

Testimony Regarding Remote Meeting Authorization

January 19, 2024



Testimony of the Vermont League of Cities and Towns

Ted Brady, Executive Director

Senate Government Operations Regarding S.55 (Remote Meeting Authorization)

January 11, 2024

Thank you for having me in today to talk about S.55 – a bill that would make the temporary authorization allowing public bodies to meet remotely permanent. My name is Ted Brady, and I am the Executive Director of the Vermont League of Cities and Towns, which represents all 247 cities and towns in Vermont.

In the fall of 2022, the VLCT membership – by public vote at our annual Town Fair – adopted a municipal policy that called for making the remote meeting option a permanent feature of the Open Meeting Law. VLCT would like to see S.55 enacted as is. However, we're happy to

engage with you and any other stakeholders to evaluate any changes you may be considering to address the concerns of the Secretary of State's office and other witnesses you heard from today.

We've heard from cities, towns, and villages that the remote option has increased participation in public meetings. We also heard from members that the remote option has made recruiting volunteers to fill selectboard seats, planning commission seats, and committee appointments easier. Individuals with disabilities, those with dependents – such as elderly parents or children at home, those who don't drive, those that don't have access to public transit, and those who vacation or go on business trips – seem to be more willing to serve if they know they can do so remotely.

Fully remote meetings provide municipal officials with options when in-person meetings would be ill advised, such as for inclement weather, when security threats occur, or when bad actors attempt to intimidate public board members or public meeting attendees. We are increasingly hearing from municipalities that no longer feel safe holding in-person meetings. The incivility and vitriol of Washington, D.C. seems to be spreading to Vermont. In Mendon last month, all municipal boards decided to meet fully remotely because of repeated threats. In Pawlet, supporters of an alleged firearms training facility have posted thinly veiled threats against the selectboard. And in many towns we're hearing the increased need for law enforcement to be present at meetings to protect all involved.

There are several problems with hybrid meetings that compel VLCT to encourage the legislature to instead allow for fully remote meetings, which are easier to run, more accessible to the most people, and less complicated. Perhaps the most notable is the amount of financial, technical, and human resources necessary to run a hybrid meeting. I'm guessing you can relate here in this building, where paid professional committee assistants run your hybrid meetings using tens of thousands of dollars of technology maintained by IT professionals. More than half our towns don't have administrators or managers, never mind IT directors.

Municipalities have invested in basic technology such as Zoom accounts to facilitate remote meetings. A small number of communities, often with the help of their PEG Access Television station, have made investments to facilitate more robust hybrid meetings. But these television stations also need sustainable funding to keep providing such service. Should municipalities

be required to return to in-person or hybrid meetings, I believe dozens of municipalities will return to fully in-person meetings to reduce the cost, hassle, and resources necessary to conduct a hybrid meeting. If we expect municipalities to hold hybrid meetings, we'll need to provide them with the resources to do so, and I appreciated hearing the Secretary of State's office recommend establishing a grant fund to do so.

Another critical flaw with hybrid meetings is that when technology fails, remote participants can be left out of the conversation. As long as a quorum attends in person, a hybrid meeting can go on without remote participants. Fully remote meetings end if the technology fails, ensuring every participant in the meeting is treated equally.

VLCT has produced both [hybrid meeting toolkits](#) and [remote meeting toolkits](#) to help municipalities navigate this relatively new procedure. We did so right after the pandemic-related laws were put in place. VLCT stands ready to expand these toolkits to help our members run good remote meetings that offer more robust participation than historical in-person meetings.

I've heard one justification for returning to in-person meetings is the need to provide a physical space for those without access to internet or phone. Increasingly, most Vermonters now have access to one or the other, and often both. I'm unaware of a single address in Vermont incapable of receiving at least a wired phonenumber – with increasing numbers of Vermonters within reach of a broadband connection or cell connection every year. S.55's requirement that Vermonters can participate in a remote meeting by phone is far more inclusionary than forcing communities back to in-person meetings. There are thousands of Vermonters without access to a vehicle. Public transit is non-existent in many parts of the state, especially in the evenings. Childcare, eldercare, and illness all prohibit people from leaving the homes in the evening.

I've also heard that another reason for requiring a physical space for a meeting is to compel public officials to be available for informal conversations before and after a public meeting. Vermont's open meeting law is not and should not be used as a way to encourage side conversations either between the public and public body members or between public body members themselves. This feels contrary to the purpose of open meeting laws. In fact, our pre-pandemic open meeting law already allows for remote participation in public meetings by public body members – a recognition that the purpose of the open meeting law is not to

compel public officials to have informal conversations in the parking lot of a town hall, or in the back room of a town office before or after a meeting.

VLCT is also very appreciative of S.55's allowance to post notice of a public meeting in two designated electronic locations instead of two designated public places in the municipality. Bulletin boards simply aren't a viable method of communicating with the public in modern society.

Thank you for giving me an opportunity to express our support for this legislation. I'm happy to take any questions.

Attachments

[s.55-ted-brady-written-testimony-vermont-league-of-cities-and-towns-1-11-2024.pdf](#)