

RFPL TRUSTEES POLICY COMMITTEE MEETING
NOVEMBER 13, 2014
6:15 PM

MINUTES

Present: Doreen Aldrich, Carol Blackwood & Carolyn Frisa; **Absent:** L. Raymond Massucco

Members of the Public: Hope Brissette, Joel Love & Jan Mitchell-Love; **Library:** Anne Dempsey and Celina Houlne

Call to Order: The Policy Committee Meeting was called to order at 6:15 p.m.

Public Comment: (3 Minutes per Person)

Additions/Approval of Agenda: Carolyn Frisa said while she was looking up model policies through the Vermont League City of Towns she found VLCT Model Rules of Procedure for Municipal Boards, Committees, and Commissions. She just had time this evening to go through and make recommended changes. Blackwood asked what that was for and Frisa said for following the open meeting law. It is for guidance for the board and a document that can be given out to the public. Blackwood called for a vote of all in favor of adding a discussion about model rules to trustees to the agenda. There was no opposition and it was added under "New Business". There was no dissent on the agenda with the one addition.

Storage and Access to Trustee Communications: Frisa provided the template for Public Record Inspection, Copying and Transmission Policy so Blackwood turned it over to her to discuss. Frisa explained that the template was given to her by the Town of Rockingham and is a policy that the Select Board and Village Trustees will be reviewing in their upcoming meetings so it is fully drafted. It was taken from VLCT and to make it clear where she entered her suggestions, changes have a strike-through and additions are in all caps, bold. Some things are highlighted and those are things she has questions about or thought needed a little more information. Blackwood said VLCT puts this out, basically, as a template for towns to utilize if they choose to. As best as we understand, it has been reviewed by their legal beagles. Frisa added that it was her recommendation that this committee go over it tonight and make any changes we feel are appropriate and get the library board's lawyer to review it before presenting it to the full board for adoption. Frisa added that she thinks the Select Board will look at it at their next meeting on Dec. 2nd. Blackwood said the hope would be by doing this, we've created an avenue for public review of communications and relieve individual trustees from having to individually answer with the same emails being sent multiple times from different people. Frisa asked what is the time for public comment. Blackwood said as a committee, we need to decide. Frisa proposed/moved three minutes per agenda item for public comment. Aldrich was ok with it; but asked if it was enough time. Joel Love thought it was a little brief. Blackwood suggested a friendly amendment to five minutes total per person and they can use it anywhere they want. Aldrich agreed/seconded and it was passed.

