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On January 25, 2023, Governor Scott signed [Act 1 \(H.42\) 2023](#) into law to address the ongoing health concerns posed by COVID-19. The Act extends the temporary Open Meeting Law procedures that have been in place since the start of the COVID-19 pandemic until July 1, 2024. Among the temporary allowances is that municipal public bodies can continue to hold completely remote meetings through electronic participation only, without designating a physical meeting location, and electronic posting for agendas and special meeting notices. Please be aware that, while most of the conditions for meeting remotely are the same, the allowance for posting minutes 10 calendar days from the date of the meeting was not extended in this bill. This toolkit provides guidance to public bodies that wish to hold entirely remote public meetings while the Act is in effect.

Note that this Act does not impact informational hearings that are held for Australian ballot voting, for that information consult our [Remote Informational Hearing Toolkit](#).

LINKS

[Open Meeting Law Home](#)

[Hybrid Public Meetings Toolkit](#)

Disclaimer: This resource is only intended to provide information and it does **NOT** constitute legal advice. Readers with specific legal questions are encouraged to contact an attorney. The use or downloading of this resource does **NOT** create an attorney-client relationship and will not be treated in a confidential manner.

If you have additional questions relating to ordinances and policies or would like a technical review of your municipality's proposed ordinance or policy, click here:

[Ask a Question](#)

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REMOTE ONLY PUBLIC MEETING CHECKLIST

Please use this checklist to help prepare and conduct remote meetings of public bodies in accordance with the Open Meeting Law.

IN ADVANCE OF MEETING

- First, pick the software/technology that your public body will use that will allow people to attend and participate electronically such as Zoom, Skype, or a conference call system.

- Provide advance public notice of meetings. See VLCT Model Remote Only Meeting Notice and Agenda.
 - Regular meetings: One time in a charter, local ordinance, or resolution.
 - Special meetings: Provide at least 24 hours' notice to:
 - all members orally or in writing (unless waived),
 - news media serving the area (no publication required),
 - any person who requests notification,
 - in or near Town Clerk's office and two other public places in town (or two designated electronic locations, or a combination of a designated electronic location and a designated public place); and
 - provide a copy to the newspapers of general circulation for the municipality, if it was electronically posted (no publication required).
 - Emergency Meetings: no specific requirement - "some public notice must be given as soon as possible before any such meeting."

- Create and post an agenda for all regular and special meetings (not required for emergency meetings). See VLCT Model Remote Only Meeting Notice and Agenda.
 - Include information on how the public can access and participate the meeting electronically and provide a contact for troubleshooting technical difficulties.
 - Recommend advertising instructions in additional ways to foster accessibility.
 - At least 48 hours in advance of regular meeting and 24 hours in advance of special meeting:
 - post in or near town office,
 - post in at least two other public places in town (or two designated electronic locations, or a combination of a designated electronic location and a designated public place),
 - post electronically to a website, if one exists, that is maintained or has been designated as the official website,

- make available to a person prior to a meeting upon specific request, and
 - provide a copy to the newspapers of general circulation for the municipality, if it was electronically posted (no publication required).
- Set up remote meeting to enable everyone to hear and be heard throughout.
 - Determine process for managing remote access.

START OF MEETING

- Assign administrator(s) to monitor chat/participation features. This person should not be the minutes taker.
- If possible, mute participants, or ask them to mute their microphones unless invited to speak. To take questions, make sure the audio and/or chat feature is enabled.
- Advise participants that meeting is being recorded (if a legislative body meeting).
- Confirm that members can hear each other and the public.
- Consider reading the VLCT Script for Opening a Remote Only Meeting of a Public Body.
- Note where materials for meeting are available.
- Introduce all members of the public body, staff, and persons on the agenda.
- State that meeting will be conducted in accordance with public body's Rules of Procedure.
- Cover "ground rules" for participation, such as:
 - speakers should state their name before each presentation, comment, or question.
 - all votes that are not unanimous must be taken by roll call (if one or more members attend by electronic or other means).
 - all participants must be recognized by the Chair before speaking.
 - etc.
- End remote meeting when public body adjourns.

TECHNICAL DIFFICULTIES

- If technical difficulties arise, the Chair should temporarily suspend (i.e. recess) the meeting until issues are resolved.
- If technical difficulties cannot be resolved so that the meeting cannot be held in compliance with VT's Open Meeting Law, continue meeting to a date, time, and place certain.
- Keep accurate minutes noting any disconnections and reconnections of members.
- If public is experiencing technical difficulties, refer them to meeting software guidance or assign

someone to provide remote technical assistance.

AFTER MEETING

- Post the minutes.
 - Vermont law requires meeting minutes be posted no later than five (5) calendar days from the date of the meeting to an official website, if one exists, that is maintained or has been designated as the official website of the public body.

VLCT INFORMATIONAL HANDOUT FOR REMOTE ONLY PUBLIC MEETINGS

Remote Only Public Meeting Informational Handout Town of _____

Remote Only Public Meetings

When a public body holds a remote only meeting the public must be able to access and participate in the remote meetings by dialing in through telephone. While the minimum public access to remote only meetings is via telephone, the public body may use additional software and technology for the public to attend and participate in a meeting, such as Zoom.

