

RULE 4-106. VIRTUAL/REMOTE HEARINGS, MEETINGS & CALCULATION OF TIME

(a) WHEN THE CHAIR OF THE BOARD SHALL DETERMINE THAT EMERGENCY AND/OR EXTENUATING CIRCUMSTANCES EXIST, THE BOARD SHALL BE PERMITTED TO CONDUCT HEARINGS VIA A VIRTUAL/REMOTE FORMAT;

(b) THE NOTICE OF THE HEARING AND/OR BOARD'S WEBSITE SHALL STATE THAT THE HEARING WILL BE HELD VIRTUALLY AND SHALL STATE THE TIME, DATE, VIRTUAL LOCATION AND REGISTRATION INFORMATION;

(c) PUBLIC ACCESS. THE BOARD SHALL ENSURE THAT THE PUBLIC SHALL HAVE THE ABILITY TO LISTEN TO THE PROCEEDING THROUGH REMOTE ELECTRONIC MEANS.

(d) HEARING PARTICIPANTS. ALL INTERESTED PARTICIPANTS, PARTIES AND PROPOSED WITNESSES SHALL REGISTER WITH THE BOARD PRIOR TO THE HEARING VIA THE OPTIONS FOR REGISTRATION SET FORTH IN THE NOTICE OF THE HEARING AND/OR ON THE BOARD'S WEBSITE. ALL PERSONS MUST USE THEIR REAL NAMES (NOT ALIASES) WHILE IN THE VIRTUAL/REMOTE HEARING TO ENSURE THEY WILL NOT BE PREVENTED FROM ENTERING THE HEARING. EACH WITNESS SHALL BE FULLY VISIBLE AT ALL TIMES DURING TESTIMONY. ALL PARTICIPANTS IN THE HEARING SHALL WEAR APPROPRIATE ATTIRE AND PRESENT THEMSELVES AS THEY WOULD IF THEY WERE APPEARING IN A PHYSICAL HEARING ROOM. ALL PARTICIPANTS SHALL ENSURE THAT THERE WILL BE NO INTERRUPTIONS OR DISTRACTIONS FOR THE DURATION OF THEIR APPEARANCE AT THE VIRTUAL/REMOTE HEARING.

(e) RIGHT TO OBJECT TO VIRTUAL/REMOTE HEARINGS.

1. GENERALLY. ANY PARTY TO AN APPEAL MAY, IN WRITING, OBJECT TO A HEARING VIA A VIRTUAL/REMOTE HEARING FORMAT. AN OBJECTION TO A VIRTUAL/REMOTE HEARING MAY NOT BE GRANTED EXCEPT FOR GOOD CAUSE SHOWN.

2. FORM OF REQUEST; DECISION. AN OBJECTION TO A VIRTUAL/REMOTE HEARING SHALL BE IN WRITING, STATING IN DETAIL THE REASONS FOR THE OBJECTION. THE OBJECTION SHALL INCLUDE A STATEMENT BY THE PARTY OBJECTING THAT THE PARTY AGREES TO PAY ANY ADDITIONAL EXPENSES INCURRED IF THE OBJECTION IS GRANTED, INCLUDING READVERTISING, COSTS OF THE OFFICIAL STENOGRAPHER AND OTHER REASONABLE ADMINISTRATIVE COSTS AS ASSESSED BY THE BOARD. COPIES OF THE OBJECTION SHALL BE MAILED OR EMAILED BY THE CLERK TO ALL PARTIES AND ATTORNEYS OF RECORD AND TO THE COUNTY ATTORNEY. THE OBJECTION TO A VIRTUAL/REMOTE HEARING SHALL BE DECIDED BY A MAJORITY

VOTE OF A QUORUM OF THE BOARD.

- (f) EXHIBITS. ALL PARTICIPANTS SHALL PRE-FILE PROPOSED EXHIBITS AT LEAST SEVEN (7) CALENDAR DAYS IN ADVANCE OF THE VIRTUAL HEARING VIA THE OPTIONS FOR FILING SET FORTH IN THE NOTICE OF THE HEARING AND/OR ON THE BOARD'S WEBSITE. THE CHAIR MAY ALLOW EXHIBITS NOT SUBMITTED PRIOR TO THE HEARING TO BE USED AT THE HEARING, SUCH AS DOCUMENTS USED TO IMPEACH A WITNESS OR FOR REBUTTAL. AT THE CHAIR'S DISCRETION, THE CHAIR MAY PERMIT A PARTY TO TRANSMIT AN EXHIBIT TO THE BOARD DURING THE HEARING VIA EMAIL OR OTHER METHOD APPROVED BY THE CHAIR. UPON THE CONCLUSION OF THE HEARING, THE CLERK OF THE BOARD SHALL NOT BE OBLIGATED TO MAINTAIN ANY PROPOSED EXHIBITS THAT WERE NOT MADE PART OF THE RECORD AND MAY DELETE THEM FROM AN E-MAIL INBOX, VIRTUAL DROP BOX OR OTHER VIRTUAL STORAGE FOLDER AT THE CLERK'S CONVENIENCE.
- (g) CALCULATION OF DATES DURING STATE OF EMERGENCY. IF THE OFFICE OF THE BOARD IS CLOSED TO THE PUBLIC DUE TO A STATE OF EMERGENCY, APPEALS AND EVIDENCE SHALL BE DELIVERED VIA THE OPTIONS FOR FILING SET FORTH ON THE BOARD'S WEBSITE. IF THE DELIVERY DATE OF ANY ITEMS RECEIVED BY THE BOARD CANNOT BE IMMEDIATELY DETERMINED, THE DELIVERY DATE SHALL BE PRESUMED TO BE THE NEXT BUSINESS DAY AFTER THE CLERK LAST RECEIVED DELIVERIES.