



# Penobscot County Standard Operating Procedure

<b>Title: County Commissioners Meeting and Agenda Policy</b>	<b>Number:</b>
<b>Rescinds:</b>	<b>Effective: July 12, 2022</b>
<b>Revised:</b>	<b>Review Date: As needed</b>
<b>Distribution: All Employees and Members of the Public</b>	<b>Issued By: County Commissioners</b>

## Purpose

The purpose of the Penobscot County Meeting and Agenda policy is to comply with M.R.S.A. Title 1, section 401 and to provide the Commissioners and Department Heads with a clear and decisive meeting and agenda management tool.

## Scope

Effective July 12, 2022, the Commissioners of Penobscot County hereby adopt the following policy for running its meetings.

## Procedure

1. Placement of Items on an Agenda
  - a. Regular items to be placed on an agenda must be submitted to the County Administrator with supporting documents, at least three business days prior to a Commissioners meeting and supply supporting documents to the County Commissioners.
  - b. Emergency/time sensitive matters may be added to an agenda at any time.
2. Roll Call
  - a. The presence/absence of Commissioners and/or staff will be noted.
  - b. Commissioners are expected to be physically present for Commission meetings except when being physically present is not practicable. In such case, a Commissioner may participate remotely, in accordance with the separate Remote Participation Policy.

### 3. Meeting Agenda

- a. Roll Call
- b. Approval of Minutes
- c. Public Comment
- d. Department Updates
- e. Approval of Warrants
- f. Executive Sessions
- g. Action Items
- h. Adjourn

### 4. Public Comment

- a. The Commission allows members of the public to comment on matters that are not on the regular agenda.
- b. If a member of the public has a complaint or accusation of misconduct against a County employee, the member of the public will be directed to provide the information to the County Administrator so that the matter may be reviewed in accordance with the County's internal procedures.
- c. Each speaker is limited to a maximum of three (3) minutes unless the Commissioners grant more time.
- d. Members of the public who wish to speak will be recognized as follows:
  - i. Residents of Penobscot County
  - ii. Non-residents of Penobscot County

### 5. Executive Sessions

- a. A motion to go into executive session will be made during the public session, indicate the precise nature of the business of the executive session, and include a citation to the authority permitting the executive session.
- b. Passage of the motion requires an affirmative vote of at least 2/3 of the Commissioners.
- c. The vote will be recorded.
- d. Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.
- e. Executive sessions will only be called for one of the following reasons:
  - i. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons where:
    - 1. Public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated.
    - 2. Any person charged or investigated will be permitted to be present at an executive session if that person so desires.
    - 3. Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored.

4. Any person bringing charges, complaints or allegations of misconduct against the individual under discussion will be permitted to be present.
- f. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency.
- g. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators.
- h. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage.
- i. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute.
- j. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined.

6. Adjourn

### **Statement of Understanding**

I understand that Penobscot County reserves the right to make changes to this policy as needed.

PENOBSCOT COUNTY COMMISSIONERS

APPROVED: July 12, 2022

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Laura J. Sanborn, Commission Chair

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Peter K. Baldacci, Commissioner

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Andre E. Cushing III, Commissioner