Accessing a Meeting

Please refer to each public body's notice and agenda for information on how to access a meeting remotely. Please note that whether you join by telephone, computer, or device, you may be put on hold or in a waiting "room" until granted access to the meeting. You also may be muted or restricted from using any chat function until the public comment portion of the meeting.

Participation

All meetings will be conducted in accordance with the respective Rules of Procedure of each public body, to the extent practicable. The public body will follow its agenda and allow members of the public attending remotely to participate through voice (audio) means or alternatively using any chat function during the designated public comment periods on the agenda and at other applicable times as needed.

Please be aware that technical and other issues may interfere or possibly even prevent the public from participating. Should this happen, the public body will troubleshoot the problem and if needed, adjourn the meeting and continue it to a later time and date.

Initially, the meeting's host/organizer may mute all remote participants that are not members of the public body. This is necessary to control background noise. The host/organizer will then unmute remote participants or allow participants to unmute themselves when invited to speak by the Chair of the public body.

Please review the following guidelines:

- The Chair will invite comment:
 - during the public comment period as designated on the agenda; and
 - other times as determined by the public body.
- When a remote participant/attendee is unmuted, they should state their name before commenting.
- Remote participants and attendees should verify that their displayed name is accurate when joining a remote meeting.

If the public body successfully moves to enter an executive session, the meeting's host/organizer will then place everyone that is not part of the executive session on hold or a virtual waiting "room." This will prevent remote attendees from hearing or participating in the meeting during the duration of the executive session. When the public body exits executive session, the host/organizer will then grant access back to the remote meeting.

When the public body adjourns the meeting, the host/organizer will end the electronic meeting by turning off/closing the remote meeting software. Remote attendees will be automatically disconnected.

All legislative body meetings will be recorded unless unusual circumstances make it impossible to do so. Minutes and other public records that were part of the meeting will be made available in accordance with VT's Open Meeting and Public Records Laws.

VLCT REMOTE ONLY PUBLIC MEETING MODEL NOTICE AND AGENDA

Copy below the dotted line and paste into a new document.

[insert name of municipality] [insert board/committee/commission] NOTICE AND AGENDA FOR REMOTE ONLY MEETING

The [insert name of board/committee/commission] for the [insert name of municipality] will meet remotely by electronic means on [insert date] at [insert time].

Information on how to access and participate in the meeting remotely [choose all applicable, and edit to fit your public body's needs]:

- By telephone: Dial [insert phone number]. When prompted enter the meeting ID: [insert meeting ID if applicable].
- By computer: Download meeting software here [insert URL of digital meeting software if used]. Join meeting by clicking here [insert meeting link]. You may be prompted to enter a meeting ID: [insert meeting ID if applicable].
- By smartphone, tablet, or other device: Download and open the [insert name of digital meeting software] app. You may have to create a free account or sign into your existing account. Select the option to join meeting and enter the meeting ID: [insert meeting ID].
- [Insert other methods to watch or attend, if applicable, such as YouTube, local television, etc.]
- Public may participate by: [insert method of public participation, e.g., via Zoom voice and/or chat at designated public comment periods, as invited by the Chair].

Please review our "Informational Handout for Remote Only Public Meetings" to understand how the meeting will be managed. If you wish to make a public comment, but do not have the ability to comment remotely during the meeting, please email your comment(s) to [insert municipal staff/official] at [insert email] before the meeting.

To ensure smooth access, we recommend that you test your remote meeting software in advance of the meeting. **If you have difficulty accessing the meeting, please call [insert phone number] or email [insert email].**

AGENDA

- *[insert time]*: Call to Order
- *[insert approximate time]*: Additions or deletions to the agenda
 - Public comment
- *[insert approximate time]*: Review and approve previous meeting minutes
 - Public comment
- *[insert approximate time]*: *[Insert topic discussion/action of public body]*
 - Public comment
- *[insert approximate time]*: *[Insert topic discussion/action of public body]*
 - Public comment
- *[insert approximate time]*: *[Insert topic discussion/action of public body]*
 - Public comment
- *[insert approximate time]*: etc.
 - Public comment
- *[insert approximate time]*: Open public comment period (if applicable)
- *[insert approximate time]*: Entertain motion to adjourn meeting

VLCT MODEL SCRIPT: OPENING A REMOTE ONLY PUBLIC MEETING

Please note that this script is not required by the Open Meeting Law. However, we recommend using it for remote only meetings as a best practice to ensure all remote meeting attendees are on the same page and understand how the meeting will be run.

[At commencement of your meeting]: The meeting of the _____ [insert public body's name] will come to order. This meeting is a remote only meeting, which means the public body is meeting electronically only, and consistent with the temporary provisions of Act (insert new number) there is no designated physical meeting location where the public may attend.

Please note that while we will strive to provide means for those attending remotely to participate in the public comment period, there may be technical difficulties or reasons that otherwise prevent or interrupt remote public participation.

