

TOWN OF BRISTOL

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 Selectboard (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 or to the Town Administrator. The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. §312(h).
- 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.

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.
- B. Regular meetings shall be held ~~in the Bristol Town Office~~ on the second and fourth Mondays of the month. The start time of the meeting will be 7:00pm ~~between March and November and 6:00pm between November and March to coincide with Daylight Saving Time unless otherwise agreed by majority vote and duly noticed~~. Special meetings may be convened and/or the start times may be adjusted as warranted with public notice.
- C. 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.

- D. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the Board.
- E. A quorum shall consist of a majority of the entire Board. If a quorum of the members of the Selectboard is not present, no meeting shall take place.
- F. Meetings may be held in person at a specific location, remotely by electronic means, such as Zoom, Teams, or Google Meet, or a combination of both. Members may participate by telephone or other media means 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.
- G. Whenever one or more members attend electronically, voting that is not unanimous must be done by roll call. ~~If a quorum or more of the Board attend a meeting (regular, special, or emergency) without being physically present at a designated meeting location, the agenda for the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the Board, or at least one staff or designee of the Board, shall be physically present at each designated meeting location.~~
- H. 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.
- I. There shall be an agenda for each meeting, with an allocation 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.
- J. The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. §312(h).
- K. The Chair shall have the authority to call the question and cease discussion or debate on a matter.
- L. 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 the members of full board.
- M. Unless one or more 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.
- N. 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.
- O. 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.
 3. Clarifying information or inquiries of matters previously discussed or planned to be discussed in open session.
 - 2.4. Addressing a time-sensitive matter subject to ratification in open session at the next available meeting.

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 subject to the open meeting law; 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.

Section ~~III~~IV: Public Participation.

- A. At the beginning of each Selectboard meeting, there shall be five minutes afforded for open public comment on matters not already provided on the agenda. By majority vote or consensus, the Selectboard may increase the time for open public comment and may adjust the agenda items and times accordingly.
- B. Members of the public must be afforded reasonable opportunity to give their 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)).
- C. Members of the public must be acknowledged by the Chair before speaking.

- D. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.
- E. Order and decorum shall be observed by all persons present at the meeting. Neither members of the Board, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Personal, impertinent, threatening, or profane remarks from members of the public or members of the Board will not be tolerated.
- F. Members of the Board and members of the public shall obey the orders of the Chair or other presiding member. The following actions may be followed by the Chair to restore order and decorum of a meeting when he or she determines, in his or her sole discretion, that deviation from the agenda is warranted:
1. Call the meeting to order and remind the members of the applicable rules of procedure;
 2. Declare a recess or table the issue;
 3. Adjourn the meeting until a time and date certain; and/or
 4. Enlist law enforcement to remove disorderly person(s) from the meeting.

Section IV: Amendments and Adoption.

~~A.~~ These Rules should be reviewed annually at the Selectboard's organizational meeting may be amended at any regular or special meeting by a majority vote ~~and must be readopted annually at the organizational meeting.~~

ADOPTED: This _____ day of _____, 20201.

Bristol Selectboard:

Ian Albinson

Joel Bouvier

John "Pecker" Heffernan

Michelle Perlee

Darla Senecal