

**MEMORANDUM OF AGREEMENT FOR PARTICIPATION IN
REGIONAL WATER PLANNING**

**BETWEEN
UPPER FLINT WATER PLANNING COUNCIL
AND
GEORGIA ENVIRONMENTAL PROTECTION DIVISION
AND
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS**

FOR

**COOPERATION RELATING TO THE PREPARATION OF A REGIONAL WATER
DEVELOPMENT AND CONSERVATION PLAN**

THIS MEMORANDUM OF AGREEMENT is made and entered into this 18th day of September, 2009, by and between the Environmental Protection Division of the Georgia Department of Natural Resources (hereinafter referred to as EPD); the Georgia Department of Community Affairs (hereinafter referred to as DCA); and the Upper Flint Water Planning Council (hereinafter referred to as Upper Flint WPC).

WHEREAS, during its 2004 session, the General Assembly passed the "Comprehensive State-wide Water Management Planning Act" (O.C.G.A. §12-5-520) that declared the need for a comprehensive state-wide water management plan and set forth policies to guide regional water planning efforts; and

WHEREAS, during its 2008 session, the General Assembly passed and Governor Sonny Perdue signed HR 1022, the Georgia Comprehensive State-wide Water Management Plan to help guide the stewardship of Georgia's precious water resources to ensure that those resources continue to support growth and prosperity statewide while maintaining healthy natural systems; and

WHEREAS, water resources availability and water needs vary widely over geographic regions in Georgia, and future population growth and economic development will occur in manners unique to each geographic region; and

WHEREAS, the Comprehensive State-wide Water Management Plan provides a framework for: 1) assessing the capacities of water resources, 2) forecasting future water supply and assimilative capacity needs, and 3) identifying and documenting – via a Water Development and Conservation Plan - regional water management solutions that will allow future water needs to be met in a sustainable fashion; and

WHEREAS, O.C.G.A. §§ 12-5-31, 12-5-96, and 12-5-522 call for the preparation of regional water development and conservation plans; and

WHEREAS, the Comprehensive State-wide Water Management Plan provides for the creation and execution of a Memorandum of Agreement (MOA) between each regional water planning council and EPD and DCA; and

WHEREAS, the subject MOA is to establish procedures for the said entities relative to development of the Water Development and Conservation Plans; and

WHEREAS, the Upper Flint WPC needs to establish operating procedures, goals and objectives to govern its actions and decisions, and

WHEREAS, the Upper Flint WPC is to develop and submit a recommended regional Water Development and Conservation Plan (WDCP) to the EPD Director and that responsibilities and procedures for development of the recommended plan need to be clarified; and

WHEREAS, the ultimate success of the Regional Water Development and Conservation Plan is to be found in its successful implementation; and

WHEREAS, this agreement will have at a minimum a three-year term and can be renewed and amended upon written approval of all parties; and

WHEREAS, execution of this Memorandum Of Agreement shall be a condition precedent to issuance of the EPD Director's letter of delegation to the Upper Flint WPC per Rules for Regional Water Planning, Section 391-3-32-.01(4)(b).

NOW, THEREFORE, EPD, DCA AND UPPER FLINT WPC agree as follows:

- 1. Responsibilities of the Upper Flint Water Planning Council include:**
 - A. Following regional planning guidance developed by EPD, the Upper Flint WPC will submit a recommended Regional Water Development and Conservation Plan to the EPD Director. The Upper Flint WPC will be required to submit early drafts of Water Development and Conservation Plan elements and quarterly progress reports as described in the planning guidance.
 - B. Adopting a Public Involvement Plan based on a template provided by EPD and actively seeking the input and advice of affected local governments, water providers, and other interested stakeholders.
 - C. Providing a regional forum for involving and coordinating with local governments within the planning region as well as with local governments outside the region boundaries that rely on, or impact, water resources within the planning region. Involvement may include (but not be limited to) education, discussion, and technical analyses.
 - D. Coordinating with adjacent water planning councils and/or water planning councils that share water resources.

