

**TOWN OF ROCKINGHAM
BELLOWS FALLS VILLAGE CORPORATION**

RULES OF PROCEDURE

A. PURPOSE.

The Selectboard of the Town of Rockingham and the Trustees of the Bellows Falls Village Corporation are required by law to conduct their meetings in accordance with the Vermont Open Meeting Law, 1 V.S.A. §§ 310-314. Meetings of the Selectboard of the Town of Rockingham and the Trustees of the Bellows Falls Village Corporation must be open to the public at all times, except as provided in 1 V.S.A. § 313.

B. APPLICATION.

This policy setting forth rules of procedure shall apply to the Selectboard of the Town of Rockingham and the Trustees of the Bellows Falls Village Corporation, and referred to below as "the body." These rules shall apply to all regular, special, and emergency meetings of the body.

C. ORGANIZATION.

1. The Selectboard shall annually elect a chair and a vice-chair. The chair of the body or, in the chair's absence, the vice-chair, shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the body shall act as chair for that meeting. The Bellows Falls Village Corporation annually elects a Village President who serves as chair of meetings. In the absence of the Village President, a member from the remaining board is elected to chair that specific meeting only.
2. The chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
3. A majority of the members of the body shall constitute a quorum. If a quorum of the members of the body is not present at a meeting, no meeting shall take place.
4. No single member of the body shall have authority to represent or act on behalf of the body unless, by majority vote, the body has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
5. Motions made by members of the body do require a second. The chair of the body may make motions and may vote on all questions before the body. A motion will only pass if it receives the votes of a majority of the total membership of the body.
6. There is no limit to the number of times a member of the body may speak to a question. A member may speak or make a motion only after being recognized by the Chair/President. Motions to close or limit debate will be entertained.
7. Any member of the body may request a roll call vote.
8. Meetings may be adjourned to a time and place certain.
9. These rules may be amended by unanimous vote of the body, and must be readopted annually.

D. AGENDAS.

1. Each regular and special meeting of the body shall have an agenda. Those who wish to be added to the meeting agenda shall contact the Chair, President or Municipal Manager to request inclusion on the agenda. The chair/president shall determine the final content of the agenda.
2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted in or near the municipal office and at the following designated public places in the municipality: Rockingham Free Public Library and the Bellows Falls Police Station. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted on rockbf.org. The agenda must also be made available to any person who requests such agenda prior to the meeting.
3. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made as the first act of business at the meeting. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by unanimous vote of the body.

E. MEETINGS.

1. Regular meetings shall take place on the first & third Tuesday at 6:00 pm of each month for the Rockingham Selectboard and the second and fourth Tuesday at 6:00 pm of each month for the Bellows Falls Trustees in the Town Hall Lower Theater.
2. Special meetings shall be publicly announced at least 24 hours in advance by giving notice to all members of the body unless previously waived; to an editor, publisher or news director, or radio station serving the area; and to any person who has requested notice of such meetings. In addition, notices shall be posted in the municipal clerk's office and at the following designated places in the municipality: Rockingham Free Public Library, the Bellows Falls Police Department Lobby, and on the rockbf.org website.
3. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body.
4. A member of the body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened, and is able to hear and be heard throughout the meeting. Whenever one or more members attend electronically, voting must be done by roll call. If a quorum or more of the body attend a meeting without being physically present at a designated meeting location, the following requirements shall be met:
 - a. At least 24 hours prior to the meeting, or as soon as practicable prior to an emergency meeting, the body shall publicly announce the meeting and post notice of the meeting in or near the municipal clerk's office and the Rockingham Free Public Library, the Bellows Falls Police Department Lobby and the rockbf.org website.
 - b. The public announcement and posted notice of the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff or designee of the body, shall be physically present at each designated meeting location.

5. Executive Session

A. The boards may separately or together enter into executive session, in which the public is excluded, only in conformance with the provisions of 1 V.S.A. §313. Executive session may only be held to consider one or more of the following:

- 1) after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage:
 - (A) contracts;
 - (B) labor relations agreements with employees;
 - (C) arbitration or mediation;
 - (D) grievances, other than tax grievances;
 - (E) pending or probable civil litigation or a prosecution, to which the public body is or may be a party;
 - (F) confidential attorney-client communications made for the purpose of providing professional legal services to the body;
- 2) the negotiating or securing of real estate purchase or lease options;
- 3) the appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting;
- 4) a disciplinary or dismissal action against a public officer or employee; but nothing in this subsection shall be construed to impair the right of such officer or employee to a public hearing if formal charges are brought;
- 5) a clear and imminent peril to the public safety;
- 6) records exempt from the access to public records provisions of section 316 of this title; provided, however, that discussion of the exempt record shall not itself permit an extension of the executive session to the general subject to which the record pertains;
- 7) the academic records or suspension or discipline of students;
- 8) testimony from a person in a parole proceeding conducted by the Parole Board if public disclosure of the identity of the person could result in physical or other harm to the person;
- 9) information relating to a pharmaceutical rebate or to supplemental rebate agreements, which is protected from disclosure by federal law or the terms and conditions required by the Centers for Medicare and Medicaid Services as a condition of rebate authorization under the Medicaid program, considered pursuant to 33 V.S.A. §§ 1998(f)(2) and 2002(c);
- (10) municipal or school security or emergency response measures, the disclosure of which could jeopardize public safety.

- B. In order to enter executive session, a majority of the board members present shall make an affirmative vote to do so, the motion for which shall indicate the nature of the business of the executive session, and no other matter may be considered in the executive session. Such vote shall be taken in the course of an open meeting and the result of the vote recorded in the minutes.
- 1) No formal or binding action shall be taken in executive session except for actions relating to the securing of real estate options
 - 2) Minutes of an executive session need not be taken, but if they are, the minutes shall, notwithstanding subsection 1 V.S.A. §312(b), be exempt from public copying and inspection under the Public Records Act.
- C. Attendance in executive session shall be limited to members of the board, and, in the discretion of the board, its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed.
- D. Prior to entering executive session the board shall not make any public declaration or statement of the presumption or assumption of any announcement or decision that may result from an executive session.

F. PUBLIC PARTICIPATION.

1. All meetings of the body are meetings in the public, not of the public. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the body, so long as order is maintained according to these rules. At the beginning of the meetings the public shall be afforded three (3) minutes per person for open public comment on items not on the agenda.
2. At the conclusion of discussion of each agenda item, but before any action is taken by the body at each meeting, there may be two (2) minutes afforded for open public comment. By majority vote, the body may increase the time for open public comment and its place on the agenda.
3. Comment by the public or members of the body must be addressed to the chair or to the body as a whole, and not to any individual member of the body or public.
4. Members of the public must be acknowledged by the chair before speaking.
5. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.
6. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.
7. Members of the body and members of the public shall obey the orders of the chair or other presiding member. The chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:

- a. Call the meeting to order and remind the members of the applicable rules of procedure.
- b. Declare a recess or table the issue.
- c. Adjourn the meeting until a time and date certain.
- d. Order the constable to remove disorderly person(s) from the meeting.

Rockingham Selectboard

Susan Hammond
Linda D. D. D.
Doreen Aldrich
[Signature]

Date: June 28, 2018

Bellows Falls Village Trustees

Deborah Wright
[Signature]
[Signature]
Janet Self Wright

Date: June 28, 2018