

# **TOWN OF BOLTON**

## **SELECT BOARD RULES OF PROCEDURE**

### **A. PURPOSE**

These rules are adopted to ensure consistent and fair treatment of individuals and organizations with matters before the Bolton Select Board (the Board), orderly and efficient public proceedings, and compliance with state and federal law, including the Vermont Open Meeting Law (1 V.S.A. §§ 310-314). All meetings of the Board shall be open to the public, except as provided in 1 V.S.A. § 313.

### **B. APPLICATION**

1. This policy setting forth rules of procedure for Board proceedings shall apply to all regular, special, and emergency meetings of the Board.
2. These rules may be amended by majority vote of the Board and shall be readopted annually at the organizational meeting.

### **C. ORGANIZATION**

1. 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. The Board shall also elect or appoint a Clerk, which may be someone other than a member of the Board.
2. The Board Chair shall preside at all meetings of the Board, decide points of order or procedure, and appoint members to any committee of the Board. The Vice Chair shall assume the duties of the Chair in the absence or at the request of the Chair. If both the Chair and the Vice Chair are absent, a member selected by the Board shall act as chair for that proceeding.
3. The Board Clerk shall be responsible for posting board meeting agendas, and for taking and posting board meeting minutes, in accordance with the Vermont Open Meeting Law. In the absence of the Clerk, a member selected by the Board shall act as clerk for that proceeding.
4. No single member of the Board shall have authority to represent or act on behalf of the Board unless, by majority vote, the Board has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.

### **D. PROCEDURES**

1. The Board shall consist of five members, regardless of any vacancy. A majority of the members of the Board shall constitute a quorum for the purpose of meeting and conducting business. If a quorum of the members is not present, no meeting shall occur.
2. No business of the Board shall be conducted outside of a regular, special or emergency meeting of the Board, in accordance with the Vermont Open Meeting Law.
3. Email communications among a quorum of Board members may be used only for scheduling, and other routine administrative matters, and to distribute documents that will be discussed at an upcoming meeting,

or otherwise be made public. Email communications among a quorum of Board members may not be used to discuss, deliberate or make decisions on town business. All email between Board members and town personnel are public records per 1 V.S.A. § 317. Individual Board members (not a quorum) may communicate directly with each other on town business but must recognize that all written communication concerning town business is subject to public records law and disclosure upon request. As a matter of practice, paper copies of emails exchanged by a quorum of the Board will be shared as soon as possible with any Board member who does not have access to email.

4. Regular meetings of the Board shall take place on the first and third Monday of the month at 6 pm virtually, or when COVID-19 guidelines permit, at the Bolton Town Office.
5. Special meetings of the Board shall be publicly announced at least 24 hours in advance by giving notice to all members of the Board unless previously waived; to an editor, publisher or news director, or radio station service the area.
6. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition that requires immediate board attention. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice is given as soon as possible before the meeting.
7. Each Board meeting shall follow a noticed agenda that includes the items of business to be considered by the Board. Those who wish to be added to the meeting agenda shall contact the Board Clerk. The Chair shall determine the final content of the agenda as publicly noticed.
8. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted at the Bolton Town Office, on the town website, and in the following designated places: the Town Office, Fire Station, Smilie School. The meeting agenda will also be made available to any person who requests it prior to the meeting.
9. A board member may attend a regular, special or emergency meeting by electronic or other means without being physically present, so long as the member identifies him or herself when the meeting is convened and is able to hear and be heard throughout the meeting. 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 electronically, 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, a town staff member, or Board designee shall be physically present at the designated meeting location.  
  
\*This requirement has been temporarily waived by the SOV due to COVID-19.
10. All business shall be conducted in the same order as it appears on the agenda unless, by majority vote of the Board, the order of items to be considered is modified.
11. Motions made by board members require a second. The Chair may make motions and may vote on any question before the Board. A motion will pass only if it receives the votes of a majority of the total membership of the Board, regardless of any vacancy.
12. There is no limit to the number of times a Board member may speak to a question. A member may speak or make a motion without being recognized by the Chair. Motions to close or limit debate will be entertained.

13. Any Board member may request a roll call vote. Pursuant to 1 V.S.A. § 312(a)(2), when one or more members attends a meeting electronically, a roll call vote is required for a vote that is not unanimous.
14. A meeting of the Board may be recessed to a time and place certain, as stated at the meeting and referenced in the meeting minutes.

#### **F. PUBLIC PARTICIPATION**

1. 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.
2. These rules shall be made available at all meetings of the Board. Procedures for public comment shall be reviewed at the beginning of each meeting.
3. Time shall be included on the agenda at the beginning of each meeting for public comment and questions. The Board may extend this comment period by majority vote and adjust agenda items and times accordingly. Public comment on issues discussed by the Board, if not offered during the public comment period, may be offered during the meeting under the relevant agenda item, with the permission of the Chair.
4. Comment by the public or members of the body must be addressed to the Chair or to the body as a whole, and not to any individual member of the Board. Members of the public must be recognized by the Chair before speaking. 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. Individual comments may be limited by the Chair to no more than three minutes, unless by majority vote, the Board increases the allotted time to speak.
5. 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. Members of the body and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.
7. Members of the Board and members of the public shall respect and defer to the Chair or other presiding member. The Chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:
  - a. Call the meeting to order and remind the members of the applicable rules of procedure.
  - b. Declare a recess or table the issue.
  - c. Adjourn the meeting until a time and date certain.
  - d. Order the constable to remove disorderly person(s) from the meeting.

**ADOPTED by the Bolton Select Board this 15<sup>th</sup> day of March 2021.**