

**RESOLUTION #2008-009**

**RULES AND REGULATIONS REGARDING MEETINGS  
OF THE COUNTY COMMISSIONERS  
OF  
CAROLINE COUNTY, MARYLAND**

**WHEREAS**, although the County Commissioners of Caroline County conduct their meetings under general rules of parliamentary procedure, further specificity is desired;

**WHEREAS**, the Maryland Open Meetings Law, State Government Article, Annotated Code of Maryland, includes the following:

“The ability of the public, its representatives, and the media to attend, report on, and broadcast meetings of public bodies and to witness the phases of the deliberation, policy formation, and decision-making of public bodies ensures the accountability of government to the citizens of the State.” (Section 10-501 (b) (1)),

*“A public body shall adopt and enforce reasonable rules regarding the conduct of persons attending its meetings and the videotaping, televising, photographing, broadcasting, or recording of its meeting.” (Section 10-507 (b));*

**WHEREAS**, the Maryland Open Meetings Compliance Board, with the assistance of the Maryland Attorney General’s Office, has prepared model regulations, which are incorporated in the following regulations.

**NOW, THEREFORE, THE COUNTY COMMISSIONERS OF CAROLINE COUNTY, MARYLAND, HEREBY ADOPT THE FOLLOWING RULES AND REGULATIONS**, a copy of which shall be sent to the Open Meetings Compliance Board, and posted near the customary County meeting location:

**1.01 General Protocol for Conduct of Meetings**

Authority for conduct of meetings is assigned to the President of the County Commissioners of Caroline County (the County Commissioners), who is responsible for timely, fair and reasonable conduct of the meeting’s business. The Vice President of the County Commissioners conducts the meeting in the absence of the President. Decisions of the President are final on questions of meeting conduct procedure, except that any ruling can be subject to a vote of the Commissioners. If a ruling of the President is altered by a prevailing vote, the President’s ruling is amended to reflect the will of the body. The President is responsible for establishing the meeting agenda, in consultation with the Executive Assistant to the County Commissioners, who shall ensure that the agenda is made publicly available. The President shall be responsible for ascertaining the presence of a quorum and announcing the convening of the meeting. A simple majority of the total number of County Commissioners shall constitute a quorum. If during the course of a meeting, a quorum ceases to be present, a brief recess shall be taken, and if upon reconvening a quorum is still absent, the meeting shall be adjourned. Unapproved minutes of previous meetings of the

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Commissioners shall be considered on a weekly basis. Unapproved minutes shall be approved or revised by prevailing motion.

1.02 Public Attendance and Participation; Germaneness of Remarks

- (a) At any open session of the County Commissioners, the general public is invited to attend and observe.
- (b) Except in instances when the County Commissioners expressly invite public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, no member of the public attending an open session may participate in the session.
- (c) Except during any open discussion with the public, remarks by persons addressing the County Commissioners shall be germane and confined to the question or issue before the Commissioners.
- (d) All public questions or remarks shall be directed to the County Commissioners, not to the audience as a whole or to persons in the audience.

1.03 Disruptive Conduct

- (a) A person attending an open session of the County Commissioners may not engage in any conduct that disrupts the session or that interferes with the right of members of the public to attend and observe the session with minimal distraction.
- (b) Disruptive conduct may include, but is not limited to the following, which are presented by way of example and not by way of limitation: visual demonstrations such as placards, signs, or banners, speaking or acting in a loud or boisterous manner; speaking or displaying profane or obscene language; repeatedly addressing the Commissioners when not recognized to do so; engaging in or threatening acts of physical violence; or refusing to comply with a reasonable request by the Commissioners intended to bring order and decorum to the meeting.
- (c) (1) The presiding officer may order any person who persists in conduct prohibited by subsection (a) of this section or who violates any other regulation concerning the conduct of the open session to be removed from the session; and may request police assistance to restore order.  
  
(2) The presiding officer may recess the session while order is restored, or entertain a motion for adjournment.

1.04 Recording, Photographing, and Broadcasting of Open Sessions

- (a) A member of the public, including any representative of the news media, may record discussions of the County Commissioners at any open session by means of a tape recorder or any other recording device if the device or process does not create excessive noise or distraction that disturbs the County Commissioners or other persons attending the session.

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- (b) A member of the public, including any representative of the news media, may photograph or videotape the proceedings of the County Commissioners at any open session, from permitted space, by means of any type of camera if the camera:
  - (1) Is operated without excessively bright artificial light that disturbs the County Commissioners or other persons attending the session; and
  - (2) Does not create an excessive noise that disturbs the County Commissioners or other persons attending the session.
- (c) A representative of the news media may broadcast or televise the proceedings of the County Commissioners at an open session if the equipment used:
  - (1) Is operated without excessively bright artificial light that disturbs the County Commissioners or other persons attending the session; and
  - (2) Does not create excessive noise that disturbs the County Commissioners or other persons attending the session.
- (d) The presiding officer may restrict the movement of a person using a recording device, camera, or broadcasting or televising equipment if such restriction is necessary to maintain the orderly conduct of the session.
- (e) The presiding officer shall make the determination whether any equipment or devices proposed for use at an open session are acceptable, or if conditionally acceptable, under what conditions.

1.05 Recordings Not Part of Record

A recording of an open session made by a member of the public, or any transcript derived from such a recording, may not be deemed a part of the official record of any proceeding of the County Commissioners.

ADOPTED/EFFECTIVE: MAY 27, 2008  
 ATTEST:

COUNTY COMMISSIONERS OF  
 CAROLINE COUNTY, MARYLAND

*Leigh Sands*  
 LEIGH SANDS, EXECUTIVE ASSISTANT

*John W. Cole*  
 JOHN W. COLE, PRESIDENT

STATE OF MARYLAND CAROLINE COUNTY  
 FILED FOR RECORD



At 9:50 o'clock am on 5/30/08  
 and duly recorded in Liber FDM 4  
 Folio 337 one of the Rest  
 record books for the aforesaid and  
*A. Dale Munner*, Clerk  
 Recording Fee                     

*Robert Layton*  
 ROBERT L. LAYTON, VICE PRESIDENT

*Jefferson L. Ghrist*  
 JEFFERSON L. GHRIST, MEMBER

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