

**TOWN OF EAST MONTPELIER
2019 Selectboard Rules of Transaction**

1. GENERAL

An organizational meeting shall be held each year after the annual town meeting. At this meeting, the board shall adopt rules for the transaction of business.

2. RULES OF ORDER

The Selectboard shall be governed by Robert's Rules of Order (2011 edition) unless otherwise specified by statute, ordinance, or resolution. The Selectboard Chair or his/her designee shall serve as parliamentarian and shall advise the Selectboard as to correct rules of procedure or questions of specific rule application.

3. ELECTION OF OFFICERS

3.1. Procedures for electing officers are as follows. Within 14 days after the annual town meeting, the Selectboard shall meet to elect a Chairperson and Vice-Chairperson. In addition to the powers conferred upon him/her as Chairperson, he/she shall continue to have all the rights, privileges and immunities of a member of the Selectboard. If a vacancy occurs in the Office of Chairperson, the members of the Selectboard at their next regular meeting shall elect a Chairperson from among their number for the unexpired term.

3.2. A Vice-Chairperson shall also be elected in a like manner.

4. CHAIRPERSON

The Chairperson shall preside at all meetings of the Selectboard. The Chairperson has no regular administrative or executive duties. In case of the Chairperson's absence or temporary disability, the Vice-Chairperson shall act as Chairperson during the continuance of the absence. In case of the absence or temporary disability of the Chairperson and the Vice-Chairperson, a Temporary Vice-Chairperson selected by members of the Board shall act as Chairperson during the continuance of the absences or disabilities. The Chairperson or Vice-Chairperson is referred to as "Chairperson" from time to time in these Rules of Procedure.

5. SELECTBOARD MEETINGS – PUBLIC ACCESS

5.1. Definition - A meeting is generally defined as any gathering of a majority of Selectboard members where Selectboard business is discussed. Social gatherings become meetings if Selectboard business is discussed by a majority of the Selectboard members.

5.2. Meeting Location - All meetings of the Selectboard shall be held at the East Montpelier Municipal Building unless otherwise specified. In all cases, meeting places must be designed to include members of the public.

5.3. Meeting Schedule - In general the Selectboard will meet the first and third Mondays of the month with a starting time of 6:30 pm. Regular meetings and starting times may be subject to change as determined by the Selectboard. In addition, special meetings may be called, also as determined by the Selectboard. (1 V.S.A. §312 (c)(1))

5.4. Open to Public - All meetings of the Selectboard and of committees thereof shall be open to the public, except as provided for in State law for closed executive sessions. Meeting agendas shall be posted in accordance with state law.

5.5. Accessibility - The Town of East Montpelier will comply with the Americans with Disabilities Act and make every reasonable effort to accommodate all individuals interested in participating in municipal activities.

5.6. Access to Public Records. Public records include any communication, regardless of form, relating to the conduct of Town business (1 V.S.A. §316). Records should be made available for public inspection and copying during normal office hours.

5.7. Electronic Mail – Communications between Board members using electronic mail (email) could be subject to discovery as part of a lawsuit. A discussion of issues using email as a forum can be considered as an unscheduled and unwarned meeting of the Selectboard. Email communication between board members should be limited to routine matters such as the scheduling of meetings.

5.8. Public Comment Period - There shall be reserved a period during each regular and special meeting of the Selectboard for public comment on any issue. This time and comment may be limited subject to reasonable rules of the Chairperson.

5.9. Other Public Comments - Persons other than Selectboard members and staff shall be permitted to address the Selectboard during public meetings beyond the time specifically reserved for comment upon recognition by the Chairperson. (1 V.S.A. §312 (h))

5.10. Limits on Public Comment - Chairperson may limit the duration and frequency of participation by members of the audience.

5.11. Minutes – Minutes must contain a list of board members present; list of all active participants; all motions, proposals, and resolutions made, and what action taken or disposition was made; and the results of any votes, with a record of individual votes. A transcript of the minutes or a summary of discussion will not be kept for a meeting unless specifically requested at least 24 hours in advance of the meeting. (1 V.S.A. §312 (b)(1))

6. QUORUMS AND VOTING

6.1. There are five (5) members of the Selectboard. At all meetings of the Selectboard, three members, who are present and eligible to vote, shall constitute a quorum for the transaction of business. A majority of the Selectboard (no fewer than 3 members) must concur to take binding action. (1 V.S.A. §172)

6.2. In order to insure the highest level of public trust in the deliberations and decisions of the East Montpelier Selectboard, each member must follow the rules provided for in the Town Conflict of Interest Ordinance.

6.3. A Selectboard member need not withdraw if his or her private interest is common to numerous persons in the community. In the event that a disqualified Selectboard member is the Chairperson of the Selectboard, the Vice-Chairperson shall preside over deliberations and actions in question. If the Vice-Chairperson is also disqualified, a majority of the remaining Selectboard members shall designate a temporary Chairperson to preside during meetings and actions on the matter in question.