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Joel Love said there is a major hole in this and so does the town and so does VLCT in the fact that it says any written record or information with a public record regardless of physical form or characteristics which is produced or acquired in the course of public agency business. You are dealing with that which is acquired by the Rockingham Free Public Library. You are not necessarily covering all content that is in that superset which is produced if it was produced by you or your private email, or if it was produced by others. You are still custodians of those records. Blackwood agreed but; said if there is nothing else, then there is nothing to be sent. Love added if a public records request is sent to a trustee, the trustee cannot absolve themselves if it can be demonstrated with one instance that everything I have is in the repository of the library and is turned over by the custodian, it's only the things that are in that repository that are under the control of the library. The trustee as a public official is still responsible; they cannot absolve themselves of the responsibility. If the library doesn't provide it, the person who produced it still owns it. Jan Mitchell-Love said what Joel is saying is that the repository contains copies of things generated. It cannot generate. The definition of a custodian is to generate and to receipt. You will always be the custodian of the emails and you will never be absolved of having to produce them or make sure that the records requests are filled correctly no matter who you have doing it for you. If it goes to court, you will be the one responsible. Blackwood said she thinks we understand the point being made in that if she as a trustee sends an email and doesn't send it to the repository and gets a records request, it's her obligation to turn that over. If she has done no business and it's not in the repository, her answer is zero. Loved added that on the other hand if everything that was carried on as business from the library was under the control of a library email system and under the control of an administrator and everything occurred through that (which would be an additional expense to the town and for the library) then everything would be there by default and the custodian of that would be the administrator/controller of that. There is an issue from the state archivist. Records, policies and procedures using _____, record keeping practices, needs to be taken into consideration with this. This particular policy doesn't address these practices adequately. Blackwood asked if he had anything written down about which particular thing it doesn't address. Love said not off the top of his head; but he can draft up some examples. Houlne interjected that the town has a records retention policy that the library trustees can use as well. That would be the next step to take. Brissette said her husband was on the school board and he has years of stuff he has to keep. Frisa said her understanding is different than the public opinion here from talking with the Secretary of State and Attorney Steve Ankuda in the past. The trustees can designate a person to be the person responsible for discharging the duties of the custodian. Blackwood said the key is to make sure every email you send goes into the repository. Frisa feels this is the best way to do it because it is not reasonable to expect volunteers to maintain permanent records. Blackwood added that separate from a public records request, it creates a more organized system so that if someone wanted to do a history of the library and include trustee business in it, it would be in a much more organized and searchable fashion than a bunch of other ones. Frisa agreed saying when she is no longer on the library board and she moves somewhere she wants people to easily get that information. Brissette said she is unclear as to why this has become such a huge issue. She's been on the board a little bit longer than Carolyn and has never had a problem filling any request. She feels it is more of a selfish personal reason that this is getting brought forward. She realizes some parts of this are important; but we have more things to do than all this. Mitchell-Love said there is a difference

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between the Town of Rockingham and us. We have a repository that is volunteer. You can't make anybody put their emails there. It also is if they remembered to put their emails there. She discovered this, not looking for it, and forwarded to Pat Fowler the other day; she didn't copy the repository on the email. It happens. No matter what you do, the town is working on town computers and they can capture, unless they go home and write something; all of us have stuff spread out on our emails and we are custodians. She added that if somebody makes a public records request of her emails, she is going to fill it. No matter what the policy is, you can't force her to have somebody else fill it for her when she knows, worst case scenario, she can be taken to court and she will be responsible for what somebody else does. It is not a big deal; it's our job to fill them. Frisa said she feels it's a big deal because when somebody asks you for three years of public records, that is an enormous amount of time and she feels like that is being done as a way to intimidate board members, to make her lose money in her business and it is done at strategic times of the year. She doesn't think that is what the public record law was written for. Going forward, each board member gets an email account through the library's email system. Existing emails can be forwarded to the repository or transferred by disc in whatever format they are kept in and you're done. You make it clear to new trustees that when they become a board member, if they are going to use email as a form of communication, they agree to use the email address and that's it. It's not part of this; this is more of a policy that is given to the public. There is a place to add that in there if you want to be specific in this policy. Blackwood said this policy doesn't stop anyone from answering their own requests if they choose. Everyone does have their own responsibility to make sure their records are in the repository and if it turns out they are not then that's their issue to face if it were to come to a lawsuit. Mitchell-Love said this would be a very interesting legal thing. If you elect public officials, you can't tell them that they have to have a library email and that you own their emails. If they say no, there is not a thing you can do. It is not enforceable and this policy is not enforceable. Brissette said she's getting the impression that some trustee's time is considered more valuable than other trustees. She has scads of emails. She feels it's kind of selfish to think that someone feels put upon. She feels put upon; but it is her job to do it. Love said along those same lines in roughly May, 2013, Ray Massucco made a request for all of Jan's emails regarding the library. It took her over nine calendar days and well over 40 hours to fulfill this request. It was at the same time she was grading finals papers. She stayed up an enormous amount of time to get it done but; did it. She checked with Atty. Ankuda and he advised that she didn't have a choice; she had to do it. Love added that he feels it is a wonderful thing to build a repository and to provide a custodian for digital artifacts and those should include everything including the emails and documents produced. Over the course of history, it would be a great thing for people to look at 50 years from now. The issue is you cannot absolve yourself of responsibility of public official by saying I don't need to do this because I turn my emails over to someone else. It hasn't been decided in court so fundamentally it will have to be decided in court, maybe even Vermont Supreme Court; but the reality of it is that the state has decently defined what custodian is so you have to use the normal or customary term of it and that is the person who has control of it and who has produced it. Love was reminded that his time was up. Frisa said that is why we as a committee should work on this and have a lawyer look at it. Brissette reminded the committee before getting an attorney to look at this, they need full approval from the board. Frisa said if you look on the State Treasurer's web site, they also have a public records policy and they have appointed a staff member to act as the records custodian for purposes of receiving and responding to all requests

