

MEMO

To: Energy Efficiency Advisory Council
From: Maggie McCarey, DOER Director of Energy Efficiency
Rachel Evans, DOER Deputy General Counsel
Date: April 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 Emergency¹ in Massachusetts in response to the COVID-19 outbreak. On March 12, 2020, Governor Baker issued another Executive Order² 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 will be held using virtual platforms beginning with the April 15th EEAC meeting. The following information details the procedures that will be followed during virtual EEAC meetings held during the COVID-19 State of Emergency.

VIRTUAL EEAC MEETING PROCEDURES

- During the COVID-19 State of Emergency, monthly EEAC meetings will be held by webinar. 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.³
- At the beginning of the meeting, the EEAC chair must identify all Councilors participating remotely, and all votes taken during the meeting must be conducted by roll call vote.
- Councilor Participation Requirements
 - All EEAC Councilors participating remotely must be clearly audible to each other; text or online chat is not an acceptable method of 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.
- **Public Comment:** In order to ensure that public comments are heard by Councilors, the following process will be used:
 - DOER will send email out to the full EEAC distribution list inviting public comment ahead of a virtual EEAC meeting to be sent in advance to 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 website⁴.

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

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

³ <http://ma-eeac.org/events/>

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

- The first 15 minutes of the EEAC meeting are reserved for public comment. During this time, a representative from DOER will verbally review any written public comment received prior to the meeting. Due to the logistical limitations of muting and unmuting potential public commenters during the webinar, this process will allow for comments to be received, posted publicly online and reviewed publicly during the meeting.
- The remainder of the EEAC meeting will 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 go through 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.