need to be a quorum physically present.

Section 5. **Minutes.** The member participating remotely shall be considered an off-site participant and counted as present by means of audio or video conference, for that meeting if the member is allowed to participate. The meeting minutes of the Town of Cortland shall also reflect and state specifically whether each member is physically present, or present by video or audio means.

Section 6. **Rights of Remote Member.** The member permitted to participate remotely will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The remote member shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted and recorded by the Secretary and placed in the minutes for the corresponding meeting. A member participating remotely may leave a meeting and return as in the case of any member.

Section 7. **Meetings.** The term meeting as used herein refers to any gathering, whether in person or by means of audio or video conference, of a majority of a quorum of the members of a public body held for the purposes of discussing public business.

Section 8. **Closed Meetings.** A quorum of the Public Body members must be physically present at any closed meeting. Members participating remotely shall otherwise be entitled to participate in closed meetings by video or audio conference.

Section 9. **Special Circumstances and Rules where no physical presence quorum shall be required.** Subject to the requirements of 5 ILCS 120/2.06, an open or closed meeting may be conducted by audio or video conference without the physical presence of a quorum for members if the following conditions are met:

(1) the Governor or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency Act, and all or part of the jurisdiction of the public body is covered by the disaster area;

(2) the head of the public body determines that an in-person meeting or a meeting conducted under this Act is not practical or prudent because of a disaster;

(3) all members of the body participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;

(4) for open meetings, members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the public body must make alternative arrangements and provide notice pursuant to this Section of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;

(5) at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the disaster, including the issued disaster declaration; and

(6) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(7) Except in the event of a bona fide emergency, 48 hours' notice shall be given of a meeting to be held pursuant to this Section. Notice shall be given to all members of the public body, shall be posted on the website of the public body, and shall also be provided to any news media who has requested notice of meetings pursuant to subsection (a) of Section 2.02 of the Open Meetings Act [5 ILCS 120/2.02]. If the public body declares a bona fide emergency:

(A) Notice shall be given pursuant to subsection (a) of Section 2.02 of the Open Meetings Act, and the presiding officer shall state the nature of the emergency at the beginning of the meeting.

(B) The public body must comply with the verbatim recording requirements set forth in Section 2.06 of the Open Meetings Act [5 ILCS 120/2.06].

(8) Each member of the body participating in a meeting by audio or video conference for a meeting held pursuant to this Section is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(9) In addition to the requirements for open meetings under Section 2.06 of the Open Meetings Act, public bodies holding open meetings under this Section 9 must also keep a verbatim record of all their meetings in the form of an audio or video recording. Verbatim records made under this Section 9 shall be made available to the public under, and are otherwise subject to, the provisions of Section 2.06.

This policy is effective this ____ day of April, 2025.

Mark Pietrowski, Mayor

ATTEST:

Cheryl Aldis, Town Clerk