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for public records. Aldrich suggested presenting the policy to VLCT as there probably wouldn't be a charge. The committee commenced going down through the proposed policy (template from VLCT/Rockingham Select Board). Blackwood explained that the yellow highlighted parts are new words added by Frisa using language from the Secretary of State.

Aldrich asked Love if he was ok with having a policy; but that individuals are still responsible for their own emails and he responded "yes".

Regarding the fifth paragraph on Page 1, Love said if the committee is limiting this to board communication, you're severely limited and will look bad. It looks like you are protecting yourselves because it pertains to any record generated in the course of library business. It doesn't matter who it is by as long as it comes into the possession of any of you or of anybody at the library; not just the board members. That is point one. Point two, on page 3, "LIBRARY PUBLIC RECORDS ARE MAINTAINED IN STANDARD PORTABLE DOCUMENT FORMAT (PDF)"; if you check with the Assn. of American Archivists, you will find that they don't necessarily recommend PDF anymore. They recommend a standard archival format. If you are going to build a repository for this, you ought to be building an appropriate repository rather than limiting yourselves to a particular document format which may or may not be extinct in a few years. Frisa said she doesn't understand what in this document makes Mr. Love think it's just the library board. Love said because it says "board member" all the way through this. It isn't just the board's public records; it's all the business records, all the public records of the library. Blackwood interjected that Love is suggesting that all library business is email. Love said what he is saying is don't limit it to just the board's emails; it's any employee's emails as well. Blackwood said, again, it is becoming harder to enforce if you start including the whole universe; but she takes his point of perhaps library director or people in a leadership position. Frisa said her assumption is that the library board of trustees has a policy and the library has a policy for public records. Houlné asked that we refer this to VLCT. Right here "Town of Rockingham/Bellows Falls Village Corporation" to her encompasses all the boards, all the employees, everybody. Do you want to specifically say the library board or the Rockingham Library? Frisa apologized that Love thought that was her intent here. Typically, the way the policies are broken up, there are library staff policies and there are board policies.

Brisette said she feels it is a disservice that you are going to just include the trustees because there is a tendency to say "Oh well we'll get back to that or do that later" with good intentions --- "guilty". Her thought on that is it might take time; but it might behoove this committee to think hard about employees/town related things that should go on there also. We being our own custodians of our emails are simpler. Brisette, Mitchell-Love and Love had other commitments and left the meeting at this point.

Blackwood recommended the committee continue going through the proposed policy so if we need our own, we've got it but; if the lawyer says we don't need our own and we can just slide in under the town's policy then we're good. After lively discussion and public input the attached draft is attached hereto.

Library Operations Manual: Take up at a future meeting; the policy committee will continue to work with the Library Director in refining it.

New Business: Guidance – VLCT Model Rules of Procedure for Municipal Boards, Committees and Commissions. The draft will be discussed at a later date.

The policy committee meeting adjourned at 8:20 p.m.

