

ADOPTED: SEPTEMBER 6, 2017

**WINNIE STOWELL HOSPITAL DISTRICT  
POLICIES AND PROCEDURES  
FOR PUBLIC COMMENT AND RECORDINGS OF BOARD OF DIRECTORS  
MEETINGS**

**Purpose**

The purpose of this document is to provide guidance on public comments during the meetings of the Board of Directors (the "Board") of the Winnie Stowell Hospital District (the "District"). It is a goal of the District to efficiently receive comments from members of the public at Board meetings. The District adopts the following policies and procedures. The District shall fully comply with the requirements of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code, referred to as the "TOMA"); nothing in this document shall be read to lessen the requirements of the TOMA.

**Open Meetings and Meeting Notices**

All meetings of the Board are held in compliance with the TOMA. Occasionally, and as authorized by the TOMA, the Board may meet in non-public, executive session.

To maximize public awareness of the District's activities, the Board endeavors to meet on a regularly scheduled basis and at a regularly scheduled location. Subject to time and scheduling constraints, regular monthly meetings of the Board are scheduled at 6:00 p.m. on the third Wednesday of every month at **Winnie Community Hospital-Conference Room Broadway, Winnie, Texas**, located in the District. Periodically, a meeting at a different time or location may be necessary.

The District posts notices of its Board meetings in compliance with TOMA. Additionally, the District shall post agenda notices of Board meetings on the District's website once a website is established.

**Procedures for Public Comments at Open Meetings**

Board meetings are structured in a manner that best allows the Board to maintain order at a meeting to transact its business. The primary recipients of information and data presented at Board meetings are the members of the Board. The District requests that its consultants endeavor to provide a reasonable number of hand-outs for members of the public to receive at the meeting. If sufficient copies are not available at the meeting, a member of the public may request copies under the Texas Public Information Act (the "TPIA") at the meeting.

All members of the public are to remain seated during the Board meeting unless to get refreshments or leave the meeting room or requested to approach the Board for a presentation. Any person in attendance at an open meeting may record all or any part of the open meeting by means of a tape recorder, video camera, or still camera as allowed by the TOMA. Persons desiring to record the open meeting must remain in an area designated for such use by the District. All persons recording an open meeting must do so in such a manner so as not to obstruct the view of another person or in any way disturb or interfere with the orderly conduct of the meeting at any time, all in accordance with the TOMA.

Public participation in Board meetings shall be limited to a public comment period. Subject to time and scheduling constraints, the Board shall endeavor to provide a designated time for public comment at each Board meeting. The purpose of such comment period is for the Board to receive comments from members of the public; public comments should not include questions or requests for information. Any requests for information should be made separately and in writing in accordance with the TPIA. In addition, to maximize the efficiency of the public comment period, members of the public are asked to follow these rules when speaking during an open meeting:

- a. Prior to the comment period, sign up on the list provided.
- b. Keep all comments to less than **3 minutes** in length.
- c. **Questions or comments not addressing agenda items will not be addressed by the Board.**
- d. No person may obstruct the view of another person or in any other manner disturb or interfere with the orderly conduct of the meeting at any time. This includes talking out of turn or verbal utterances, failure to silence cell phones and/or talking on a cell phone.
- e. No member of the public may act in a loud and raucous manner calculated to disturb the meeting.
- f. Those persons who do not conduct themselves in an orderly and appropriate manner will be given a warning by the Board President. Any person who, after having been warned of his or her noncompliance, continues to conduct themselves in a disorderly or inappropriate manner will be asked to leave the meeting room and recognition to speak may be refused at subsequent meetings of the District. Any sheriff deputy or other person assigned to provide security for the District Board meeting shall assist in the removal of the person if necessary. The operation of this rule shall not be construed to preclude any person from prosecution for violation of any applicable penal law.

## **Policy for Videotaping, Tape Recording, or Otherwise, Recording Board Meetings**

The Open Meetings Act allows any person attending a Board meeting to record the open portion of a meeting by means of a “tape recorder, video camera, or other means of aural or visual reproduction.” The Act further authorizes the Board to adopt reasonable rules to maintain order at its meetings, in accordance with Government Code 551.023.

The Board encourages the press, the broadcast media, and all interested individuals to attend Board meetings and to videotape or record all or any part of the open proceedings. To this end, the District and its staff will seek to facilitate all reasonable requests relating to videotaping or recording activities. In accomplishing these goals, the Board does not intend to prevent or unreasonably impair camera coverage or tape recording; however, persons using a tape recorder, video camera, or any other means of audio or visual reproduction must abide by the following rules at all Board meetings:

- a. The person shall notify the District’s Administrator prior written notice of his or her intent to record a Board meeting.
- b. All recording equipment must be 1) set up in a location designated by the District’s Administrator or the Board’s presiding officer prior to the start of each public meeting; 2) stationary at all times during and after the meeting; assembled; and 3) in place at least 15 minutes before the Board Meeting.
- c. Equipment that requires set-up shall not be taken down during the course of the meeting, but may be removed during a recess or after the meeting is over.
- d. Recordings will not interfere with Board Meetings in any way. Board Meetings cannot accommodate anyone’s camera angle or recording.
- e. The presiding officer may stop the audio or visual recording if it disrupts or interferes with the Board Meeting in any way.
- f. No strobes, flash lighting, or other bright lights are allowed unless the presiding officer of the Board approves before the Board Meeting

## **Disciplinary Rules for Disrupting a Public Meeting**

### **Texas Penal Code, Section 38.13 - Hindering Proceedings by Disorderly Conduct**

- (a) A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance.
- (b) A person commits an offense if he recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist.
- (c) An offense under this section is a Class A misdemeanor.

### **Texas Penal Code, Section 42.05 - Disrupting Meeting or Procession**

- (a) A person commits an offense if, with intent to prevent or disrupt a lawful meeting, procession, or gathering, he obstructs or interferes with the meeting, procession, or gathering by physical action or verbal utterance.
- (b) An offense under this section is a Class B misdemeanor.

**WINNIE STOWELL HOSPITAL DISTRICT  
PUBLIC COMMENT-SIGN IN SHEET**

**POLICIES AND PROCEDURES  
FOR PUBLIC COMMENT AT BOARD OF DIRECTORS MEETINGS**

Any Individual shall be allowed to speak but is subject to the rules set forth in above Policies and Procedures for Public Comment:

- a. The Board reserves the right to limit the number of speakers to insure the completion of the posted agenda in a timely manner
- b. Individuals desiring to speak shall sign-up in advance of the meeting
- c. The sign-up sheet shall be available 15 minutes before the beginning of each posted meeting
- d. Speakers shall be heard on a first-come first served basis, based on the sign-up sheet, time permitting
- e. The opportunity to speak shall be limited to no more than **three (3) minutes**, unless extended by the Board
- f. The Board is not required to speak and/or respond and/or answer any speaker, as allowed under law.

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