



# OPEN & PUBLIC MEETINGS

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

### Table of Contents

<b>1. Revision Table</b>	<b>3</b>
<b>I. Purpose Statement</b>	<b>4</b>
<b>II. Regulatory / Legislative Requirements</b>	<b>4</b>
<b>III. Scope</b>	<b>4</b>
<b>IV. References</b>	<b>4</b>
<b>V. Definitions</b>	<b>4</b>
<b>VI. Roles &amp; Responsibilities</b>	<b>5</b>
<b>VII. Policy</b>	<b>5</b>
<b>VIII. Public Notice</b>	<b>5</b>
<b>IX. Minutes</b>	<b>6</b>
<b>X. Closed Sessions</b>	<b>6</b>
<b>XI. Electronic Meetings</b>	<b>7</b>
<b>XII. Agenda</b>	<b>8</b>
<b>XIII. Public Commentary</b>	<b>8</b>
In-Person.....	8
Online/virtual.....	9
<b>XIV. Public Hearing</b>	<b>9</b>

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

### 1. Revision Table

Version	Effective Date	Revision Author	Summary of Revisions
1.1	August 24, 2022	Jill Flygare	Updated to new policy template; Updated recommended changes to policy
2.0		Larry Shepherd	Merged with BP-02 Electronic Meetings and BP-05 Meeting Transparency; Added definitions and roles & responsibilities; Updated public commentary process

2.

DRAFT

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

### I. Purpose Statement

The purpose of this policy is to ensure compliance with the Open and Public Meeting statute.

### II. Regulatory / Legislative Requirements

- UCA 52-4 Open and Public Meetings Act

### III. Scope

This policy covers implementation of and guidelines for the Open and Public Meetings Act and practices to ensure orderly and efficient public participation in UIPA board meetings.

### IV. References

None

### V. Definitions

Term	Definition
Meeting	Means the convening of a public body, with a quorum present, including a workshop or an executive session whether the meeting is held in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public, or acting upon a matter over which the public body has jurisdiction or advisory power.  A meeting is NOT a chance meeting or social event.
Public Body	Means any administrative, advisory, executive, or legislative body of the state or its political subdivisions that are created by the Utah Constitution, statute, rule, ordinance, or resolution. Consists of two

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

	or more persons, expends, disburses, or is supported in whole or in part by tax revenue; and is vested with the authority to make decisions regarding public interest.
Quorum	Means a simple majority of the membership of the public body.  A quorum is NOT a meeting of two elected officials by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have advisory power.

### VI. Roles & Responsibilities

Role	Responsibility
Board Secretary	Creates meeting agendas, provides meeting notification to board members and public, arranges meeting locations, provides electronic meeting access, facilitates meeting flow, prepares meeting recordings and minutes, maintains files of meeting recordings, minutes, adopted resolutions, public comments and other documentation of official board actions.

### VII. Policy

The provisions outlined in this policy govern any public meeting at which a quorum of the Utah Inland Port Authority (UIPA) board is present and was publicly noticed in accordance with Utah Code 52-4.

### VIII. Public Notice

UIPA board shall give notice of all public meetings a minimum of 24 hours in advance of the meeting. The public notice shall include:

1. Agenda,
2. Date of the meeting,
3. Time, and

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

4. Location.

### IX. Minutes

Minutes of public meetings and audio recordings of the open portion of each meeting will be posted to the Public Notice Website as well as the UIPA website within three (3) working days and final, written minutes will be posted after approval by the board. Board members are encouraged to refrain from transmitting text messages to other members of the board during an open meeting.

### X. Closed Sessions

The board may hold executive (closed) sessions if:

5. A quorum is present,
6. Meeting is in an open meeting that was properly noticed, and
7. Two-thirds of the members of the board present at the open meeting vote to approve closing the meeting.

Additionally, the board chair must announce the specific reason(s) for holding the closed meeting, the location of the meeting and the vote, by name, of each member of the board as they voted to close the meeting. This information must be entered into the minutes of the open meeting at which the closed meeting was approved.

The board may not take any official action, motion or vote while in a closed meeting.

Executive sessions may only be held for one of the purposes outlined in Utah Code Ann. § 52-4-205, as amended.

All open meetings and most closed meetings must be recorded as required by Utah Code Ann. §§ 52-4-203 and 52-4-206. For closed meetings that are not required by Utah Code Ann. §§ 52-4-206(6) to be recorded, the chair of the UIPA board will sign an affirming statement at the end of each executive session as to the purpose of the meeting and discussions.

The board will receive training annually on the Open and Public Meetings Act.

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

### XI. Electronic Meetings

UIPA's board may convene and conduct an electronic meeting without an anchor location if the chair:

1. makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;
2. states in the written determination the facts upon which the determination is based;
3. includes in the public notice for the meeting, and reads at the beginning of the meeting the information described in paragraphs (a) and (b) above; and
4. includes in the public notice information on how a member of the public may view or make a comment at the meeting.