Respectfully submitted on Nov. 17, 2014

Secretary

DRAFT

**~~TOWN OF ROCKINGHAM~~
~~BELLOWS FALLS VILLAGE CORPORATION~~**

**ROCKINGHAM FREE PUBLIC LIBRARY
BOARD OF TRUSTEES**

Public Record Inspection, Copying and Transmission Policy

PURPOSE. The Vermont Public Records Act, 1 V.S.A. §§ 315-320, provides that the ~~Town of Rockingham and the Bellows Falls Village Corporation~~ **ROCKINGHAM FREE PUBLIC LIBRARY AND ITS BOARD OF TRUSTEES ARE** required to provide access to public records for inspection and copying unless the records are exempt by law from public access. The ~~municipality~~ **BOARD** is authorized under section 316(j) of the Public Records Act to adopt and enforce reasonable rules to prevent disruption of operations in responding to records requests, to preserve the security of public records, and to protect public records from damage. This policy is intended to provide for timely action on requests for public records without unreasonable interruption of operations and to protect the integrity of the **LIBRARY'S** ~~Town's/Village's~~ public records.

APPLICABILITY. A public record is defined as any written or recorded information, regardless of physical form or characteristic, which is produced or acquired in the course of ~~Town~~ **LIBRARY** business. **LIBRARY BOARD OF TRUSTEES ARE RESPONSIBLE FOR SUBMITTING RECORDS TO THE LIBRARY'S REPOSITORY.**

Public records, regardless of format, are available for inspection and copying unless there is a specific statute exempting the record from public disclosure. Those records exempt from public inspection and copying are set out at 1 V.S.A. § 317(c).

This policy applies only to requests for public records in the custody of the ~~Town of Rockingham or Bellows Falls Village Corporation~~ **ROCKINGHAM FREE PUBLIC LIBRARY AND ITS BOARD OF TRUSTEES. THE BOARD OF TRUSTEES HAS DESIGNATED THE ROCKINGHAM FREE PUBLIC LIBRARY DIRECTOR AS THE PERSON RESPONSIBLE FOR DISCHARGING THE DUTIES OF THE CUSTODIAN.** Other public records may be in the custody of other officers. In such cases where a public records request is made for a document that is not in the custody of the ~~Town/Village~~ **CUSTODIAN**, the person to whom the request is made will promptly forward the request to the proper custodian and inform the requestor who that custodian is. ~~This policy does not apply to the Town's land records, which are subject to the Town of Rockingham Land Records Policy.~~

PUBLIC RECORD REQUEST FORMS. It is not intended that every public record request require the requestor complete a form. However, when a request is made for a public record that is not readily accessible, may be exempt from public access, may not exist, or may result in charges for copying or staff time, the requestor will be required to complete a Public Records Request Form designated by the ~~Town of Rockingham/Bellows Falls Village Corporation~~ **ROCKINGHAM FREE PUBLIC LIBRARY.**

INSPECTION OF PUBLIC RECORDS. Upon receipt of a request to inspect a public record, the custodian will produce the record for inspection within three business days of receipt of the request, subject to the following:

1. If the record does not exist under the name given by the requestor or by any other name known to the custodian, the custodian will inform the requestor of this fact in writing.
2. If the custodian considers the record to be exempt from public access, the custodian will inform the requestor of this fact in writing. The custodian will identify the record or portion of record withheld, the statutory basis for withholding the record, and a brief statement of the reasons and supporting facts for denial. The custodian will also inform the requestor of the right to appeal this determination.
3. If the record is in active use or in storage and therefore not readily available at the time of the request, the custodian will inform the requestor of this fact in writing and set a date and hour within one calendar week of the request when the record will be available for inspection.

For the purpose of this policy, a business day means a day that the ~~municipal office~~ **LIBRARY** is open to provide services.

4. In the following circumstances, the time limits described above may be extended up to ten business days from receipt of the request:
 - a) The need to search for and collect requested records from field facilities or other establishments that are separate from the ~~municipal office~~ **LIBRARY**;
 - b) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request;
 - c) The need for consultation with other ~~Town/Village~~ **TOWN** officers or departments having a substantial interest in the determination of the request; or
 - d) The need for consultation with ~~the municipal~~ an attorney.

