

Vermont Community Broadband Board (VCBB)
Board Practice Proposal Untimely Documents
and Agenda Item Changes Policy

Board Approved 09.11.2023

1. Late Submission of Documents

All documents to be considered by the Board are to be provided by Staff in the publicized Board packet (Board Packet). Late submission of documents is strongly discouraged. The Board will limit late Staff submissions based upon the emergency meeting notification standards. See 1 V.S.A. § 312(c)(3). These standards limit consideration of matters unless necessary to respond to an “unforeseen occurrence or condition”. *Id.* Late submissions of documents by the public shall be allowed if the documents both concern issues noticed on the agenda and are considered necessary to express the opinion of the member of the public. See *also* 1 V.S.A. 312(h) (requiring public bodies to provide the public with a “reasonable opportunity to express its opinion on matters considered” during the meeting). In either case, the Board may alternatively postpone consideration of any such additional documents to an adjourned meeting, as long as the time and place for the adjourned meeting is announced before the meeting is adjourned. See 1 V.S.A. §312(c)(4).

It is the Boards’ policy that the public interest is best served by providing the public with an adequate opportunity to review the documents being considered by the Board and that failure to timely produce such documents to the public may result in an imbalance of information. Therefore, this policy only permits late Staff submissions where necessary to address exceptional or emergency situations.

2. Changes to the Agenda

All agenda items requiring a Board vote on the merits of the item itself, must be properly noticed in the Board Packet. Changes to the agenda which do not require a Board vote on the merits may be made before the Board approves the agenda. Changes to the agenda which do require a Board vote may only be made where it is necessary to respond to an unforeseen matter or issue. See 1 V.S.A. § 312(d)(3). See *also*, A Guide to Open Meetings, rev. 2019 (Vermont Secretary of State’s Office publication) (“last-minute agenda items, especially those requiring board action, [should] be added at a meeting only in an emergency [and that the better practice is] to handle items that were not included on the posted agenda at the next regular meeting or, if necessary, to call a special meeting so that the public gets notice of the item and has an opportunity to attend and participate.”)

The Board shall allow public notice “as soon as possible before the meeting” where an emergency meeting is necessary to respond to an “unforeseen occurrence or condition.” See 1 V.S.A. § 312(c)(3). Where the Board becomes aware of an issue following the publication of the Board packet, the Board shall determine whether there is a need for immediate action. See *generally*, [Public Agency Board Meeting Agendas: Adding an Item After the Agenda Has Been Posted | Lagerlof](#) (discussing late additions to board agendas).