- E. Conducting open meetings. A reasonable amount of time must be provided to solicit and collect public comment during the meetings.
- F. Directing the Regional Planning Contractor in establishing meeting schedules and agendas, developing plan content, and identifying and selecting management practices and other key elements of the Regional Water Development and Conservation Plan. The above must be done in accordance with guidance, budget and schedule provided by EPD.
- G. Using data and information provided by EPD and other appropriate sources and in cooperation with on-going statewide water management planning initiatives, prepare a recommended Regional Water Development and Conservation Plan for adoption by the EPD Director. Identify management practices that will be used to ensure that forecasted water resource needs are met.
- H. With support from their Regional Planning Contractor, coordinating with DCA to ensure the Regional Water Development and Conservation Plan is developed in concert with the regional and local government comprehensive planning process; to identify inconsistencies between local government and regional Comprehensive Plans and the Regional Water Development and Conservation Plan; and to recommend a timeline for reconciling any inconsistencies.
- I. Coordinating with EPD to address and respond to comments received during the 45-day public comment period associated with their Water Development and Conservation Plan.
- J. The Operating Procedures and Rules for Meetings of the Upper Flint WPC are shown in Attachment A and adopted as part of this Memorandum of Agreement.

2. Responsibilities of EPD include:

- A. Providing Upper Flint WPC a Regional Planning Contractor who will assist Upper Flint WPC with specifying Operating Procedures that will address at a minimum council leadership, decision-making, meetings, and governance. The Regional Planning Contractor will assist Upper Flint WPC with planning, organizing, preparing, and writing a recommended Regional Water Development and Conservation Plan.
- B. Providing technical and planning guidance documents to assist Upper Flint WPC and their Regional Planning Contractor with the preparation of the Regional Water Development and Conservation Plan.
- C. Providing a template for a Public Involvement Plan that establishes the basic public involvement activities to be undertaken by all regional water planning councils. Basic activities will actively seek the input and advice of affected local governments, water providers, and other interested stakeholders. The Public Involvement Plan will include provisions for an advisory body of elected officials who will provide

recommendations and input on regional population, economic and employment forecasts, impacts of fiscal responsibilities, and other data and information required for the preparation of the Water Development and Conservation Plan.

- D. Providing Upper Flint WPC and their Regional Planning Contractor with the following types of information:
 - i. The current sustainable water quantity capacity of the major rivers, streams, and lakes, within the Upper Flint WPC (surface water availability assessment)
 - ii. The current assimilative capacity of the major rivers and streams within the Upper Flint WPC (surface water quality assessment).
 - iii. Determination of the characterization of groundwater resources in the region (groundwater quantity and quality assessment).
 - iv. Forecasts of 10-, 20-, 30-, and 40-year population projections
 - v. Employment projections
 - vi. Projected Water Withdrawal
 - vii. Energy water use
 - viii. Land surface types and distribution
- E. In cooperation with federal agencies, local governments, and other partners, continuing to monitor water resources conditions within the Upper Flint WPC to maintain and update data and information on the status of the region's waters.
- F. Reviewing drafts of the Upper Flint WPC's Water Development and Conservation Plan to ensure it is consistent with planning guidance to be provided by EPD in accordance with the Comprehensive State-wide Water Management Plan.
- G. Ensuring coordination of water planning across the boundaries of adjoining water planning regions.
- H. Providing fiscal oversight and contract management of the Regional Planning Contractor assigned to the Upper Flint WPC.
- I. Consulting with DCA to ensure that the planned implementation of the Water Development and Conservation Plan is done in concert with the regional and local government comprehensive planning process.
- J. Providing public notice of the recommended Water Development and Conservation Plan and a comment period of at least forty-five days.
- K. Adopting the Upper Flint WPC's Regional Water Development and Conservation Plan if it is complete and consistent with EPD guidance.

