

Rules of Order

Hancock County Commission

Parliamentary Authority

The rules contained herein shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with State of Maine Statutes, especially M.R.S.A. Title 1 Section 401, or any special rules of order which the Commission may adopt.

Special Rules of Order

1. Meetings

- A. **Rules and Journal.** *The Commission shall annually determine its own rules and order of business and shall provide for keeping a record of its proceedings, which shall be kept for public record. Agendas and minutes for each Commissioners meeting will be posted on Hancock County's website. It is the responsibility of the Hancock County Commissioners to ensure that the public is notified of all regular meetings in ample time for attendance.*
- B. **Meetings.** *The Commission shall meet regularly at least once in every month at such time and place as the Commission may prescribe by rule.*
- C. **Regular Meetings.** Regular Meetings shall be held on the first Tuesday of each month at 8:30 AM in the Hancock County Commissioners' Meeting Room except when an observed holiday falls on a preceding Monday, which in that case the regular meeting will be held on the first Wednesday of the month at 8:30 AM in the Hancock County Commissioners' Meeting Room. A Special Meeting is regularly scheduled for the third Tuesday of each month except when an observed holiday falls on a preceding Monday, which in that case the regular meeting will be held on the first Wednesday of the month at 8:30 AM in the Hancock County Commissioners' Meeting Room. One regular meeting or Special Meeting may be omitted in any month, and the time and place of meetings may be changed by vote of the Commission. Public notice of any such change shall be given as far in advance as is practicable.
- D. **Special Meetings.** *Special meetings may be held on the call of the Commission Chairman, County Administrator or two or more members. To the extent practicable Commission members shall be consulted as to a convenient time. Notification of all special meetings will be made to the local newspaper as soon as feasible.*
- E. **Workshops.** Workshops may be held from time to time to work on or discuss a particular matter(s) in greater detail and length than would be allowed during a regular or special meeting of the Commission. *Workshops may be held on the call of the Commission Chairman, County Administrator or two or more members. Workshops are considered public meetings that are subject to the requirements of*

M.R.S.A. Title 1 Section 401, and will be held consistent with the Rules of Order adopted by the Commission.

- F. **Remote Meetings.** It is the policy of the County of Hancock to allow elected members of the Board of County Commissioners, County employees and the general public to participate in all public meetings as defined by Title 1 § 403 M.R.S.A. by remote means including but not limited to telephonic and video conferencing capabilities. Members of the public body (elected officials) are expected to be physically present for public proceedings except when being physically present is not practicable. A member of the public body who is unable to attend a meeting in person will notify the Chair or presiding officer of the public body as far in advance as possible. The public shall be provided a meaningful opportunity to attend by remote methods when any member or members of the public body participate by remote methods and reasonable accommodations may be provided when necessary to provide access to individuals with disabilities. The notice will include the means by which members of the public may access the proceeding using remote methods. A member of the body who participates in a public proceeding by remote methods is present for purposes of a quorum and voting. All votes taken during a public proceeding using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by other members of the public body and the public.

2. Order of Business. At regular meetings the following shall be the normal order of business:

- I. Call to Order
- I. Adoption of Agenda
- II. Public Comment Period
- III. Approval of Minutes
- IV. Financial Reports
- V. Public Hearings
- VI. Regular Business
- VII. County Administrator's Office Comments
- VIII. Commissioner Comments and Suggestions for Future Agendas
- IX. Matters for Possible Executive Session
- X. Adjournment

3. Agenda

- A. **Preparation.** The agenda for regular meetings shall be prepared by the County Administrator's Office in consultation with the Chair. At least seven (7) days prior to a scheduled Commissioners meeting, the County Administrator or his/her

designee shall send to each Department Head, the County Clerk and each Commissioner a memorandum requesting submission of items to appear on the next agenda of the County Commissioners. Department Heads, Commissioners, and/or the public shall provide the County Administrator in writing with a brief narrative outlining the issues associated with each agenda item in addition to any other materials required for the Commissioners to make an informed decision on the issue.

- B. **Distribution.** Upon approval of the agenda by the Chair, copies of the Agenda shall, if possible, be distributed to members not less than three days before the meeting and shall at the same time be delivered for posting on the bulletin boards outside the Hancock County Administration Office and the Hancock County Commissioners Meeting room, and shall at the same time be e-mailed to others who have requested such copies in writing.
- C. **Deadline.** Items for inclusion on the agenda shall be given to the County Administrator by 5:00 p.m. on the Wednesday preceding a Tuesday Commission Meeting or, if the meeting is on another day, at a corresponding time. Thereafter items may be added; upon approval of the County Administrator and the Chair until noon on the Friday preceding any Commissioners meeting. After noon on Friday, the Commissioners may add items at the beginning of the Commissioners meeting by the affirmative vote of a majority of the members present during the “Adoption of the Agenda” section of the meeting where:
 - 1.) Significant inconvenience may result if the matter is postponed or
 - 2.) The routine nature of the request is expected to be of little public interest.
- D. **Amendment.** At the discretion off the chair, or upon the vote of a majority of members at any point in the meeting, the Commission may change the order of business.

