SUBJECT: **Remote Public Meeting Access Policy**

APPROVED BY: Becky Franks
Chair, Board of Health

Becky Franks
Date 7/1/21

DATE EFFECTIVE: April 7, 2020 (Amended July 1, 2021)

PURPOSE:

Article II, Sections 8 and 9 of the Montana Constitution guarantee Montana citizens the right to observe the deliberations of public bodies and to participate in decisions that are of significant public interest. These rights are codified at Title 2, Chapter 3, Parts 1 and 2, Montana Code Annotated.

On March 27, 2020, former Montana Attorney General Tim Fox issued a letter of advice with certain "Guidelines for Conducting Local Public Meetings During COVID-19 Emergency." The letter recognized that neither the Right to Know nor the Right to Participate, nor the statutory codifications thereof, require the actual physical presence of the public during a local government's deliberations. Rather, the "manner by which notice, participation, and observation are provided to the public must be reasonable."

The Gallatin City-County Board of Health ("Board") adopted its Remote Public Meeting Access Policy ("Policy") on April 7, 2020, due to the COVID-19 pandemic and to comply with guidelines for social distancing and limitations on group gatherings. Through the Policy, the Board made its meetings remotely available to the public and established the procedures for remote participation.

At this time, due to existing epidemiological and resource indicators and due to the rescission of previous limitations relating to group gatherings, the Board desires to amend the Policy to allow for increased in-person access to meetings. The Board also desires to continue the Policy permanently to allow for remote meeting access to the public beyond the pandemic.

POLICY:

1. Whenever feasible, remote access utilizing a remote meeting platform (e.g. Zoom, WebEx, Microsoft Teams, etc.) shall be provided to the public for all Board meetings. If a meeting is closed to the public to discuss litigation strategy or a matter affecting a privacy interest, the Board may discontinue the remote meeting access during the discussion of that item.

2. Members of the Board and staff also may participate in a meeting remotely if they are unable to attend the meeting in-person.

3. As part of the notice published for Board meetings, Gallatin City-County Health Department (GCCHD) staff shall include the call-in or meeting link for the public to access and participate in the meeting using the remote meeting platform, identify how documents to be discussed during the meeting can be viewed by the public in advance of and during the meeting (e.g. the AVCapture link), and explain how the public can submit written comment in advance of the meeting.

4. A GCCHD staff member shall operate and moderate the remote meeting platform. If the meeting is recorded through the remote meeting platform, staff shall maintain the recording in accordance with record retention requirements.

5. Individuals attending the meetings remotely shall indicate that they want to comment on a particular item at the time requested by the Board Chair. Individuals will be allowed to comment in the order in which they request to provide comment. Once called to provide comment, the individual giving comment shall state their name and address on the record.

6. At the discretion of the Board Chair, all public comment may be limited to five minutes or less per individual.

7. Members of the public are encouraged to provide written comment to the Board in advance of each meeting. The Board will not accept anonymous written comments.

8. The Board will accept written comments from the date that the meeting notice is published until 4:00 p.m. on the day before the meeting. The written comments can be submitted in hardcopy form or by email to the following addresses:

   Gallatin City-County Health Department
   215 W. Mendenhall
   Bozeman, Montana 59715
   BOHPublicComment@gallatin.mt.gov

9. Individuals submitting written comment should be respectful of others and follow normal meeting decorum, recognizing that comments will be viewable online and should not include any vulgar or threatening language.

10. GCCHD staff will provide all written comment received by the 4:00 p.m. deadline to Board members in advance of the meeting. Staff also will make the comments available online for public viewing, but may exclude comments that include vulgar or threatening language.