



MEMORANDUM

Date: July 19, 2017

To: Dan Duchniak

From: Lynn Gomez

Re: Remote Attendance by Commissioners at Commission Meetings

As suggested at the June meeting, I've contacted fellow water utilities with commissions/boards of our comparable size and structure to see if they allow remote attendance by commissioners.

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|--------------------------------------|-------------------------------------|
| 1. Green Bay Water Utility | -7 Commissioners |
| 2. Kenosha Water and Sewer Utility | -6 Commissioners (all alderpersons) |
| 3. Madison Water Utility | -8 Commissioners |
| 4. Oak Creek Water and Sewer Utility | -5 Commissioners |
| 5. Racine Water Utility | -7 Commissioners |

Of these five entities, only Madison has allowed remote attendance (via phone) on approximately two occasions. The others have not considered remote attendance or had a request by their members to do so.

Based on Attorney Running's email and the brief discussions we've had, we can allow remote attendance, and we have the technology. The following options, or any combinations of options, could be considered by the Water Commission:

Options:

- ⌚ Do not allow remote attendance
- ⌚ Allow remote attendance any time
- ⌚ Allow remote attendance for good reason with pre approval by the Commission President:
 - ⌚ Unable to attend for business reasons
 - ⌚ Unable to attend for medical reasons
 - ⌚ Others?
- ⌚ Allow only when necessary for a quorum
- ⌚ Allow only when there is already a 'physical attendance' quorum
- ⌚ Allow, except for the following agenda items:
 - ⌚ Personnel Issues,
 - ⌚ Budget,
 - ⌚ Closed Session with Legal Counsel,
 - ⌚ Or, as determined on a case-by-case basis by the Commission President
- ⌚ Allow or deny on case by case basis as determined by the Commission President
- ⌚ Allow, but set a limit to the number of meeting per year, per individual, attended remotely?

I look forward to your discussion with the Commission on this topic

Enc.

Dan S. Duchniak

From: Brian E. Running <brunning@waukesha-wi.gov>
Sent: Wednesday, April 19, 2017 2:57 PM
To: Dan S. Duchniak
Subject: RE: Commissioner Request

This was a recent topic of discussion among municipal lawyers on the League's listserv. A number of cities take the position that since their meetings are supposed to be run according to Robert's Rules, and Roberts defines a meeting as people meeting face-to-face, remote attendance is not allowed. In my opinion, we are not bound that tightly to Robert's Rules, and Robert's expressly says that for small groups the rules are relaxed and more informal.

I don't object to the idea of remote attendance in general, but there are certain situations where attendance in person is important, and you really can't function as well when participating by Skype or Facetime or whatever. Those situations involve hearings or presentations where it's important to see people's expressions or body language, for instance a hearing by the ordinance and license committee of an application for a liquor license. Meetings where there are a lot of visual presentations, such as Plan Commission approvals of development proposals, also don't work well when not attending in person. On the other hand, if the meeting consists mainly of conversation among a regular group, without presentations by outsiders or a lot of visual aids, then participation by Skype works fine. If, hypothetically, the meeting could be conducted effectively with all the participants blindfolded, then remote attendance by Skype or even just by teleconference is okay.

I guess another way to look at it is that the options are: (1) The missing member doesn't participate at all, or (2) the missing member participates with some level of ineffectiveness. In other words, what's the harm in allowing a remote participant? I think the greatest danger is that commission members would participate remotely when they didn't absolutely have to, and they begin to abuse the privilege. There's no doubt that there's better communication when everyone is present in person, so you don't want attendance by Skype unless it's absolutely necessary.

I suggest you put it to the commission for their decision, and then judge on a case-by-case basis. Require that a really good reason be shown for remote attendance, and decide whether the nature of the meeting requires in-person attendance to be effective.

Let me know if you have any other questions.

-- Brian

Brian Running

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