

CHAPTER 2
OPERATION OF STATE SOIL CONSERVATION AND WATER QUALITY COMMITTEE

27—2.1(161A) Scope. This chapter governs the conduct of business by the state soil conservation and water quality committee. Rule-making proceedings held as part of committee meetings and contested case proceedings involving the committee are consistent with Iowa Code chapter 17A.

[ARC 3243C, IAB 8/2/17, effective 9/6/17]

27—2.2(161A) Time of meetings. The committee meets quarterly. The chairperson or a majority of the committee may establish meetings at more frequent intervals.

[ARC 6957C, IAB 3/22/23, effective 4/26/23]

27—2.3(161A) Place of meetings. Meetings are held in the Henry A. Wallace Building, 900 East Grand Avenue, Des Moines, Iowa, or at other locations as appropriate. The meeting place will be specified in the agenda.

27—2.4(161A) Notification of meetings. The director of the soil conservation and water quality division shall provide public notice of all meeting dates, locations, and tentative agenda.

2.4(1) Form of notice. Notice of meetings is given by posting the tentative agenda and by distribution upon request. The agenda lists the time, date, place, and topics to be discussed at the meeting. The agenda shall include an opportunity for the public to address the committee on any issue related to the duties and responsibilities of the committee, except as otherwise provided in these rules.

2.4(2) Posting of agenda. The tentative agenda for each meeting will be posted at the division's offices on the second floor, Henry A. Wallace Building, normally at least five days prior to the meeting. The agenda will be posted at least 24 hours prior to the meeting, unless, for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible will be given.

2.4(3) Distribution of agenda. Agenda will be mailed to anyone who files a request with the director. The request should state whether the agenda for a particular meeting is desired, or whether the requester desires to be on the division's mailing list to receive the agenda for all meetings of the state soil conservation and water quality committee.

2.4(4) Amendment to agenda. Any amendments to the agenda after posting and distribution under subrules 2.4(2) and 2.4(3) will be posted, but will not be mailed. The amended agenda will be posted at least 24 hours prior to the meeting, unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible will be given. The committee may adopt amendments to the agenda at the meeting only if good cause exists requiring expeditious discussion or action on such matters. The reasons and circumstances necessitating such agenda amendments, or those given less than 24 hours' notice by posting, shall be stated in the minutes of the meeting.

2.4(5) Supporting material. Written materials provided to the committee with the agenda may be examined and copied as provided in the public information rules of the department. The director may require a fee to cover the reasonable cost to the division to provide the copies, in accordance with rules of the department.

[ARC 3243C, IAB 8/2/17, effective 9/6/17]

27—2.5(161A) Attendance and participation by the public.

2.5(1) Attendance. All meetings are open to the public. The committee may exclude the public from portions of the meeting only in accordance with Iowa Code section 21.5.

2.5(2) Participation.

a. Items on agenda. Presentations to the committee may be made at the discretion of the chairperson.

b. Items not on agenda. Iowa Code section 21.4 requires the committee to give notice of its agenda. The committee will not take action on a matter not on the agenda, except in accordance with subrule 2.4(4). Presentations to the committee on subjects not on the agenda may be made at the discretion of

the chairperson. Persons who wish the committee to take action on a matter not on the agenda should file a request with the director to place that matter on the agenda of a subsequent meeting.

c. Meeting decorum. The chairperson may limit participation as necessary for the orderly conduct of agency business.

2.5(3) Use of cameras and recording devices. Cameras and recording devices may be used during meetings provided they do not interfere with the orderly conduct of the meeting. The chairperson may order the use of these devices be discontinued if they cause interference and may exclude those persons who fail to comply with that order.

27—2.6(161A) Quorum and voting requirements.

2.6(1) Quorum. A majority of the voting members of the committee constitutes a quorum.

2.6(2) Voting. The concurrence of a majority of the committee members is required to determine any matter before the committee for action, except for a vote to close a meeting which requires the concurrence of two-thirds of the members of the committee present.

[ARC 4956C, IAB 2/26/20, effective 4/1/20]

27—2.7(161A) Conduct of meeting.

2.7(1) General. Meetings will be conducted in accordance with Robert's Rules of Order unless otherwise provided in these rules. Voting shall be by voice or by roll call. Voting shall be by voice unless a voice vote is inconclusive, a member of the committee requests a roll call, or the vote is on a motion to close a portion of a meeting. The chairpersons shall announce the result of the vote.

2.7(2) Voice votes. All committee members present should respond when a voice vote is taken. The response shall be aye, nay, or abstain.

a. All members present shall be recorded as voting aye on any motions when there are no nay votes or abstentions heard.

b. Any member who abstains shall state at the time of the vote the reason for abstaining. The abstention and the reason for it shall be recorded in the minutes.

2.7(3) Provisions of information. The chairperson may recognize any agency staff member for the provision of information relative to an agenda item.

27—2.8(161A) Minutes, transcripts, and recordings of meetings.

2.8(1) Recordings. The director shall record by mechanized means each meeting and shall retain the recording for at least one month. Recordings of closed sessions shall be sealed and retained at least one year.

2.8(2) Transcripts. The division does not routinely prepare transcripts of meetings. The division will have transcripts of meetings, except for closed sessions, prepared upon receipt of a request for a transcript and payment of a fee to cover the cost to the division of preparing the transcript.

2.8(3) Minutes. The director shall keep minutes of each meeting. Minutes shall be reviewed and approved by the committee and retained permanently by the director. The approved minutes shall be signed by the director and the committee chairperson.

27—2.9(161A) Officers and duties.

2.9(1) Officers. The officers of the committee are the chairperson and the vice chairperson.

2.9(2) Duties. The chairperson shall preside at the meetings and shall exercise the powers conferred upon the chairperson. The vice chairperson shall perform the duties of the chairperson when the chairperson is absent or when directed by the chairperson.

27—2.10(161A) Election and succession of officers.

2.10(1) Elections. Officers shall be elected annually during June and shall assume office effective July 1.

2.10(2) Succession.

a. If the chairperson does not serve out the elected term, the vice chairperson shall succeed the chairperson for the remainder of the term. A special election shall be held to elect a new vice chairperson to serve the remainder of the term.

b. If the vice chairperson does not serve out the elected term, a special election shall be held to elect a new vice chairperson to serve the remainder of the term.

These rules are intended to implement Iowa Code chapter 161A.

[Filed 12/8/89, Notice 10/4/89—published 12/27/89, effective 1/31/90]

[Filed ARC 3243C (Notice ARC 3086C, IAB 6/7/17), IAB 8/2/17, effective 9/6/17]

[Filed ARC 4956C (Notice ARC 4839C, IAB 1/1/20), IAB 2/26/20, effective 4/1/20]

[Filed ARC 6957C (Notice ARC 6817C, IAB 1/11/23), IAB 3/22/23, effective 4/26/23]