

## **WATERVILLE ESTATES VILLAGE DISTRICT ANNUAL MEETING**

### **MODERATORS' RULES OF PROCEDURE**

Unless changed by the voters at the Annual Meeting, the Moderator will use the following Rules of Procedure to conduct the respective Meetings:

1. The Moderator will not follow Robert's Rules. The Moderator will use the following general rules of procedure, whose main purpose is to keep the meeting moving, and not get bogged down in procedural quagmires.
2. By majority vote, the voters can overrule any decision that the Moderator makes and any rule that the Moderator establishes. A voter can raise such a request by Point of Order.
3. The Moderator will take Articles in the order that they appear on Warrant unless the Moderator announces the intent to take Articles out of order.
4. The Moderator will accept motions to waive reading each warrant article. The legislative body may later request specific warrant articles be read. All amendments will be read by the Moderator after seconded and prior to the vote.
5. The Moderator will consider each Article, as follows:
  - a. The Moderator will announce the Article number. The Moderator will read the full text of the Article based on bullet 4.
  - b. The Moderator will recognize a member of the Board of Commissioners or the petitioner (if a petitioned Article) to move the adoption of the Article.
  - c. If the Motion is seconded, the Moderator will recognize a member of the Board of Commissioners or the petitioner to explain the Article.
  - d. The Meeting will debate and then vote on the Article.
6. Everyone who speaks must use a microphone so they can be heard. (The Moderator will announce the location of the microphones in the Meeting room.) If a voter is unable to reach one of the stand-up microphones, the voter should raise his/her hand and one of the hand-held microphones will be provided.
7. No one may speak unless he or she has the floor.
  - a. No one may have the floor unless recognized by the Moderator.
  - b. Except for Points of Order, the Moderator will not recognize speakers unless they are standing at or holding one of the microphones.
  - c. Each speaker must provide his/her name and address.
  - d. Even if a voter does not have the floor, a voter may speak to raise a Point of Order, to challenge a Moderator's ruling, or to overrule the Moderator.

8. The Moderator will allow only one motion on the floor at a time. There are two exceptions to this rule:
  - a. A voter may raise a Point of Order at any time, and
  - b. If a voter has the floor, the voter may make
    - i. A motion to amend the pending motion, or
    - ii. A motion to Call the Question
9. The Moderator will not accept negative motions, which are motions that require a “no” vote to vote in the affirmative such as “I move that we not adopt the budget.”
10. Motions to Call the Question limit debate and require a 2/3 vote. If passed, these motions stop debate on a motion. However, all those voters who are standing at a microphone or holding a microphone, and anyone seated at the head table who has previously told the Moderator that he/ she wishes to speak on the Motion will be allowed to speak. In addition, the Moderator shall have the right to refuse to recognize a Motion to Call the Question, if, in the Moderator’s opinion, the voters have not yet had an adequate opportunity to discuss an issue.
11. Non-voters may not speak at the Meeting without the permission of the voters except, the Moderator will allow non-resident Village officials and consultants or experts who are at the Meeting to provide information about an Article to speak, but only on technical matters related to the issue. This might include the Village Attorney, General Manager or Assistant General Manager, as examples.
12. All speakers must be courteous and must speak to the issues, not any individual or group of individuals. Each member of the legislative body has a right to speak for themselves and not have their testimony biased by comments made by others, whether specific or general. The Moderator will not allow personal attacks or inappropriate language.
13. If any person behaves in a disorderly manner, and after notice from the Moderator, persists in such behavior, or shall in any way disturb the meeting, or willfully violate any rule of proceeding, the Moderator may have a police officer, or any legal voter of the town, remove such person from the meeting. (RSA 40:8). A first warning shall be provided. On second warning, the meeting shall be recessed and the disorderly party will be asked to confer with the Moderator and Patrol Officer assigned to the meeting. Only one more warning shall be provided, the third and last. On a fourth offense, the individual shall be removed. This process will ensure order, while maintaining the integrity and diversity of the legislative body.
14. All questions and comments should be addressed to the Moderator. The Moderator will choose who responds to the questions.
15. With the exception of initial presentations on Articles which the Moderator requests be limited to five (5) minutes, all speakers in debate will be limited to three (3) minutes.
16. Each speaker may only speak once until everyone has spoken.
17. The Moderator may determine the method of voting except as determined by law. However, any voter who doubts the accuracy of any non-counted vote may require the Moderator to determine a vote by a counted show of hands or counted standing vote.

18. Any vote on a note or bond issue of over \$100,000 must be voted on by secret ballot. In the case of a vote requiring a ballot box to remain open for a statutory time period, ballots will have been provided by the Supervisors of the Checklist along with your voter card. A voter may place ONLY their ballot in the ballot box. Any voter depositing more than one ballot will disqualify the vote and the process will start over. ONE VOTER = ONE VOTE. In addition, any three (3) voters may require that the vote on any Article or question be by secret ballot. To do so:

- a. All three (3) voters must be present and identified, and
- b. The request must be presented in writing to the Moderator prior to the end of debate on the Article or question.
- c. When the secret ballot vote is called, ALL voters shall remain seated and hold up their voter card. Once you receive your ballot, lower your card, remain in your seat, and fill out your ballot. Then remain in your seat until a Moderator's Assistant comes by with a ballot box. If the ballot box is returned to the Moderator's podium and you have not cast your ballot, stand, raise your voter card and call for a Point of Order.

19. Motions to reconsider an Article may only be made immediately after the vote on the Article, and may only be made by a voter who voted on the prevailing side of the vote to be reconsidered. However, the following limits may apply to the reconsideration of an Article:

- a. **Mandatory Restriction:** In accordance with RSA 33:8-a, if a motion to reconsider a ballot vote on a bond issue of over \$100,000 passes, the Article cannot be reconsidered until a reconvened Meeting that is at least seven (7) days after the original vote. With respect to bond votes, the restriction on reconsideration automatically applies without the need for the Meeting to vote for it.
- b. **Optional Restriction:** Voters may postpone reconsideration of any Article at this Meeting by voting to restrict reconsideration of the Article in accordance with RSA 40:10. If the Meeting passes such a motion, then the Article cannot be reconsidered until a reconvened meeting held at least seven (7) days after the date of the original vote.

**Reminder:** Since any rule of the Moderator or decision of the Meeting can be reversed or changed at any time prior to the end of the meeting by a majority vote of the Meeting, there is no rule that can be adopted that can absolutely prevent the reconsideration of an Article.

20. The Moderator may vote on all Articles. However, the Moderator plans to vote only in three (2) instances:

- a. To break a tie
- b. To make a vote a tie vote if a motion the Moderator opposes would otherwise carry by one (1) vote.
- c. On any secret ballot vote, where the Moderator's vote will not bias the vote of the assembled legislators.

21. The Moderator will provide for a comfort break recess of 15-minutes every two hours and between Warrant Article votes. The meeting will not be recessed while a Warrant Article is being considered. You must check back in with the Supervisors of the Checklist on returning to the meeting.

22. If the Meeting is not finished after 6 hours, the Moderator will recess the Meeting to a future date and time certain.

Matthew H. Smith, Waterville Estates Village District Moderator