In responding to a request to inspect or copy a record, the custodian will consult with the requestor in order to clarify the request or to obtain additional information that will assist the custodian in responding to the request and in facilitating production of the requested record for inspection or copying. In the circumstances cited above, the custodian may request that a requestor seeking a voluminous amount of separate and distinct records narrow the scope of the public records request.

If the time limits described above must be extended, the custodian will inform the requestor of such fact in writing, setting forth the reasons for the extension and specifying the date upon which the custodian will respond to the request.

The custodian will not withhold any record in its entirety on the basis that it contains some exempt content if the record is otherwise subject to disclosure; instead, the custodian will redact

the information the custodian considers to be exempt and produce the record accompanied by an explanation of the basis for denial of the redacted information.

COPIES OF PUBLIC RECORDS. Upon receipt of a request to make a copy of a public record, the custodian will make and produce a copy within 5 business days, subject to the following:

1. **Charges.** Except where otherwise provided by law, the custodian will charge and collect the following costs for making a copy of a public record:

- a. The actual cost charge for a copy of a public record as established by the Vermont Secretary of State.
- b. The cost of staff time associated with complying with a request for a copy of a public record when the time exceeds 30 minutes as determined by the uniform schedule of charges established by the Vermont Secretary of State.

A copy of the actual cost charge and staff time rate schedule is attached. Upon request, the custodian will provide an estimate of the cost of making a copy of a public record prior to complying with the request. All charges for copies and staff time must be paid in full prior to delivery of the requested copy.

2. **Standard formats.** The custodian will make a copy of a public record in the following standard formats:

- a. For any public record maintained in paper form, a paper copy of the record.
- b. For any public record maintained in electronic form, either a hard copy print out of the record or an electronic copy of the record in the format in which the record is maintained, as directed by the requestor. ***LIBRARY PUBLIC RECORDS ARE MAINTAINED IN STANDARD PORTABLE DOCUMENT FORMAT (PDF).***

Any other format is non-standard and the custodian is not required to comply with the request. If the custodian agrees to provide a copy of a public record in a non-standard format (e.g., conversion of a paper public record to electronic format), the requestor will be charged the time involved in producing the record in a non-standard format when the time exceeds 30 minutes as such costs are established by the Vermont Secretary of State.

If the time limit set forth above must be extended, the custodian will inform the requestor of such fact in writing, setting forth the reasons for the extension and specifying the date upon which the custodian will produce the copy.

PROTECTION OF PUBLIC RECORDS REQUESTED FOR INSPECTION. In order that all public records in the custody of the ~~municipality~~ **LIBRARY** may be protected from damage or loss, such records may only be inspected in locations in the ~~Town Office~~ **LIBRARY** designated by the custodian. No public record may be removed from a designated location,

marked, altered, defaced, torn, damaged, destroyed, disassembled, or removed from its proper location or order. The custodian or other staff person may be present during the inspection of a public record. No person shall be allowed to copy a public record using copying equipment other than that owned by the ~~municipality~~ **LIBRARY** unless approved by the custodian.

When inspection of an electronic record is requested and the inspection of the original electronic record would create a disruption in operations of the **LIBRARY** ~~municipality~~ or would jeopardize the security of the original record, the custodian will provide an electronic copy of the original record in read only format, less any exempt information redacted from the record, at no cost to the requestor.

CREATION OF PUBLIC RECORDS. The ~~municipality~~ **LIBRARY** is not legally obligated to create a public record that does not otherwise exist. If the ~~municipality~~ **LIBRARY** agrees to create a public record that does not exist, the ~~municipality~~ **LIBRARY** will charge the requestor the cost associated with creating the record. Requests for creating a record must be made in writing and all charges must be paid prior to delivery of the record. Upon request, the ~~municipality~~ **CUSTODIAN** will provide an estimate of the cost of creating a public record prior to complying with the request.

