

## **Virtual Participation by BEMC Commission Members**

### **Section 9. Virtual Participation by BEMC Commission Members**

BEMC Commission Members may participate virtually in Commission meeting – including Committees – in accordance with Ohio Revised Code 121.221.

Any Commission members must notify the Commission's Chair not less than 48 hours prior to the meeting of their intention to join the meeting via video conference or other similar electronic technology.

BEMC shall provide notification of meetings and hearings held under this section to the public, to the media that have requested notification of a meeting, and to the parties required to be notified of a hearing at least seventy-two hours in advance of the meeting or hearing by reasonable methods by which any person may determine the time, location, agenda of the meeting or hearing, and the manner by which the meeting or hearing will be conducted, except in the event of an emergency requiring immediate official action, as defined by the policy. In the event of an emergency, the public body shall immediately notify the news media that have requested notification or the parties required to be notified of a hearing of the time, place, and purpose of the meeting or hearing.

BEMC shall provide the public access to a meeting held under this section, and to any hearing held under this section that the public would otherwise be entitled to attend, commensurate with the method in which the meeting or hearing is being conducted, including for example, livestreaming by means of the internet, television, cable, or public access channels, or by means of any other similar electronic technology. BEMC shall ensure that the public can observe and hear the discussions and deliberations of all the members of the public body, whether the member is participating in person or electronically. Members of the public body shall have a sufficient internet or other electronic connection to allow the member to be seen and heard clearly and shall be visible at all times.

All votes taken in the meeting or hearing shall be taken by roll call vote unless there is a motion for unanimous consent, and the motion is not objected to by a commissioner of BEMC. If a vote is taken unanimously, BEMC shall provide the public with information on

how the commissioners of BEMC voted, including any members who abstained from voting.

BEMC may not hold, nor may any members or commissioners of BEMC attend meetings or conduct and attend hearings by means of video conference or other similar electronic technology if any of the following apply:

- (i) The meeting or hearing involves a vote to approve a major nonroutine expenditure;
- (ii) The meeting or hearing involves a vote to approve a significant hiring decision;
- (iii) The meeting or hearing involves a purpose to propose, approve, or vote on a tax issue or tax increase;
- (iv) Excluding expense reimbursements to members for actual expenses incurred while fulfilling their duties, the members of the public body are compensated for their position as members of the public body, except when members are participating in a multi-party meeting if the multiparty meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase; (*Although this article does not apply to BEMC, this language is required by O.R.C. 121.22.*)
- (v) The members of the public body are elected by vote of the general public to their positions as members, except when members are participating in a multi-party meeting if the multiparty meeting does not involve a vote to approve a major nonroutine expenditure or significant hiring decision or involve a purpose to propose, approve, or vote on a tax issue or tax increase. (*Although this article does not apply to BEMC, this language is required by O.R.C. 121.22.*)

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**Commented [EK2]:** BEMC must define

Notwithstanding the option for virtual participation, the Commission's standard is for all members to attend in person if at all possible.