

# **NORTHWEST REGIONAL PLANNING COMMISSION BROWNFIELD STEERING COMMITTEE**

## *RULES OF PROCEDURE*

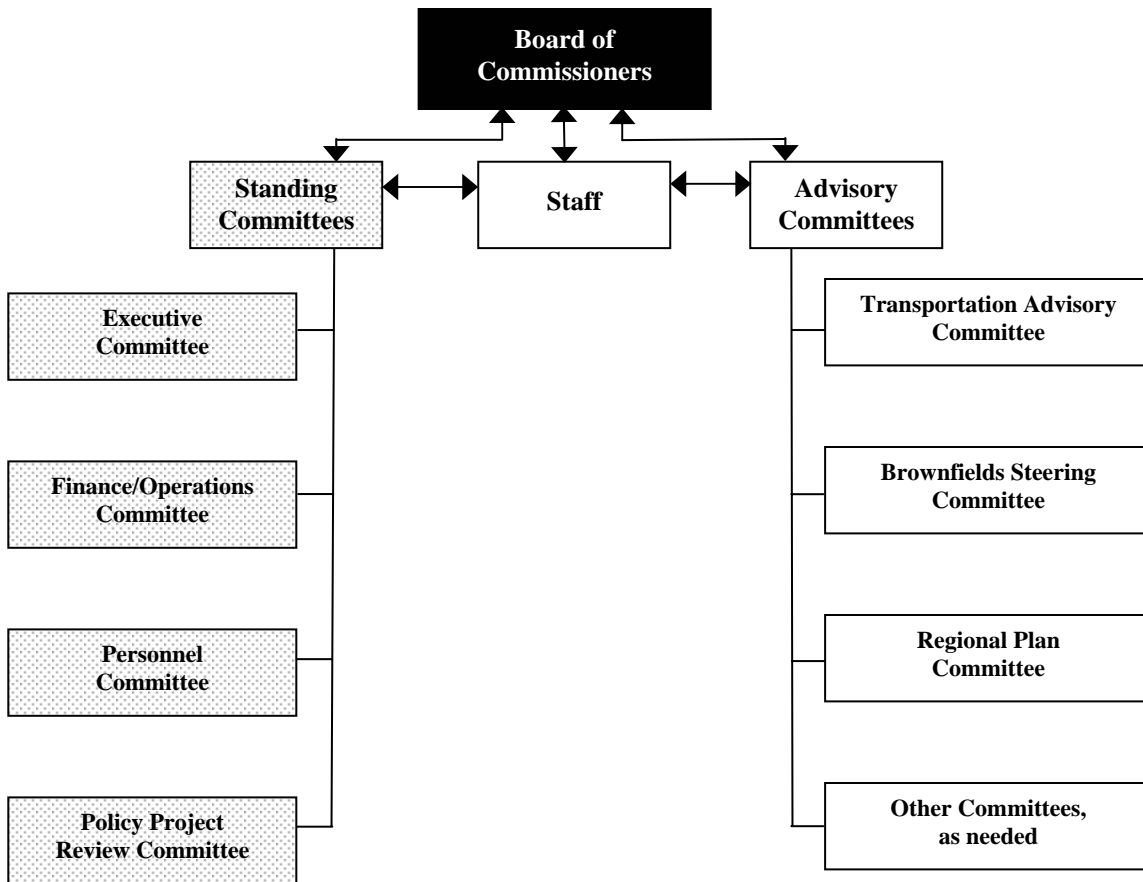
**PURPOSE:** To oversee the Regional Commission's brownfields program and to provide local and regional input regarding brownfield issues important to the region.

### **GENERAL ACTIVITIES:**

- ◆ Review and prioritize nominated sites for inclusion in the Region's brownfields program, including developing site selection criteria.
- ◆ Assist in the hiring of consultants. Oversee consultant progress and participate in project completion for RPC brownfield projects.
- ◆ Develop brownfield-related policies for recommendation to the Board of Commissioners, and provide input into any policies developed by the Board related to brownfields.
- ◆ Provide oversight for and assist in the development of the Commission's brownfields work program and budget.
- ◆ Participate in public outreach efforts conducted by the Regional Planning Commission, including site identification, public notification, acting as liaisons to municipalities and other local and regional boards as appropriate, and other efforts.

**ADVISORY ROLE:** The Committee shall be advisory to the Board of Commissioners, who shall have final authority over decisions related to this program (see Figure 1). The Committee will offer advice, input, and opinions to the US EPA, the State of Vermont, and other organizations and individuals as appropriate, provided it is compatible with plans, policies, positions or resolutions adopted by the Board. New or amended plans, policies, positions or resolutions shall be ratified/approved by the Board of Commissioners. The Board has the ultimate authority over program decisions. The Commission shall designate staff to assist the Committee as necessary.