If a member of the public or of the public body has technical difficulties accessing this meeting remotely, please alert us by [insert instructions for how public can report a problem, e.g., call X number, use remote software's chat function, email selectboard assistant, etc.] problem].

If a technical difficulty, such as the public being unable to participate occurs and cannot be resolved, we may continue the meeting to a date, time, and place certain if necessary.

Please note that all votes taken during this meeting that are not unanimous will be done by roll call vote, in accordance with the law.

As required by the Open Meeting Law, let's start the meeting by taking a roll call attendance of all members participating in the meeting and have those members attending remotely identify themselves to ensure that they can hear and be heard throughout the meeting.

VLCT Remote Only Public Meeting Software & Technical Guidance for Vermont Municipalities

This guidance document is intended to help those municipalities seeking to conduct meetings by electronic means, while also complying with the Open Meeting Law. It reviews remote meeting software options as well as technical best practices in the context of Open Meeting Law requirements. Please use this guidance in conjunction with our other [Open Meeting Law](#) resources and be sure to check the website for our most current information.

Remote Only Public Meeting Software Options and Considerations

The law [Act 1 (H.42) of 2023] does not specify use of a particular type of software service or conference call system to use for a remote only meeting, other than to say that it may be conducted through electronic or other means and must be accessible by telephone. There are several free and low-cost digital meeting software options available. Vendors may provide both free and tiered software options. Be aware, some of the free options may include limits on participation, access to features, duration of meeting, and/or number of internal users. Please review selection considerations below to help you assess which option may work best with your municipality's infrastructure.

To ensure you are using your remote meeting software or a teleconferencing system within the confines of the Open Meeting Law requirements, please review our [Open Meeting Law COVID-19 FAQs](#) and VLCT's regularly updated [Open Meeting Law page](#).

Selection Considerations

Here are some important considerations to keep in mind when selecting remote meeting software. Consult with your IT (Information Technology) staff or IT service provider prior to installing new software.

- Check your internet bandwidth to understand which software options are most compatible. In other words, make sure your internet speed is fast enough. If you are not sure whether your internet can support remote meetings or you need additional network assistance, contact your internet service provider to review your current plan and options.
- Review software application security settings, vulnerabilities, and options. Consult your IT staff if available. Follow the remote meeting software's instructions.
- Ensure that remote access to the public allows for remote participation, such as connecting through computer or device video and audio. If at all feasible, the software should allow the

public to call-in by telephone. If not, then the selectboard must provide the public access to the meeting by telephone by some other means.

- You need to be able to manage public comments, so if you're using software with a chat system, make sure the software allows you to mute/unmute attendees and moderate any chat function.
- Make sure your software provides enough digital "room" for attendees, particularly when high attendance is anticipated (e.g. some services allow for up to 100 attendees in the free version – though there may be other limitations). Most have affordable pricing tiers, depending on your meeting needs.
- Ensure there are options for others to join the meeting without having to register or you can set an instant registration option.
- Many software services have remote platforms which allow for internal business collaboration as well, making them valuable tools not only for your public meetings but for use by all municipal departments.
- If the meeting is of a legislative body, choose remote meeting software that gives you the option to record the meeting. Keep in mind, however, that any recording will constitute a public record under Vermont's Public Records Act and will have to be managed accordingly. Please contact the State of Vermont Archives and Records Administration (VSARA) at 802-828-3897 for records management related assistance.

Software Providers Options

Below is a non-exhaustive list of software meeting service providers along with links to industry vetted resources where you can read reviews and recommendations about them. **VLCT does not endorse any of these services.** Please use due diligence regarding security and system compatibility when selecting a provider or providers. Be sure to comprehensively assess your municipality's internal and external needs (including the needs of both the public body and the public participating remotely). As noted, your IT staff or provider should be consulted before downloading and launching new software.

Common Providers:

Freeconferencecall.com	Tele Town Hall,
Zoom	UberConference
GoToMeeting/GoToWebinar	Skype for Business
WebEx	Skype (standard)
ClickMeeting	Google Hangouts
RingCentral	Vast Conference

Audio Only Conference Services

Audio conference services may also be available through your phone or other telecommunications provider.

External References

<https://www.techradar.com/best/best-video-conferencing-software>

<https://www.pcmag.com/picks/the-best-video-conferencing-software>

Cybersecurity

You should be cautious when setting up remote public meetings with some software providers. **Some of these services may have known software security vulnerabilities. Vet services carefully and contact your IT provider!**

To mitigate some vulnerabilities, some software services provide unique links or passwords for users to login, which requires a registration feature or the ability to direct email contacts. Your administrator or IT provider may need to adjust service settings and compatibility features to enhance security features.

Software Testing and Troubleshooting

Software services should be tested with your equipment prior to use. Please review provider tutorials and information sheets prior to set up. Many of these software systems allow you to designate organizers, presenters and attendees. A few of them may offer quick registration or options to embed live links via website, social media, and email.

Setting Up a Remote Only Public Meeting

Please review our Remote Only Public Meeting Toolkit page for resources on conducting a remote only public meeting. The toolkit includes a remote only public meeting checklist, model notice and agenda, and meeting script.