3. Responsibilities of DCA include:

- A. Upon request of the Upper Flint WPC, in meeting its responsibilities identified in Section 1.H. above, providing guidance to the Councils, on land use planning and existing regulatory tools that will lead to identifying inconsistencies between the local government and Regional Commission Comprehensive Plan(s) and the Regional Water Development and Conservation Plan.
- B. Upon request of the Upper Flint WPC, assist in preparing a timeline, based on priorities established by the Council, in consultation with local governments within its region and DCA, to be used by these local governments, Regional Commissions, and the Upper Flint WPC to establish deadlines by which inconsistencies between the individual local government and Regional Commission Comprehensive Plans and the Regional Water Development and Conservation Plan will be reconciled.
- C. As jointly agreed upon by DCA and the Upper Flint WPC, DCA will revise DCA's local government and regional Comprehensive Planning 'Recertification Schedule' to incorporate the agreed upon deadlines for local government and Regional Commission Comprehensive Plans to be revised, updated, etc. to eliminate identified inconsistencies between these local government and Regional Commission Comprehensive Plans and the Regional Water Development and Conservation Plan.
- D. As local government and Regional Commission Comprehensive Plans are being revised, updated, etc. during the 2009-2011 timeframe, DCA will provide the Upper Flint WPC an opportunity to review and comment on the local or Regional Commission Comprehensive Plan's consistency with the Council's Regional Water Development and Conservation Plan.

IN WITNESS WHEREOF, the parties have hereunto, acting by and through their duly authorized officers and agents, set their hands upon this 18th day of September, 2009.

ENVIRONMENTAL PROTECTION DIVISION

BY: 
Carol A. Couch, Director

DEPARTMENT OF COMMUNITY AFFAIRS

BY: 
Mike Beatty, Commissioner

UPPER FLINT WATER PLANNING COUNCIL

BY:

Donald R. Clark
Member

Dick Morrison
Member

Will D. Stang
Member

Larry J. Terlis
Member

Mike Donnelly
Member

Bill [unclear]
Member

Joe & Emerson
Member

Cliff Green
Member

SCREED
Member

MLAB
Member

Beth English
Member

Dary Powell
Member

[unclear]
Member

[unclear]
Member

Buddy L. [unclear]
Member

[unclear]
Member

Chla
Member

Thomas B. [unclear]
Member

Paul Wood
Member

Emile [unclear]
Member

Frank Keeler
Member

Bill Sawyer
Member

Member

Member

Member

Member

Member

Member

ATTACHMENT A
UPPER FLINT WATER PLANNING COUNCIL
OPERATING PROCEDURES

I. NAME AND PURPOSE

The name of this organization shall be the Upper Flint Water Planning Council (UFWPC).

The purpose of the Upper Flint Water Planning Council is to prepare a recommended regional Water Development and Conservation Plan that promotes the sustainable use of the water resources of the planning region, through the selection of an array of management practices, that will support the region's and state's economy, protect public health and natural systems, and enhance the quality of life for all citizens. The Water Development and Conservation Plan will identify management practices that will be used to ensure that forecasted water resource needs are met.

II. DEFINITIONS

Advisory body of local elected officials - Group composed of one representative from each county and city in the water planning region, to provide recommendations and input on regional population, economic and employment forecasts and on other data and information required for preparation of the water development and conservation plan.

Chair - The individual responsible for presiding at council meetings.

Consensus - Cooperative development of mutually acceptable decisions. A consensus decision is understood to mean that the Upper Flint Water Planning Council members present at the meeting have had an opportunity to express their views, understand the decision and, given the efforts made to address different interests, are willing to live with the specified course of action.

Council members - Individuals who have been appointed by the Governor, Lt. Governor, and Speaker to serve on the Upper Flint Water Planning Council through the process specified in the Georgia Comprehensive State-wide Water Management Plan.

EPD - Environmental Protection Division.

Operating Procedures - The procedures by which the Upper Flint Water Planning Council will handle their activities.

Quorum - The minimum number of Council members required to be present at a meeting before any business can be transacted. In the case of the Upper Flint

Water Planning Council, more than half of the active Council members shall constitute a quorum. Any Council members who have missed three or more consecutive meetings will not be considered active for purposes of determining a quorum, but will again be considered active during the next Council meeting they attend.