**MEMBERSHIP:** Participation is optional. Municipal participation shall be determined by submission of a written resolution appointing representatives to the Committee. Non-municipal representation on the Committee shall be limited to 15 members. Of these, membership seats shall be designated for the following: Vermont Department of Health St. Albans District Office, Franklin County Industrial Development Corporation, Northwestern Vermont Solid Waste Management District, Franklin County Regional Chamber of Commerce, Champlain Islands Chamber of Commerce, and Swanton Chamber of Commerce. Those entities may appoint one voting representative to the Committee. Other brownfield related groups and/or organizations, upon unanimous vote at a regular Committee meeting, may be apportioned a membership seat and invited to appoint one voting member to the Committee. The Committee may also appoint at-large members to serve on the committee to provide for a broader representation of interests. At minimum, representation should be sought from the following interest groups: legal, realty, banking, and housing. Other interested at-large individuals may serve in an advisory capacity.



**Figure 1: Northwest Regional Planning Commission Organizational Chart**

Membership term, other than municipal representatives and organizations with designated membership seats, shall be two years, appointed in January. Staff from the US Environmental Protection Agency, Vermont Agency of Commerce and Community Affairs, Vermont Department of Environmental Conservation, and other agencies and departments may serve on the Committee in an advisory capacity.

**VOTING:** One member from each participating municipality shall be appointed to vote by the municipality's legislative body. One member from each participating organization with designated membership seats shall be appointed to vote by the organization's directive body. Voting privileges for State and Federal agencies and departments shall be determined on an individual basis by the Committee. This determination shall be based on the potential for conflicts of interest to arise related to financial assistance available to brownfield sites from the agency/department. As of the date of adoption of these rules, the following agencies and departments have been determined to have a potential conflict and do not have voting privileges: US Environmental Protection Agency, Vermont Agency of Commerce and Community Affairs, Vermont Department of Environmental Conservation. Interested parties serving as at-large advisors to the Committee and Regional Commission staff do not have voting privileges. Proxy voting is not permitted.

**OFFICERS/ELECTIONS:** The Committee will elect a Chair(s) and Vice-Chair or Co-Chairs annually at the Committee's January meeting. The Chair(s) will be responsible for running meetings, setting agendas in conjunction with staff, review and signing correspondence on behalf of the Committee, and representing the Committee at various meetings as needed. The Vice-Chair will serve as Chair when the Chair(s) is unavailable. If the Chair(s) should resign before his/her term is expired, the Vice Chair or co-Chair shall serve as Chair until elections are held in January. No term limits for officers will be imposed.

**ATTENDANCE AND QUORUMS:** As the Committee is advisory, a quorum shall consist of a majority of voting members in attendance at the Committee meeting or a minimum of five voting members, whichever is greater. Members are encouraged to attend all regular meetings and special meetings as they arise. Members with three unexplained absences in a row will be contacted by the Chair to determine if they still wish to serve on the Committee. The Committee shall meet monthly, or as needed, to carry out the stated purpose.

**COMMUNICATION AND COORDINATION:**

- ◆ Notices of all regular meetings shall be sent to Committee members, the media, and interested persons at least seven days before the scheduled meeting, and shall be posted at the RPC.
- ◆ Meetings shall be noticed and held in accordance with state open meeting law.
- ◆ Draft policies and resolutions shall be forwarded to Committee members and interested/affected parties for comment before action by the Committee, or final action/approval by the Board of Commissioners.
- ◆ Minutes of all regular and special meetings will be prepared by staff, distributed to Committee members and interested parties, and made available to the public in accordance with public records law.
- ◆ Committee members are encouraged to serve as liaisons to their local legislative boards or group/organization/interest representing by reporting on activities on a regular basis.
- ◆ Committee members are encouraged to offer input on all matters before the Committee, and are encouraged to bring up items of local or regional concern for Committee consideration.

**CONFLICT OF INTEREST:** In the event any Committee member has a personal or financial interest with any individual, partnership, firm or corporation seeking to contract with the NRPC, or to provide materials or labor thereto, or has a personal or financial interest in any project being considered by the Committee, the member shall state on the record the nature of his or her interest. If the member feels this conflict interferes with his/her ability to be objective, the member shall not participate in any discussions or vote on any related motion. If the member is uncertain whether he/she should participate in the discussion or decision, the Committee shall determine by vote whether the member should participate. The Committee may also make a determination of conflict of interest and disallow participation and voting by a member if the majority of voting Committee members participating in the meeting determine a conflict of interest exists.

**RESOLUTION OF DIFFERENCES:** If there is a difference of opinion between the Committee and Commission staff on program management decisions, the Committee Chair(s) may discuss the difference with the Board of Commissioners at its next meeting.

**ADOPTION OF ORGANIZATIONAL PROCEDURES:** The Committee may, at any time, vote to amend these procedures, in accordance with quorum requirements noted above. Proposed amendments will be forwarded to Committee members, chairs of local legislative boards, and interested parties before consideration at a regular Committee meeting. Amendments will then be forwarded to the Board for ratification.

The Committee is not a standing or special committee of the Regional Planning Commission, and is therefore not subject to the Commission's bylaws. These rules of procedure, combined with Robert's Rules of Order, provide procedural and administrative guidance for the Committee

Adopted by the Brownfields Steering Committee: February 16, 2006  
Adopted by the Board of Regional Commissioners: August 30, 2006