- 4. **Procedure.** All meetings shall be conducted in accordance with the latest version of Robert's Rules of Order, except as modified or clarified in the following respects:
 - A. **Quorum.** *Two members of the Commission shall constitute a quorum for purposes of conducting an official meeting and transacting County business, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Commission.*
 - B. **Majority.** *The required majority to effectuate the passage, adoption or enactment of an item shall be a simple majority of a quorum.*
 - C. **Public Comment Period** – The Commission allows at this time up to fifteen minutes of public comment on any subject not on the agenda and not in litigation with a maximum of three minutes per person, unless the Commission grants more time.

- D. **Public Hearings** – The following guidelines will be read prior to opening a public hearing.

The County Commission strives to give everyone an equal opportunity to be heard, therefore:

- (1.) During public comment you are allowed three minutes to speak with a two minute follow up after everyone has spoken once, and if time allows. An exception is: if a Commissioner has a question for the speaker, their response is excluded in this time limit.
- (2.) If needed as determined by the chair, a countdown device is visible to those making comment so that speakers will be aware of time and will not be interrupted during their presentation with warnings.

Upon being recognized to speak:

- (1.) Step up to the microphone and state your name and address.
- (2.) Please be brief and to the point.
- (3.) Be respectful.
- (4.) That includes not applauding or other audible reaction to speakers.
- (5.) Please refrain from side conversations and other distractions.
- (6.) Remember that a public hearing is a chance to comment on an item and not a forum for debate or questions and answers.

- E. **Informal discussion** of a subject is permitted even while no motion is pending.
- F. **Chair Votes.** The Chair shall have all the rights and duties as to voting as any other member, may make motions, and may speak in discussion without leaving the chair.
- G. **Limiting Debate.** There is no limit to the number of times a member may speak on any question, except when action has been taken to limit or close debate.
- H. **Tied Votes.** In the event of a tied vote, the motion fails to pass. Accordingly, a motion to reconsider is not required prior to the making of a subsequent motion.
- I. **Executive Sessions.** The Maine Freedom of Access Law, 1 MRSA 405, states that “Executive sessions may be called only by a public, recorded vote of 3/5 of the members present and voting. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business.”
- J. **Vote Required.** *Each Commissioner in attendance shall vote on all issues and questions presented for vote except when a valid conflict of interest clearly exists. A member may “abstain” from voting on a motion provided that member states on record a personal conflict of interest exists. Absent that conflict, the record shall reflect a “did not vote” for any member not voting on a motion.*

- K. **Rule Amendments.** Commission rules, or any provision thereof, may be waived on any occasion by an affirmative vote of two Commissioners. After public notice and hearing, these Rules of Order may be amended by an affirmative vote of two Commissioners.

5. Boards, Committees and Commissions

- A. **Advertisement.** Before the Commission shall fill a vacancy in any Board, Committee, or Commission of the County, notice shall be given by publication in a newspaper of general circulation in Hancock County, inviting applications or recommendations. Such applications should include information as to the interests and qualifications of the person concerned. The County Administrator shall see that the Chair of the agency is notified, and opportunity shall be given for recommendation from the agency or from its members.
- B. **Alternate Appointment Procedures.** In making appointments, the “simple voting method shall be used. As required by the state Right to Know Law, each Commissioner’s vote shall be publicly announced.
 - (1) **Simple Voting Method.** When the Commission proceeds to the appointment, the Chair shall entertain nominations. Each Commissioner shall be entitled to nominate one candidate for each open seat. No nomination requires a second. After all Commissioners have had the opportunity to make a nomination, the Chair shall close the floor to nominations, recite the names of the candidate(s) and ask for a vote of those in favor of the candidate(s). Immediately thereafter, the Chair shall repeat the process for each board/committee. No Commissioner may vote for more than one candidate for each open seat. The Chair shall declare appointed the candidate(s) receiving a majority of the votes. If no candidate receives a majority [*see definition of a majority*], a runoff election shall be held for the candidates having received the two highest numbers of votes.

6. County Administrator Communications to Commissioners.

- A. **General Rule.** As time and workloads permit, the County Administrator shall endeavor to provide all Commissioners with the same information at the reasonably same time.
- B. **Meeting Background.** The Friday prior to each Commission meeting, the County Administrator’s Office shall prepare a packet of background materials designed to give Commissioners a clear, yet concise, understanding of the issues surrounding the decisions to be made at the meeting. A packet of identical background materials shall be provided to each Commissioner.
- C. **Last Minute Information.** If it comes to the attention of the Administrator’s Office that an agenda item will be added after the packet has been distributed and additional background material is to be provided for the meeting, those materials suitable for distribution by email shall be e-mailed to all those Commissioners and uploaded to Hancock County’s website, if possible. In addition, photocopies of all

emailed background materials shall be set on the Commissioners table at least one half hour prior to the Commission meeting.

LEGISLATIVE HISTORY

Adopted by the Commission on March 21, 2023