TRANSMISSION OF PUBLIC RECORDS. The custodian is not legally obligated to transmit any public record by mail, facsimile, e-mail or any other means. If the custodian agrees to transmit a public record, the custodian will charge the requestor the costs associated with doing so. Requests for transmission of a record must be made in writing and all charges must be paid prior to delivery of the record. Upon request, the custodian will provide an estimate of the cost of transmitting a public record prior to complying with the request.

DENIAL OF A PUBLIC RECORD REQUEST. If the custodian denies a public record request in whole or in part, the denial may be appealed to the ~~Town of Rockingham Selectboard or the Bellows Falls Village Trustees~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES**. In accordance with 1 V.S.A. § 318(c)(1), the ~~Rockingham Selectboard or Bellows Falls Village Trustees~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES** will make written determination on the appeal within five business days after receipt of the appeal.

The foregoing Policy is hereby adopted by the ~~Rockingham Selectboard and the Bellows Falls Village Trustees~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES**, this **DATE** and is effective as of this date until amended or repealed.

ROCKINGHAM BOARD OF TRUSTEES

RFPL Board of Trustees Public Records Policy

Date: _____

ROCKINGHAM FREE PUBLIC LIBRARY

Request for Public Record Copies

Date: _____

To: **ROCKINGHAM FREE PUBLIC LIBRARY DIRECTOR**

Pursuant to the Vermont Public Record Act, 1 V.S.A. §§ 315-320, I hereby request copies of the following public records:

I am addressing this request to you in the belief that you are the custodian of such documents. If you are not the custodian, please forward my request to the proper custodian of such documents and inform me of who that person is.

I hereby agree to pay reasonable and customary costs for ~~these photocopies~~ **PROVIDING THE PRINTED OR ELECTRONIC RECORDS PLUS THE COST OF MAILING OR TRANSMITTING BY OTHER MEANS.**

If the law does not allow me to have access to some of these records, please so inform me within three business days, as provided by law, and inform me of the specific exemption that applies to each record or portion of a record being withheld. If an otherwise public record has a portion that is exempt from disclosure, I request that you block out the exempt portion and release a copy of the rest of the document together with a notation of the specific exemption that applies to the portion withheld.

If some or all of my request is denied, please tell me the title and name of the person responsible for the denial and, as the law requires, please inform me of the appeal procedures available to me and the name of the person to whom appeal may be made.

If you have questions about this request, please call me.

Thank you for your help.

Name (please print): _____ Contact #: _____

Signature: _____

**ROCKINGHAM FREE PUBLIC LIBRARY
BOARD OF TRUSTEES**

**Certification of Denial Access to Public Records
1 V.S.A. § 318(a)(2)**

On _____, the ~~Town of Rockingham and/or Bellows Falls Village Corporation~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES** received a request from _____

for access to the following public record(s):

In response to this request, the custodian, _____ **(LIBRARY DIRECTOR)**, is withholding the following record(s):

These records are being withheld pursuant to _____

This exemption applies to the record withheld because:

Therefore, the request for access to the above-described record(s) is denied.

This denial may be appealed to the ~~Town of Rockingham Selectboard and/or the Bellows Falls Village Corporation Trustees~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES**. In accordance with 1 V.S.A. § 318(c)(1), the ~~Selectboard/Trustees~~ **BOARD** will make written determination on the appeal within five business days after receipt of the appeal.

Date signed: _____

**ROCKINGHAM FREE PUBLIC LIBRARY
BOARD OF TRUSTEES**

**Certification of Partial Denial Access to Public Records
1 V.S.A. § 318(a)(2)**

On _____, the ~~Town of Rockingham and/or Bellows Falls Village~~
~~Corporation~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES** received a
request from _____

for access to the following public record(s):

In response to this request, the custodian is making available the following record(s):

Certain portions of this record(s) have been withheld pursuant to _____

This exemption applies to the record withheld because:

Therefore, the request for access to the above-described record(s) is partially denied.