The board may convene and conduct an electronic meeting with an anchor location if:

1. the meeting notice will specify the anchor location where members of the board not participating electronically or telephonically will be meeting; and
2. where interested persons and the public may attend, monitor, and where applicable may participate in the open portions of the meeting.

If there will be an anchor location, board members are permitted to participate electronically or telephonically. Board members should give reasonable notice to the chair of intent to participate electronically or telephonically. Any member of the board appearing electronically or telephonically will be counted as present for purposes of a quorum and may fully participate in the discussion and vote on any matter. At the commencement of the meeting and when any member of the board appears electronically or telephonically the chair will identify for the record all those who are appearing telephonically or electronically. The chair will confirm on the record any votes by members of the board who are not at the physical location of the meeting.

### XII. Agenda

1. Any member of the board may request agenda items (i.e.: discussion topics, presentations, motions, etc.);
2. Agenda will be drafted by the Board Secretary, approved by Chair/Vice Chair;

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

3. Agenda will be posted to the public notice website and the UIPA website no later than 24 hours prior to the start of the proposed board meeting;
4. Publicly available documents will be posted to the UIPA website prior to the start of the proposed board meeting;
5. All board related documents will be provided to the board 48 hours prior to the start of the proposed board meeting, unless the board meeting is an Emergency Meeting; and,
6. The board may not take action on any item not listed on the agenda. However, at the Chair’s discretion additional discussion topics may be raised, staff may be directed, or items may be placed on a future agenda for action.

### XIII. Public Commentary

A UIPA meeting is a place for all to be heard and respected. To facilitate a respectful and safe environment, and to allow an orderly, efficient, and effective process, the board has implemented the following procedures during the public comment period:

#### In-Person

- Each member of the public wishing to participate in the public comment period will complete a comment card;
- Cards will be numbered as they are turned into staff;
- Comments are limited to 2 minutes per person;
- Comments shall be directed to the Chair;
- Individuals may only speak once during public comment period; and,
- Public comment period is limited to the time allotted for comment during the board meeting.

#### Online/virtual

- Use the “raise your hand” option when directed by the Chair;
- No additional members of the public will be added to the queue once the public comment period begins;
- Comments are limited to 2 minutes per person;
- Comments shall be directed to the Chair;
- Individuals may only speak once during public comment period; and,
- Public comment period is limited to the time allotted for comment during the board meeting.

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	





## BP-01 OPEN & PUBLIC MEETINGS

If the meeting is being held as a hybrid option (in-person and virtual) the public comment period will allow in-person public commenters first, and, if there is time, virtual commenters. The chair may prioritize residents or property owners affected by project area presentation, creation, or amendment.

We may not get to all members of the public who wish to participate. The chair, in their sole determination, may alter any portion of the public comment period based on topic, time, or other considerations.

Questions/comments are always welcome on the UIPA website (inlandportauthority.utah.gov)

### XIV. Public Hearing

The purpose of a public hearing is to provide the public with specific information on the budget and to allow public comment.

1. The public hearing notice must be posted in a newspaper of general circulation a minimum of seven (7) days prior to the proposed public hearing;
2. The budget must be posted on the public notice website a minimum of three (3) days prior to the proposed public hearing;
3. The budget must contain revenues and expenditures including:
  - a. Legal fees, rent, office supplies, other materials, and personnel;
4. The budget will be presented by staff;
5. Members of the public may comment on the budget
  - a. Comments are limited to the topic of the budget only during a public hearing;
  - b. Comments are limited to 2 minutes per person;
  - c. Individuals may only speak once during public comment period; and,
  - d. Public comment period is limited to 15 minutes.

In order to support a respectful meeting, items that disrupt the meeting, intimidate other participants or cause safety concerns are not allowed.

- Jeering, cheering, clapping and waving signs;
- Generally, props and equipment are not allowed, if you have a prop or piece of equipment integral to a presentation, you are required to clear it with a staff member before entering the room;

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	



## BP-01 OPEN & PUBLIC MEETINGS

- If you have questions about proper placement of recording equipment or recording in general, coordinate with staff prior to the meeting to ensure it does not disrupt the meeting or make others uncomfortable;
- Staff may request changes or placement of any equipment to facilitate the meeting;
- If you have written remarks, documents, or other items you may want the board to review, do not approach the dais. Staff will take any information you have and distribute; and,
- Failure to follow rules of decorum may result in removal from the meeting.

DRAFT

<b>Document Number:</b>	BP-01	<b>Version:</b>	2.0
<b>Effective Date:</b>	January 2019	<b>Last Revision Date:</b>	
<b>Policy Owner:</b>	Larry Shepherd	<b>Approved By:</b>	