

PART I – RULES OF PROCEDURE

Section 1 - Officers

- A.** The Board shall elect from its own membership a Chair, Vice Chair and a Clerk. Such election shall take place annually at the first regular meeting following the Annual Town Meeting.
- B.** The Chair or, in his or her absence, the Vice Chair, shall preside at meetings of the Board and shall, subject to these rules, decide all points of procedure, unless overruled by a majority of the Board in session at the time. The Chair shall act as liaison between the Board, the Health Department Staff and the Board's secretary.

Section 2 – Meetings

A. General

All meetings of the Board shall be conducted in accordance with Chapter 39, Section 23A, of the Massachusetts General Laws (Open Meeting Law).

B. Types of Meetings

1. Regular Meetings

The Board of Health and the Health Department Staff shall meet generally twice monthly and at such other times as the Board may decide. Unless it be in executive session, every meeting of the Board of Health shall be open to the public and to the press (Town of Provincetown General ByLaws, Section 4-2-1).

2. Special Meetings

Special Meetings of the Board may be called by the Chair with the concurrence of a majority of the members of the Board; however, the required statutory forty-eight (48) hour public notice of such a meeting may not be waived.

3. Public Hearing Procedures

A Public Hearing is a process of collecting information that pertains to the pros and cons of an idea, motion, or proposed action from individuals. It is a tradition that Public Hearings provide each individual who desires to speak an opportunity to voice his/her opinions.

4. Emergency Meetings

- a.** The Chair may call an emergency meeting of the Board when, in the judgment of the Chair, immediate and/or delayed action by the Board would be contrary to the best interest of the Town of Provincetown.
- b.** Matters acted upon by the Board at emergency meetings shall be made an agenda item at the next regular scheduled meetings of the Board for the purpose of ratifying decisions rendered at the emergency meeting.
- c.** Authority to act upon routine Board matters as necessary for timely dispatch may be delegated to the Chair. Actions taken under the provision of this subsection shall be

ratified at the next regular scheduled meeting of the Board.

5. Work Sessions

The Board will reserve the right to schedule work sessions. These work sessions shall be used to act on agenda items that require extended time and consideration of the Board and will usually be limited to one (1) agenda item.

C. Time of Meetings

1. All Board meetings shall normally be scheduled to commence promptly at 4:00 p.m. and terminate not later than 11:00 p.m. However, in the event that official business remains to be transacted at the scheduled adjournment time, the Board may vote to suspend this requirement under the provisions of Section 6 of these procedures.
2. Unfinished business remaining at the scheduled or alternate adjournment time shall appear on the agenda of the next regular scheduled meeting.

D. Board Members' Absences/Tardiness

1. Any Board member who expects to be absent from a scheduled Board meeting or delayed more than one hour shall notify the Chair at least 24 hours in advance of the scheduled meeting.
2. The Chair must be notified in writing for absences from more than two consecutive scheduled meetings.
3. Unexcused absences occur when proper notice of absence has not been given

E. Meeting Notice

A written notice of all scheduled meetings of the Board, except as precluded by Section 4A above, shall be filed with the Town Clerk at least forty-eight (48) hours in advance of the meeting for posting on the Town Bulletin Board and website.

Section 3 – Agenda for Regular Meetings

A. Format

The format for regular scheduled meeting agendas shall be:

1. Public Comments
2. Discussion
3. Old Business
4. New Business
5. Any Other Business That Shall Properly Come Before the Board
6. Approval of Minutes
7. Health Department Staff Reports
8. Board Members' Statements

Agendas for special and emergency meetings may be modified by the Chair to conform to the purpose(s) for which the meeting was called.

B. Agenda Action Request Forms

Any item placed on the agenda shall have an "Agenda Action Request" form, with the appropriate Health Department staff person's report and recommendation filled out by the Individual.

C. Notification of Parties on Agenda

1. All involved parties must be notified verbally that they are being put on the agenda three (3) working days prior to the meeting.
2. Any review of a property or business requested by the Board of Health or the Health Department staff will necessitate a written notice by certified mail, to be postmarked three (3) days prior to the meeting.

D. Procedure for Placement on Board of Health Agenda

1. Items requested to be placed on the meeting agendas, other than from Board members, shall be in writing stating:
 - a. Subject matter
 - b. Individuals expected to be in attendance
 - c. Concise summary of the essence of the subject matter
 - d. The applicant's proposed motion
2. Agenda item requests must be received by the Health Department staff by noon on the Thursday prior to the next scheduled regular meeting. Agenda item requests received after this time may be included under an appropriate agenda item, at the discretion of the Chair.