This denial may be appealed to the ~~Town of Rockingham Selectboard and/or the Bellows Falls Village Trustees~~ **ROCKINGHAM FREE PUBLIC LIBRARY BOARD OF TRUSTEES**. In accordance with 1 V.S.A. § 318(c)(1), the ~~Selectboard/Trustees~~ **BOARD** will make written determination on the appeal within five business days after receipt of the appeal.

_____ Date signed: _____

Uniform Fee Schedule

Under 1 V.S.A. 316(d) the secretary shall adopt, by rule, a uniform schedule of public record charges for state agencies. The current rule was adopted November 14, 2003 and became effective on December 1, 2003. The schedule also applies, under 1 V.S.A. 316(e), to political subdivisions whose legislative bodies have not adopted a uniform schedule. The schedule does not apply to public records governed by fees otherwise established by law.

Uniform Schedule of Public Records Charges for State Agencies (CVR 04-000-002)

Pursuant to 1 V.S.A. 316(d) and Acts 1996, No. 159 section 1, the following fees are established as the actual cost of providing a copy of a public record:*

1. For staff time involved in physically duplicating a record, \$.33 per minute after the first 30 minutes.
2. For senior-level staff time, and information technology specialists' time spent extracting data from databases or performing similar tasks necessary to comply with a request to create a new public record, \$.57 per minute.
3. For any other staff time for which cost can be charged and collected under this section, \$.45 per minute.
4. For photocopies, \$.05 per single-sided page, \$.09 per double-sided page for pages up to 8.5 by 14 inches.
5. For color photocopies, \$1.00 per single-sided page.
6. For computer-generated paper copies, \$.02 per page for pages up to 8.5 by 14 inches.
7. For computer diskettes, \$.28 each for 3.5-inch diskettes.
8. For compact discs, \$.86 each for write-once CD w/case, \$2.31 each for re-writable CD w/case.
9. For audio tapes, \$.81 each.
10. For video tapes, \$1.69 each.
11. For DVDs, \$2.00 each for write-once DVD w/case, \$4.00 each for re-writable DVD w/case.

**Note: there are fees for copies of public records that are established by statute that may override the fees established by this schedule.*

VLCT MODEL RULES OF PROCEDURE FOR MUNICIPAL BOARDS, COMMITTEES, AND COMMISSIONS

A. PURPOSE.

The ~~[board, council, committee, or commission]~~ of ~~[municipality]~~ **Rockingham Free Public Library Board of Trustees** is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law, 1 V.S.A. §§ 310-314. Meetings of the ~~[board, council, committee, or commission]~~ of ~~[municipality]~~ **Rockingham Free Public Library Board of Trustees** 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 ~~[board, council, committee, or commission]~~ of the ~~[municipality]~~ **Rockingham Free Public Library Board of Trustees**, which is referred to below as “the body.” These rules shall apply to all regular, special, and emergency meetings of the body **and its committees.**

C. ORGANIZATION.

1. The body 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.
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/do not]~~ 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]~~**without** being recognized by the chair. Motions to close or limit debate ~~[will/will not]~~ be entertained.
7. Any member of the body may request a roll call vote.
8. Meetings may be recessed to a time and place certain.
9. These rules may be amended by ~~[unanimous/two thirds/majority]~~ vote of the body, and must be readopted annually.

D. AGENDAS.

1. Each regular and special meeting of the body shall have an agenda, with time allotted for each item of business to be considered by the body. Those who wish to be added to the meeting agenda shall contact the ~~chair/municipal manager/municipal administrator/municipal clerk~~ to request inclusion on the agenda. The chair 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 *[location of at least two public places in municipality]* **The Rockingham Free Public Library and the Downtown Bellows Falls Public Kiosk (in front of Town Hall).** ~~[IF THE PUBLIC BODY/MUNICIPALITY HAS A DESIGNATED/MAINTAINED WEBSITE, INSERT THE FOLLOWING:]~~ **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 ~~[identify the website]~~ Rockingham Free Public Library's website.** 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/two-thirds/majority]* vote of the body.

