

From: [Gabriel, Jason](#)
To: [Hogencamp, Kevin](#)
Cc: [Gabriel, Jason](#); [Nichols, Ladayija](#)
Subject: Re: Remote committee member participation question
Date: Wednesday, July 19, 2023 11:28:07 PM

In general, in order for the board member to be able to participate and vote telephonically, there has to be a physical quorum of the board actually present in the meeting, and the person who can't be there physically has an extraordinary circumstance as determined by the board.

As to local boards, the Attorney General's Office has noted that if a quorum of a local board is physically present, "the participation of an absent member by telephone conference or other interactive electronic technology is permissible when such absence is due to extraordinary circumstances such as illness[;] . . . [w]hether the absence of a member due to a scheduling conflict constitutes such a circumstance is a determination that must be made in the good judgment of the board." AGO 03-41.

So for example, if a quorum of a local board is physically present at the public meeting site, a board may allow a member with health problems to participate and vote in board meetings through the use of such devices as a speaker telephone that allow the absent member to participate in discussions, to be heard by other board members and the public and to hear discussions taking place during the meeting. AGO 94-55. And see AGOs 92-44 (participation and voting by ill county commissioner), and 02-82 (physically-disabled city advisory committee members participating and voting by electronic means).

Let me know of any questions.

-Jason G.

On Jul 19, 2023, at 4:03 PM, Hogencamp, Kevin <kHogencamp@coab.us> wrote:

Jason, the meeting is tomorrow. Please let me know the answer.

Thanks,

Kevin

From: Hogencamp, Kevin
Sent: Friday, July 14, 2023 3:18 PM
To: 'Gabriel, Jason' <jgabriel@burr.com>; Gabriel, Jason <jgabriel@coab.us>
Cc: Nichols, Ladayija <lnichols@coab.us>
Subject: Remote committee member participation question

The STOP Committee would like to know whether committee members can participate in meetings by teleconference (I truly don't know the answer to this, and whether they can participate in votes (I think not).

Thanks,

Kevin

Kevin Hogencamp
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