

# **TOWN OF WAITSFIELD**

## **SELECTBOARD RULES OF PROCEDURE**

### **Section I: Purpose**

These Rules are adopted to ensure consistent and fair treatment of individuals or organizations with matters before the Board, orderly and efficient public proceedings, and compliance with state and federal law. These Rules shall also ensure that no Board member will gain a personal or financial advantage from his or her work for the Board, so that the public trust in municipal government will be preserved.

### **Section II: Officers and Duties.**

- A. The Board shall consist of five members. At the first meeting after Town Meeting, or at other times throughout the year as needed, the Board shall hold an organizational meeting and elect by majority vote, a Chair and Vice Chair.
- B. The Chair shall preside at all meetings, hearings, and other proceedings, decide all points of order or procedure, and appoint members to any committee of the Board. The Chair may administer oaths and may request the attendance of witnesses and the production of material germane to any issue under consideration. The Chair shall have the discretion to seek legal advice on matters relevant to the Board. The Chair may delegate the responsibility to seek legal advice to one or more members of the Board.
- C. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request.
- D. No single Board member shall have authority to represent or act on behalf of the Selectboard unless, by majority vote, the Selectboard has delegated such authority for a specific matter at a duly noticed meeting and it is recorded in the minutes.
- E. If situations arise outside of a duly noticed Selectboard meeting where a Selectboard member believes that Selectboard action is warranted, he or she shall consult with at least two other Selectboard members for concurrence to proceed on that action and have the matter ratified at the next duly noticed meeting.

### **Section III: Regular and Special Meetings.**

- A. The Selectboard shall conduct its meetings in accordance with the Vermont Open Meeting Law (1 V.S.A. §§310-314). Meetings of the Selectboard must be open to the public at all times, except as provided in 1 V.S.A. §313. At such meetings, the public must be afforded reasonable opportunity to give its opinion on matters considered by the Selectboard so long as order is maintained. Such public comment is subject to the reasonable rules established by the chair of the Selectboard (1 V.S.A. §312(h)).

- B. Regular meetings shall be held in the Waitsfield Town Office at 7:00 p.m. on the second and fourth Mondays of the month, or as warranted. Special meetings may be called by the Chair, provided at least 24 hours notice is given to each member and the time and place of each special meeting is publicly announced at least 24 hours before the meeting. Meetings shall be conducted in accordance with the requirements of this section.
- C. A quorum shall consist of a majority of the entire Board. If a quorum of the members of the Selectboard is not present at a meeting, the only action that may be considered by the Selectboard is a motion to recess or adjourn the meeting.
- D. Members may participate by telephone as long as the absent member can hear everything that is occurring at the meeting and everyone present at the meeting can hear the Board member.
- E. All meetings shall be open to the public unless the Board has entered an executive session. The Board may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. §313, and only after a majority vote to enter executive session.
- F. E-mail communications among a quorum of Selectboard members may be used only for the following purposes:
  - 1. Scheduling and routine administrative matters; and
  - 2. Distributing documents that will be discussed at an upcoming meeting, or otherwise made public.

E-mail communications among a quorum of Selectboard members may not be used for any of the following purposes:

- 1. Discussing or deliberating on town business; and
- 2. Making decisions on town business.

E-mails between Selectboard members and Town personnel are public records per 1 V.S.A. § 317. Individual Selectboard members (not a quorum) may communicate directly with each other on Town business, but they must recognize that all written communications concerning town business are subject to public records law and may be subject to disclosure upon request.

As a matter of practice, paper copies of e-mails exchanged by a quorum of the Selectboard will be shared as soon as possible with any Selectboard member who does not have access to e-mail.

- G. There shall be an agenda for each meeting, with time allotted for each item or group of items to be considered. Those who wish to be added to the agenda shall contact the Town Administrator to arrange for a convenient time. The Chair shall determine the content of the agenda after consultation with Town Administrator.

- H. Agendas shall be limited to three hours, unless by majority vote, an additional 30 minutes is allowed. Exceptions may be allowed, such as for executive sessions or other time-sensitive matters that cannot be delayed.
- I. All business shall be conducted in the same order as it appears on the agenda, except that by majority vote, the Chair may alter the order of items to be considered and/or the time allotted.
- J. At the beginning of each Selectboard meeting, there shall be five minutes afforded for open public comment. By majority vote, the Selectboard may increase the time for open public comment and may adjust the agenda items and times accordingly.
- K. Public comment on issues discussed by the Selectboard, if not offered during the open public comment period, may be offered at other times during the meeting relevant to the agenda item, but only when recognized by the Chair.
- L. The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. §312(h).
- M. The Chair shall have the authority to call the question and cease discussion or debate on a matter.
- N. The following rules shall apply to motions and voting on actions:
  - 1. Motions shall be made in the affirmative;
  - 2. The Chair has the same voting rights as other members and can make motions;
  - 3. A second shall be required for a motion to have the floor;
  - 4. All members present are expected to vote unless they have recused themselves or choose to abstain;
  - 5. A member who recuses him or herself shall not sit with the Board during discussion of the matter and shall be considered "absent."
  - 6. Abstentions shall not count towards either the majority or the minority; and
  - 7. For a motion to pass, it must receive the concurrence of a majority of those present.
- O. Unless one or members of the Board objects, the Chair may determine that agreement on simple matters has been reached by consensus, which shall be reflected in the meeting minutes.
- P. There is no limit to the number of times a Selectboard member can speak to a question. A member may speak or make a motion without being recognized by the Chair.

#### **Section IV: Amendments and Adoption.**

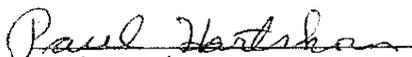
- A. These Rules may be amended at any regular or special meeting by a majority vote, and must be readopted annually at the organizational meeting.

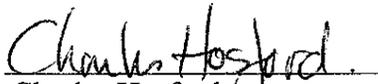
**ADOPTED:** This 22nd day of June, 2009,

**Waitsfield Selectboard:**



Kate Williams, Chair

  
Paul Hartshorn

  
Charles Hosford

  
William Parker

  
Sal Spinoza