E. MEETINGS.

1. Regular meetings of the Board of Trustees shall take place on the fourth Tuesday of the month at 6:15pm in the Youth Department Meeting Room at the Rockingham Free Public Library *[day and time, for instance, the first and third Tuesday of the month at 7 p.m.]* at *[location]*.
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: *[location of at least two public places in municipality]* **The Rockingham Free Public Library and the Downtown Bellows Falls Public Kiosk (in front of Town Hall).**
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 [location of at least two public places in municipality] **The Rockingham Free Public Library and the Downtown Bellows Falls Public Kiosk (in front of Town Hall).**

- 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.

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.
2. At the [beginning of/end of/conclusion of discussion of] each agenda item, but before any action is taken by the public body at each meeting, there may be [number] minutes afforded for open public comment. By [unanimous/two-thirds/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.

ADOPTED: _____

Signatures

Date

This version of Internet Explorer is no longer supported. Please upgrade to a supported version.

Gmail

COMPOSE

Inbox (30)

Starred

Important

Sent Mail

Drafts (1)

Circles

More

Doreen

NYT Travel - In Transit Blog: On the Trail of a Beloved Bear - 1 day ago

Fwd: Please forward this to all RFPL board members-thank you.

Jlmlove@aol.com

to carollblackwood, rfpigould, rfpfischer, hoperfp13, rfpfowler, rfpimassucco, me, safetyguarante

For information only. Do not reply all.

I have been asked to forward the following e-mail to all trustees.

I will bring a copy to Thursday's Policy Committee meeting for Carolyn.

Jan Mitchell-Love
RFPL trustee

-----Original Message-----

From: Deborah Wright <safetyguaranteed@hotmail.com>

To: Jan Mitchell-Love <jlmlove@aol.com>

Sent: Wed, Nov 12, 2014 12:08 pm

Subject: Please forward this to all RFPL board members-thank you.

RFPL Board of Trustees:

I am responding to the letter Arnold Clift requested be attached to your last regular meeting minutes. Mr Clift, as I understand it, is not constrained to the Library, nor is he a US citizen. That being said, it is not in the best interests of the duties of the trustees of the Rockingham Free Public Library, to the Vermont state legal system, nor has he accreditation to provide such guidance by the Vermont Attorney General's office.

The point of any public record requests is to make transparent what is obscured, to answer questions unanswered at open public meetings, and is the purpose of the request, nor the quantity of requests is pertinent to the statute. As my requests were to the custodians; the creators of their own employment, if necessarily requested as well. Actions evident in Open Meetings have precipitated the requests, not harassment, as Mr Clift states,

Mr Clift also erroneously assumes that my wish to not pay a \$2.31 fee for a public request fulfillment by the director means I will not present my comments. I may not change the format of the request, the timeframe of the request or the cost of the documents necessary to fulfill the request without first ask would behoove the board of trustees to require specific training on public record request fulfillment by the RFPL staff, as well as board members, to part or in whole, without clear knowledge of the task, will further place the board at risk of repeated violations.

Lastly, Mr Clift's query to the VT Secretary of State on placing the library repository and staff as custodian was severely lacking in transparency to the RFPL. All other communication forms are created by board members on their own computers, without any form of mutual network to capture emails. communication will the email be available to the library to redistribute. After receiving some, but not all, of the email records requested, I can tell you recommendation is an egregious attempt to shield individual board members from transparent behavior and dangerous for the board as a whole. If answer would have been given to Mr Clift. The RFPL cannot replace the statute on the Public Record Act with its own. All boards are required to er

Please consider this as a statement to be placed in the minutes of the November 13 RFPL Policy Committee meeting.

No recent chats
Start a new one