Regional Planning Contractor - EPD provided Contractor who will assist and support the Upper Flint Water Planning Council with planning, organizing, preparing, and writing a water development and conservation plan.

Rules for Meetings - The rules guiding Council members during Council meetings and deliberations.

Simple Majority Vote - More than half of the voting Council members present at a meeting.

Two-thirds Majority Vote - Sixty-seven percent or more of the voting Council members present at a meeting.

Vice-Chair- Individual selected by the Council that in the absence of the Chair performs the duties of the Chair.

Water Council Leadership -Chair and Vice Chair.

Water Planning Regions - Those regions established by the Georgia Comprehensive State-wide Water Management Plan.

III. COUNCIL MEMBERSHIP

Council Members. Individuals that represent interests such as agriculture, forestry, industry, commerce, local governments, water utilities, regional development centers, tourism, recreation and the environment. The Governor appointed thirteen members plus one alternate; the Lieutenant Governor appointed six members plus one alternate and the Speaker of the House appointed six members plus one alternate. The Lieutenant Governor and Speaker also each appointed a non-voting ex officio member from among the membership of the Senate and House.

Term of Office. Members shall have a three-year term with re-appointment at the pleasure of the initial appointing authority. Ex-officio members appointed by the Lieutenant Governor and Speaker shall serve two-year terms. In the event of a vacancy, the official who made the initial appointment shall appoint a replacement to serve the remainder of the applicable term.

IV. COUNCIL LEADERSHIP

General Powers. The Upper Flint Water Planning Council Leadership shall function within existing State laws and regulations and shall follow guidance provided by

EPD to ensure adherence to the Comprehensive State-wide Water Management Plan.

Number and Qualifications. The Upper Flint Water Planning Council shall have one Chair and one Vice Chair. The Chair and Vice Chair shall be selected by a simple majority vote of the members present and shall serve until subsequent selections of Chair or Vice Chair are made.

The Chair of the Council. The Upper Flint Water Planning Council shall select a Chair. The Chair shall preside at all meetings of the Upper Flint Water Planning Council. The Chair shall work with the Regional Planning Contractor to ensure that all meeting notices are provided in a timely manner. The Chair shall also work with the Regional Planning Contractor to identify the purpose and necessary outcomes for each meeting and ensure that those outcomes are achieved. The Chair shall convey requests of the Council to EPD and DCA.

The Vice-Chair of the Council. The Upper Flint Water Planning Council shall select one Vice Chair. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. The Vice Chair shall be responsible for reviewing and keeping written copies of meeting summaries and decisions recorded by the Regional Planning Contractor. The Vice-Chair may convey requests of the Council to EPD and DCA.

Selection of Chair and Vice-Chair. The initial Chair and Vice-Chair shall be selected by simple majority (i.e., more than half) vote of the members present at the first regular meeting of the Upper Flint Water Planning Council. Subsequent selections of Council Chair or Vice Chair shall be made by simple majority vote.

V. DECISION MAKING

Decision-Making. The Upper Flint Water Planning Council shall attempt to reach consensus in its decision making, as described in its Rules for Meetings. In the event consensus on a decision cannot be reached in a reasonable time period, the Council shall make decisions by a simple majority vote of the voting members present following two attempts at the same meeting to achieve a decision by a two thirds majority vote of the voting members present. The Chair, after a reasonable discussion period, may initiate a vote on a decision, unless over ruled by a simple majority (more than half) of the voting members present at the meeting. For decision-making situations not specifically addressed in the Operating Procedures or Rules for Meetings, Robert's Rules of Order (Newly Revised, 10th Edition) will be followed.

Participation in decision making. All members of the Upper Flint Water Planning Council who are present at a meeting may participate in discussion and efforts to reach consensus. For purposes of voting on Council decisions, each member shall have one vote. Alternate members will be eligible to vote if counted to constitute a quorum. If any alternate members are counted to constitute a quorum, all alternates present at the meeting shall be eligible to vote. Ex-officio

members are non-voting members of the Council. Any member can send a designee to a meeting for information purposes only, but that designee will not participate in Council deliberations or voting.