Section 4 – Procedures During Meetings

A. General

1. Proceedings during meetings shall normally be governed by Robert's Rules of Order, except as modified by these procedures.
2. When deemed necessary and appropriate, the Chair may offer a motion and/or a second.
3. No person shall address a public meeting of the Board without permission of the Chair or other designated presiding officer.
4. Items which appear on the meeting agenda shall be considered as properly before the Board for action without benefit of a specific motion to that effect. However, any member may reserve the right to move that an agenda item be stricken from the agenda. Such a motion, if made, shall be subject to action by the other members of the Board as would be appropriate to action on routine motions.
5. No determination shall be made by the Board of Health on items not formally on the agenda.

B. Public Comments

1. It is the policy of the Board of Health not to respond to speakers under Public Comments. In order for any Board member to speak in response to Public Comments during a meeting, he or she must have the consent of the majority of the Board members present. Issues brought to the attention of the Board under Public Comments are taken under advisement.
2. All speakers under Public Comments must be acknowledged by the Chair before speaking.
3. Speakers may be limited to five (5) minutes each.
4. Speakers may be limited to one acknowledgment per topic.

C. Public Hearing Procedures

A work session, if necessary as determined by the Board, will be held at least one week prior to any Public Hearing.

1. Preliminary Procedures

- a. Proponents and opponents must set up any displays or graphic presentations prior to the actual start of the hearing.
- b. Principal speakers must identify themselves to the Chair prior to the start of the hearing.
- c. Copies of the hearing procedures will be posted or distributed prior to the start of the hearing.

2. Hearing Procedures

- a. The Chair will open the hearing identifying the purpose of the hearing and the rules to be followed during the hearing.
- b. If testimony at the hearing must be given under oath, a five-minute recess will be taken to permit speakers to register with the meeting recorder. When the hearing is reconvened, the Chair will render the oath in front of all present.
- c. The basic format of the hearing will be:

Arguments: Proponents Questions: Board of Health Questions: Public
(addressed through the Chair)

Arguments: Opponents Questions: Board of Health Questions: Public
(addressed through the Chair)

Recess (five minutes)

Concluding Statement/Rebuttal: Proponents

Concluding Statement/Rebuttal: Opponents

- d. No questions will be permitted until after the speaker has finished his or her presentation. Questioners will identify themselves to the Chair, state their

question and specify to whom it is addressed. Any disagreement with answers is restricted to rebuttal statements.

- e. At the completion of arguments, citizens may record themselves in agreement with the speaking side without making another presentation. (This provision is designed to reduce repetition).

Section 5 – Minutes of Meeting

- A. The written minutes, at minimum, shall record the time and date of the meeting, names of Board members present, voting and absent; names of members of other official boards, commissions and committees present; the exact motion(s) made and vote(s) or other official action(s) taken. Written minutes shall not include verbatim or otherwise lengthy record of discussion on agenda items.
- B. Minutes of the Board of Health meetings shall be submitted for Board of Health approval at least three (3) working days before the next meeting can proceed.
- C. Minutes shall be recorded with the Town Clerk within five (5) working days of Board of Health approval.

Section 6 – Suspension of Procedures

These procedures may be suspended by an affirmative majority vote of the Board members present and voting.

Section 7 – Reconsideration of Votes

Any vote taken may be reconsidered without limitations as to the time, upon a proper motion before the Board and a favorable majority vote of the members present and voting, provided that the Board of Health member making the motion to reconsider voted in the majority on the original motion.

Section 8 – Review of Procedures

These procedures shall be reviewed annually following the normal annual reorganization of the Board of Health or more often if necessary and dictated by changes in the Board of Health's composition.

Section 9 – Amendments to Procedures

- A. These procedures may be amended by a majority vote of the members present and voting at a regularly scheduled meeting provided, however, that the proposed amendment has been submitted in writing at least one week prior to the date that the amendment is to be voted upon.
- B. An amendment shall be construed to mean any addition of a new procedure or deletion or modification of an existing procedure.

Section 10 – Effective Date

These procedures were effective March 8, 2001 and revised on June 16, 2011.

Section 11 – Distribution

A copy of these procedures will be provided to each newly appointed Board of Health member upon that individual's appointment to office.