



MEMORANDUM

TO: Lower St. Croix Watershed Partnership Policy Committee
FROM: Angie Hong and LSC Planning Team
DATE: 4-15-24

RE: Remote participation in Policy Committee meetings

Minnesota's Open Meeting Law ([Minnesota Statutes Chapter 13D](#)) requires public bodies to meet in open session unless otherwise permitted and provide meeting notices to the public. This law applies to both state-level public bodies and local public bodies, such as county boards, city councils, and school boards.

Public bodies that are not a state-level public body may conduct meetings using interactive technology under [Minnesota Stat. sec. 13D.02](#), if:

1. All members of the public body participating in the meeting can see and hear each other, and can see and hear all discussion and testimony and all votes of members of the public body;
2. At least one member of the public body is physically present at the regular meeting location;
3. All votes are conducted by roll call so each member's vote can be identified and recorded;
4. Each location at which a member of the body is present is open and accessible to the public, with exceptions permitted for members serving in the military or members advised by a health care professional against being in a public place for personal or family medical reasons. These exceptions for attending remote meetings without opening the location to the public are limited to three times per year.
5. To the extent practical, public bodies must allow members to monitor the meeting electronically from a remote location when using interactive technology to conduct a meeting.
6. The public body must provide appropriate notice for this meeting.

In order to meet the intent of Minnesota's Open Meeting Law and promote good quality conversation, participation, and decision-making among Lower St. Croix Policy Committee members, staff are recommending the following best practices for future Policy Committee meetings:

1. Barring extenuating circumstances, all Policy Committee members should attend meetings in-person.

2. If a Policy Committee member is not able to participate in-person due to illness, out-of-state travel, or other extenuating circumstances, they can participate remotely under the following conditions:
 1. The Policy Committee member's remote location must be posted on the agenda before the meeting date.
 - i. To be consistent with general posting guidelines for public meetings, staff recommends remote locations be posted at least **3 days** prior to the meeting.
 - ii. To help us meet this deadline, Policy Committee members are asked to please call or email Angie Hong no later than noon on Friday, three days before the upcoming Policy Committee meeting (**Angie Hong – 651-796-2210 or angie.hong@mnwcd.org**).
 - iii. In addition to providing their remote location, Policy Committee members must state the reason(s) for attending remotely as law states this must be documented in the minutes.
 - iv. A Policy Committee member's remote location must be open and accessible to the public (barring exceptions outlined in statute language above).

AND

2. Policy Committee members must be able to **hear and see** all discussion and testimony presented from all other members attending the meeting; likewise, all other participating members must be able to **hear and see** them.
 - v. This means there is no participating by phone, and remote technology must be working at all times, including BOTH audio and video.
 - vi. If Policy Committee members wish to attend by phone, or if their technology fails but they wish to continue attending the meeting anyway, they may. However, they will not be considered part of the quorum meaning will not be able to vote. At the Chair's discretion, Policy Committee member's may be allowed to participate in discussion, similar to any other member of the public.

Requested Policy Committee Action: Approve and adopt the above outlined language for remote participation in Policy Committee meetings.