

# MEMO

**To:** Energy Efficiency Advisory Council  
**From:** Maggie McCarey, DOER Director of Energy Efficiency  
Rachel Evans, DOER Deputy General Counsel  
**Date:** Updated August 10, 2020  
**Subject:** Virtual EEAC Meeting Procedures during COVID-19 State of Emergency

## INTRODUCTION

On March 10, 2020 Governor Charlie Baker declared a State of Emergency<sup>1</sup> in Massachusetts due to the COVID-19 outbreak. On March 12, 2020, Governor Baker issued another Executive Order<sup>2</sup> temporarily modifying Open Meeting Law requirements to allow public meetings to be held via phone or webinar.

As a result of the Governor's State of Emergency declaration, upcoming EEAC meetings are currently being held using virtual platforms, beginning with the April 15<sup>th</sup> EEAC meeting. The following information details the procedures that will be followed during virtual EEAC meetings.

## VIRTUAL EEAC MEETING PROCEDURES

- A link to each meeting will be emailed to the Council distribution list at least two business days prior to the meeting, included on the agenda and the public notice, and posted on the EEAC website calendar.<sup>3</sup>
- At the beginning of each meeting, the EEAC chair must identify all Councilors participating remotely, and all votes taken during the meeting must be conducted by roll call.
- Councilor Participation Requirements:
  - All EEAC Councilors participating remotely must be clearly audible to each other; text or online chat among councilors is not permitted during remote participation.
  - If a Councilor is disconnected from the meeting, that fact and the time the disconnection occurred shall be noted in the meeting minutes.
- **UPDATED - Public Comment:** In order to ensure that public comments are received by Councilors, the following process will be used:
  - DOER will send an email to the full EEAC distribution list inviting public comment to be sent in advance to [ma-eeac@mass.gov](mailto:ma-eeac@mass.gov).
  - All comments received by 10:00AM on the day of the meeting will be posted to the Public Comment section of the EEAC website<sup>4</sup> and stakeholders who provide advance notice that they would like to present their comments at the meeting, will be added to a list of individuals providing oral comment at the meeting.

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<sup>1</sup> <https://www.mass.gov/executive-orders/no-591-declaration-of-a-state-of-emergency-to-respond-to-covid-19>

<sup>2</sup> <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

<sup>3</sup> <http://ma-eeac.org/events/>

<sup>4</sup> <http://ma-eeac.org/public-comment/>

- The first 15 minutes of the EEAC meeting are reserved for public comment. During this time, DOER will unmute stakeholders who have signed up to provide oral comment, which is limited to three minutes.
- The remainder of the EEAC meeting will follow the published agenda and include presentations from the Program Administrators and EEAC Consultant Team. The Council Chair will moderate presentations and Council discussion.
- In order to facilitate communication, only presenters will be unmuted during each presentation. For discussion, Councilors will be asked to use the hand-raise feature on the webinar platform which will be monitored by DOER. Councilors will be called on in the order their hand is raised, to the best of DOER's ability to track the order. This process aligns with typical in-person EEAC meetings where Councilors raise their nametag to indicate that they would like to be entered into the queue to comment.
- **Council Voting:**
  - To facilitate voting remotely, DOER will take a roll call of voting Councilors during which each Councilor will verbally state their vote.
  - The list of voting Councilors will be provided to the Consultant Team ahead of the meeting to ensure accuracy in recording the votes for the meeting minutes.

**The procedures listed above will remain in place for as long as virtual meetings are required during the COVID-19 emergency.**