

Policy: #1050 – Public Forum

SCOPE OF POLICY: Board of Directors

RESPONSIBILITY: Board of Directors

I. Policy

The Board of Directors of Elkhorn Rural Public Power District, a subdivision of the State of Nebraska, recognizes the right of members of the public desiring to do so to attend and speak to the Board of Directors during the meeting.

II. Procedure

The Board adopted the following guidelines for public participation at its regular board meetings:

- A. The public will be invited to speak on matters germane to listed agenda items during the “Public Comment” portion of the meeting. The meeting agenda is finalized, except for emergency matters, 24 hours prior to the start of the meeting. In addition, and consistent with Neb. Rev. Stat. § 84-1412, members of the public shall be provided an opportunity to speak at each meeting during the Public Comment portion, including on matters not listed on the agenda. The Board President may impose reasonable time, place, and manner limitations on such comment consistent with these guidelines. Members of the public may also, prior to the meeting, request to have a matter added to the agenda. Such requests will be handled on a case by case basis as to whether such topic will be added to the meeting agenda.
- B. Individuals who wish to address the board will be required to identify themselves pursuant to Neb. Rev. Stat. § 84-1412(3). Specifically, any member of the public desiring to address the Board shall provide: (i) their full name; (ii) their address, unless the Board waives this requirement to protect the security of the individual; and (iii) the name of any organization represented by such person. Only individuals addressing the board of directors will be required to identify themselves. Others who attend the meeting solely to observe the proceedings may do so without identifying themselves.
- C. Although the public can only address the board of directors during the Public Comment portion of the meeting or on topics germane to agenda items, the meetings are open to the public. The public can attend the meetings and observe the proceedings for as long as they desire. Additionally, except for closed sessions under Neb. Rev. Stat. § 84-1410, members of the public may videotape, record, televise, broadcast, or photograph a meeting so long as such activity does not interfere with the normal conduct and operation of the board meeting.
- D. To ensure fairness to all members of the public, as well as to allow the board of directors to conduct its meeting efficiently, there will be a time limit on the amount of time that the public can address the board. Each individual will be allowed a maximum of five minutes of meeting time. Should several individuals desire to address the board of directors, a maximum of five minutes per individual will be

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available to those individuals until one (1) hour elapses from the beginning time of the first speaker. After one hour of total discussion time on the agenda item, the board may move to its next agenda item. Requests for additional time are within the discretion of the President; the President's ruling will be final unless overruled by action of the board.

- E. Elkhorn Rural Public Power District Board of Directors can officially take action only on agenda items. Therefore, if a topic has not been properly placed on the agenda but has been brought to the board of directors by a member of the public during the Public Comment portion of the meeting, no action may be taken until the proper steps have been taken to notice the topic as an agenda item pursuant to state law.
- F. If a topic presented by a member of the public is, in the sole discretion of the Elkhorn Rural Public Power District Board of Directors, germane to the business of ERPPD and requiring action, it may be included on future board meeting agendas.
- G. Copies of reproducible documents to be discussed and/or presented by the board or ERPPD management at the meeting shall be made available to the public during the meeting (pursuant to and complying with Neb. Rev. Stat. § 84-1412) and may be available upon request after the meeting. If a member of the public desires to provide documents to the board of directors during the Public Comment portion of the meeting, they may do so, however, the board of directors is under no obligation to take action on such documents.
- H. No member of the public will be permitted to attend, hear, participate in, record, videotape, televise, broadcast, or photograph any ERPPD business conducted during a closed session. Furthermore, all documents presented or discussed during closed sessions shall not be considered reproducible documents.