Non-Represented Interests. Government agencies, individuals, local governments, and other organizations not directly represented by a water planning council member are encouraged to participate during designated public comment periods during Council meetings; however, non-represented interests will not act as voting members of the Upper Flint Water Planning Council.

VI. MEETINGS AND GOVERNANCE

Regular Meetings. Notice of Council meetings must be posted on the Council website and distributed in such a manner so as to allow for public participation. The Upper Flint Water Planning Council is encouraged to schedule its regular meetings on days and times that allow for full and diverse participation.

Other Meetings. Joint meetings with other water planning councils and additional meetings of the Upper Flint Water Planning Council will be held as determined by the Council or EPD. The notice of these meeting must be posted and distributed in such a manner so as to allow for public participation.

Open Meetings. The Upper Flint Water Planning Council shall comply with the Georgia Open Meetings Law (O.C.G.A. § 50-14-1). The Council shall give at least 24-hour notice of any meeting and post the announcement in a public place(s). A meeting agenda or summary of topics shall be published with the notice. The Upper Flint Water Planning Council is intended to be a public endeavor, with input from all who want to contribute.

Meeting summaries. The Regional Planning Contractor working with the Council shall keep accurate meeting summaries of all Upper Flint Water Planning Council meetings. Meeting summaries shall capture dissenting opinions to the extent that dissent is formally noted in the meeting. Draft meeting summaries shall be made available to Council Members and the public prior to subsequent meetings. All draft meeting summaries shall be subject to approval at the subsequent Upper Flint Water Planning Council meeting. The final meeting summaries shall be made available to the public.

Quorum. A majority of the total active membership of the Upper Flint Water Planning Council shall be present before specifying consensus agreement or voting on any major decisions at each meeting. If a quorum is not present (see definition in Section III), a simple majority of the voting members present may choose to meet and discuss issues, but may not take any actions. If a quorum is not present, a simple majority of the members present may adjourn the meeting without further notice.

Subcommittees. The Chair of the Upper Flint Water Planning Council shall have the authority to establish subcommittees made up of Council members to facilitate dialogue and resolution of issues and conflicts within the water planning region,

with adjacent water planning regions, or with water planning regions that rely upon shared resources.

Presumption of Assent. A member of the Upper Flint Water Planning Council who is present at a meeting at which action on any matter is taken shall be presumed to have assented to the action unless the dissent of such Member is recorded by being entered in the summary of the meeting.

Resignation of Chair, Vice Chair and Members. Any Chair, Vice Chair or Member may resign at any time by submitting a resignation in writing to the Director of EPD, who will notify the appointing officials. Such resignation takes effect from the time of its receipt by State officials unless a date or time is fixed in the resignation, in which case it will take effect from that time. Acceptance of the resignation shall not be required to make it effective.

Participation by Non-Members. Public participation in the Upper Flint Water Planning Council process is encouraged by expressing views and opinions to the Council Members. The Chair shall be responsible for guiding participation by non-members. The Chair may adopt special rules of discussion consistent with the Public Involvement Plan on a case-by-case basis; however, a reasonable amount of time must be provided to solicit and collect public comments during each meeting.

Rules for Meetings. After EPD review and comment, the Upper Flint Water Planning Council shall, by a simple majority vote following two attempts at the same meeting to achieve a decision by a two thirds majority vote, adopt Rules of Meetings based on a template provided by EPD. Once adopted, the Rules for Meetings shall be the regular meeting method of the Council and any subcommittees it establishes.

VIII. AMENDMENTS

These operating procedures and the Council's Rules for Meetings shall be reviewed periodically and as deemed necessary by the Council. After EPD review and comment, the procedures may be altered, amended, or replaced by new operating procedures by simple majority vote following two attempts at the same meeting to achieve a decision by a two thirds majority vote of the Upper Flint Water Planning Council voting members. All Members shall have received written notice of any and all proposed changes to the operating procedures at least two weeks prior to the date such changes are to be acted upon.