6.4. Any person who perceives a conflict of interest should so indicate to the Selectboard in writing or on the record at a public meeting.

6.5. Any Selectboard member shall have the right to express dissent from or protest against any motion or resolution of the Selectboard at the time it is made and have the reason therefore entered in the minutes.

7. VOTING

7.1. The votes during all meetings of the Selectboard shall be transacted as follows: Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Selectboard member, the Chairperson shall take a roll call vote. The Chairperson shall determine the roll call vote order.

7.2. Selectboard votes must be taken in warned, open meetings.

7.3. Motions shall be made in the affirmative whenever possible.

8. COMMITTEES

8.1. Appointed Non-Administrative Officials – For vacancies in appointed positions identified in the Town Annual Report, the Selectboard shall fill such vacancy by appointment. The vacancy shall be publicly announced at the Selectboard’s meeting immediately following the initial occurrence of the vacancy. The candidates shall submit a letter of interest to the Town Administrator’s Office.

8.2. Interviews - The Selectboard may conduct interviews of the candidates. The Selectboard shall determine the format for the interviews with questions agreed upon by the Selectboard. The interviews shall be open to the public and the time and date of the interviews shall be publicly announced. Upon conclusion of the interview(s), the Selectboard shall vote in public.

8.3. Special Selectboard Study Committees - The Board or Chairperson may create Special ad hoc Selectboard study committees for a particular purpose, or when the issue is so complex and time consuming that it cannot be reasonably handled at a Selectboard meeting. Selectboard study committees shall consist of several Selectboard members or members of the public appointed by the Chairperson. Special committees shall sunset at the end of their mission, but no later than the end of each calendar year unless specifically continued by the Selectboard thereafter for a specified time period. Meetings of special study committees shall be duly warned to allow for public attendance.

8.4. Sub-Committees - All sub-committees advisory to the Selectboard shall report to the Selectboard.

9. RESOLUTIONS AND MOTIONS

9.1. Resolutions - An enacted resolution is a non-binding statement.

9.2. Motions - An enacted motion is a form of action taken by the Selectboard to direct that a specific action be taken.

9.3. Policies – An enacted policy is a binding statement on an issue and may include specific procedures to be followed by staff or members of Boards and Committees.

10. SPECIAL SELECTBOARD MEETINGS

10.1. The Chairperson or any three members of the Selectboard may call a special meeting.

10.2. Notice of the special meeting shall be prepared in writing by the Town Administrator’s Office. The notice shall contain the following information about the meeting: time, place, and business to be transacted.

10.3. The only action that may be taken at a special meeting is that which is announced in the notice or agenda for the meeting.

11. TOWN ADMINISTRATOR

11.1. The Town Administrator shall attend all meetings of the Selectboard, unless excused by the Chairperson.

11.2. The Town Administrator's Office, under the direction of the Selectboard Chairperson, shall arrange a list of such matters according to the order of business and prepare an agenda for the Selectboard. A copy of the agenda shall be prepared for Selectboard members and be posted on the town website (<https://eastmontpeliervt.org>) and in three (3) public locations at least 48 hours before a regular Selectboard meeting and 24 hours before any special, non-emergency Selectboard meeting. The Selectboard shall have the option of deleting any item from the agenda or deferring an item on the agenda to a subsequent Selectboard meeting.

12. PUBLIC NOTICES

12.1. Public hearings shall be duly warned in the Times Argus. (17 V.S.A. §2641 (b))

12.2. Agendas for Selectboard meetings and warnings for public hearings shall be posted both inside and outside the Municipal Office Building (40 Kelton Road), at the East Montpelier Post Office (2893 US Rte. 2), at the East Montpelier Four Corners Schoolhouse (945 Vincent Flats Road), and at the East Montpelier Elementary School (665 Vincent Flats Road). (1 V.S.A. §312(d))

12.3. Agendas for Selectboard meetings, warnings for public hearings, and the minutes of any such meetings and hearings shall be posted on the town website (<https://eastmontpeliervt.org>). (1 V.S.A. §312(b)(2))

13. EXAMINING AND ALLOWING CLAIMS

13.1. The Selectboard is charged with the responsibility of examining and allowing claims against the town for town expenses and may draw orders for such claims to the party entitled to payment. (24 V.S.A. §1623)

13.2. Since requiring a majority of the Board to act in concurrence on the Claims, may result in delays in paying vendors, the state statutes provide for an alternative by enabling the Board to authorize one or more members of the Board to discharge this responsibility. (24 V.S.A. §1623)

13.3. At the Board's organization meeting each year, the Selectboard shall designate one Board member and one alternate who will be charged with the responsibility of examining and allowing payroll and other specifically identified claims against the town for town expenses and may sign the order to pay such claims (warrant) for all claims properly budgeted and approved by the Town at Town Meeting, unless otherwise provided for by law and shall serve as full authority to the treasurer to make the payments. Once signed, a record of orders drawn will be presented to the Selectboard. All other claims against the town for town expenses shall be authorized for payment by the Selectboard at regular Board meetings.

Adopted: March 18, 2019