

# AG's Office Gives Guidance on Remote Meetings for Local Governments during COVID-19

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**With social distancing guidelines limiting the number of people gathering in one place to 10 or fewer, and with the Governor's 'stay at home' order now in effect, local governments have been doing their best to maintain the business of government while trying to stay compliant**

**with the various federal and state directives and orders that have been issued.**

North Carolina's Open Meetings Law requires that a local governing board conducting "the people's business" do so openly, with a few exceptions that allow a board to meet in a closed session. With respect to formal meetings, we now have some guidance from the Attorney General's office in the form of an advisory letter.

Local governments are creatures of statutes, meaning that one must look to the North Carolina General Statutes to ascertain the scope of the powers of local governments. In noting that "local governing bodies conducting meetings remotely is not expressly prohibited by statute," and that electronic meetings are specifically addressed in the statutes, the AG's office has concluded that local governing boards can meet remotely through electronic means and remain compliant with the Open Meetings Laws. A board must still comply with all notice requirements and must provide a location and means for the public to listen to the meeting. A local government can also charge a fee for the public to access the meeting.

But just because a local government *can* meet remotely, does not mean it *should*: if not necessary for "immediate ongoing governance," the AG's office recommends postponing meetings until a future time when an in-person meeting can occur. It would certainly be difficult, if not impossible, to hold public hearings or quasi-judicial proceedings remotely, so for the time being, boards should avoid placing those items on an agenda unless absolutely necessary. Developers and other parties seeking approvals that require public hearings or a quasi-judicial proceeding should expect the process to be delayed. However, with budget season in full swing, local governing boards should take advantage of remote meeting opportunities for budget-planning and similar workshop sessions where no formal action is taken.

The advisory letter can be found [here](#).

More on the North Carolina Open Meetings Law can be found [here](#).

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