Approved: 09/18/2009

Amended: 04/05/2016

Rules for Meetings

Rule 1: Purpose of Rules

A. These rules of conduct specify expectations and meeting processes to guide Water Planning Councils and their members in development of recommended Water Development and Conservation plans. The rules are subordinate to (1) regional water planning guidance provided by EPD, (2) the MOA between the Upper Flint Water Planning Council, EPD, and DCA, and (3) the Operating Procedures adopted by the Upper Flint Water Planning Council.

Rule 2: Meeting Roles

A. The Chair of the Council will preside at Council meetings. The Chair's responsibilities include working with the Regional Planning Contractor to prepare draft agenda, facilitate Council deliberations, and ensure productive discussion at Council meetings. The Chair will also work with the Regional Planning Contractor to guide the Council through consensus decision-making and voting processes.

B. The Vice Chair of the Council will perform the Chair's duties in that person's absence and will be responsible for reviewing and keeping copies of meeting summaries and decisions recorded by the Regional Planning Contractor.

C. Council members will actively participate in Council deliberations, following guidelines for communications listed below. Any member can offer verbal or written proposals for the group's consideration. Members are responsible for communicating their opinions on proposals under discussion and offering revisions to make proposals more acceptable.

D. Regional Planning Contractors will support the Council in development of the WDCP. Contractors will provide technical resources and neutral facilitators to work with the Chair and assist Council members in finding mutually acceptable solutions. As specified in consultation with the Council Chair, planning contractors may facilitate Council meetings, guide consensus decision-making and/or voting processes, and work with members during and outside of meetings to resolve differences. Contractors will also serve as recorders during the meeting and produce meeting summaries for review and approval by the Council.

E. EPD Representative. Each Council will have a designated representative from EPD who will attend Council meetings as an information resource. The EPD representative will be available to answer questions about the planning process and provide feedback on Council progress to date, as requested. Finally, the representative can access other resources within EPD to answer technical questions that may arise during Council deliberations.

Rule 3: Communications

A. In order to have open and productive discussions, Council members agree to the following rules and will follow them in Council meetings and other communications regarding Council business:

1. One person will speak at a time. Members will refrain from interrupting each other and from side conversations that distract others from listening to the person speaking.
2. Each person will speak for themselves rather than attempting to speak for others at the table.
3. Members will strive to listen, be open-minded and maintain a sense of humor.
4. Each person will make every effort to stay on track with the agenda and avoid grandstanding or digressions.
5. Members will seek a better understanding of different interests and perspectives and try to find common ground.
6. Members will refrain from personal attacks, statements blaming others for specific actions or outcomes, and aggressive verbal or nonverbal behavior or sarcasm.
7. Members will seek to resolve differences and disputes within the Council's planning process, with assistance from the Regional Planning Contractor, rather than attempting to use external channels to influence Council deliberations.
8. Media communications will be coordinated between the Chair and the EPD representative.

Rule 4: Meeting Agenda and Summaries

A. The Council Chair will work with the Regional Planning Contractor to prepare a draft agenda. An agenda will be made available electronically ten business days in advance of each regularly scheduled meeting. Each agenda will state the meeting's purpose and include a checklist of intended results. Meeting agenda will focus on the elements of WDCP development specified in the regional planning guidance.

B. Agenda will include the beginning and end times for the meeting, discussion topics and action items, and estimated time limits in minutes for each topic.

C. The agenda and any supporting or background material will be distributed in advance of each meeting (electronically or by regular mail). Materials will be delivered in sufficient time for review prior to each meeting.

D. Members will be given a chance to read and modify the agenda at the beginning of each meeting. Before proceeding, the group will reach agreement on the agenda, including meeting purpose, intended results, and anticipated decision points.

E. The Planning Contractor will produce written summaries of each meeting, documenting all decisions and highlights of the discussion that led to those decisions. Summaries will be distributed to Council members for review before the next meeting.

F. The summary of the previous meeting shall be subject to approval at each meeting. The summary and any action items that do not require individual consideration may be placed on the agenda at the beginning in a "consent agenda" section. This information will be provided ahead of time or before the start of the meeting.

G. Consent agenda items will not be discussed individually unless any member requests that they be removed from this section and placed on the regular agenda as a separate item for discussion.

Rule 5: Discussion of Issues

A. Any item that is on the agenda as approved at the beginning of the meeting may be discussed. A motion or a second is not required. The Chair or Planning Contractor will introduce the item or topic and, when appropriate, lead the Council in open discussion to identify potential actions or solutions.

B. To assist in developing WDCP content, planning contractors will produce background information and may propose alternatives for Council review and consideration.

C. Any Council members may make verbal or written proposals to the Council. Written proposals should state the problem or concern to be addressed and then state the proposed solution.

D. Whenever possible, written proposals should be provided to the Chair and Planning Contractor so they can be distributed for review prior to each meeting.

E. All members will be given an opportunity to speak or ask questions. Any member can suggest changes to a proposal, and the proposal can be modified with group agreement.

F. The Chair or the Planning Contractor's facilitator will ensure that pros and cons are discussed and that all points of view are encouraged.

Rule 6: Decision Making

A. After a proposal has been presented, the Chair or the Planning Contractor will lead the Council through open discussion of pros and cons. All members will be given an opportunity to speak at least once on each proposal.

B. After thorough discussion, the Chair or Planning Contractor will re-state the proposal with any modifications made as a result of the discussion. The Chair or Planning Contractor will then test for consensus: *"Who can't live with this agreement or course of action as modified to meet the all of the interests expressed so far?"*

C. The Chair or Planning Contractor may ask members to indicate their level of agreement or disagreement.

D. Members who do not agree with a proposal will be asked to offer modifications that are acceptable to them and include the elements that other members have said are necessary for their concurrence: *"What improvements can you suggest that will make it*

more acceptable to you while continuing to meet the interests of everyone else with a stake in the issue?"

E. The Chair or Planning Contractor may also offer modifications to meet outstanding interests.

F. Following further discussion, the Chair or Planning Contractor will again test for consensus. If consensus has not been reached after a reasonable discussion period, the Chair or the Planning Contractor may recommend tabling the item to allow the Planning Contractor to work with individual members or a subcommittee to develop an alternate proposal that addresses their concerns.

G. The Chair may, after a reasonable discussion period and effort to address outstanding concerns, call for a vote on the proposal. A simple majority (more than half of the voting members present) can over-rule the Chair's call for a vote.

H. If the Chair's call for a vote is over-ruled, the Chair may appoint a sub-committee to revise the proposal or develop an alternate proposal that meets the outstanding concerns.

I. When voting on a proposal, approval by a simple majority following two attempts in the same meeting to achieve approval by a two-thirds vote is required for its acceptance. All votes shall be by show of hands with the exception of the election of the Chair and Vice Chair, which shall be by written ballot.

J. All decisions made by consensus and by voting will be recorded in the summary of each meeting.

K. For all decision-making situations not specifically addressed in the Operating Procedures or the Rules for Meetings, Robert's Rules of Order (Newly Revised, 10th Edition) will be followed.

Rule 7: Public Notice and Comment

A. The Regional Planning Contractor will advertise Council meetings as specified in the Public Involvement Plan adopted by the Upper Flint Water Planning Council.

B. A period for public comment will be provided at each regular Council meeting and will be included in meeting agenda. Written comments will also be accepted at each regular Council meeting. The Council may adopt time limits or other guidelines for public comment as needed.

Rule 8: Ending the Meeting

A. There will be time on the agenda at the end of the meeting for the Chair or Planning Contractor to summarize the progress made at the meeting in relation to development of the draft WDCP. The summary will include any follow-up action steps agreed to by the group, clarifying the tasks, responsible parties and time limits.

B. Council members may suggest improvements for future meetings. The Chair or Regional Planning Contractor will implement feasible ideas at the next meeting.

C. Standard procedure will be for the Chair to close the meeting when the agenda is complete or the scheduled ending time is reached. Meetings will only be extended if there

is a need that cannot be met through other means (e.g., subcommittee work between meetings) and if there is substantial agreement among the members present to do so.