

# Town of Pomfret

5218 Pomfret Road  
North Pomfret, VT 05053

## POMFRET SELECTBOARD RULES OF PROCEDURE

### A. PURPOSE

The Selectboard of Pomfret is required to conduct its meetings in accordance with Vermont Open Meeting Law, 1 V.S.A. §§ 310-314. Meetings of the Selectboard must be open to the public at all times, except when meeting in executive session under 1 V.S.A. § 313.

### B. APPLICATION

This policy applies to the Selectboard of Pomfret, referred to below as “the Board.” These rules apply to all regular, special, and emergency meetings. These rules must be readopted annually.

### C. ORGANIZATION

1. The Board consists of five members. At the first meeting after Town Meeting, the Board must hold an organizational meeting and elect, by majority vote, a Chair and Vice Chair. The Board may hold other organizational meetings at other times throughout the year, as needed.
2. A majority of the members of the Board constitute a quorum. If a quorum of the members of the Board is not available to meet, then no meeting may take place.
3. The Chair presides at all meetings, hearings, and other proceedings, and decides all points of order or procedure. 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.
4. The Chair will preserve order in the meeting and will regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
5. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request.
6. No single Board member has authority to represent the Board or the Town or to take binding action on behalf of the Selectboard unless, by majority vote, the Selectboard delegated such authority on a specific matter at a duly noticed meeting and it is recorded in the minutes. Decisions made not in compliance with the joint authority statute, 1 V.S.A. § 172, represent inaction. When such a situation arises, the Board will reverse the decision and, if necessary, take up a new vote.
7. 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.

#### D. MEETING COORDINATION

1. Regular meetings will take place on the first and third Wednesday of the month starting at 7 p.m, (DST) and at 6PM During Standard Time (winter months) starting at 6pm at the Pomfret Town Offices located at 5218 Pomfret Rd.
2. 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. The Board may hold emergency meetings only when necessary to respond to circumstances that require immediate attention.
3. A member of the Board may attend a regular, special, or emergency meeting by electronic or other means without being physically present at the meeting location, 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 must be done by roll call. If a quorum or more of the Board attend a meeting without being physically present at a designated meeting location, the following requirements will be met:
  - a. At least 24 hours prior to the meeting, or as soon as practicable prior to an emergency meeting, the Board will publicly announce the meeting and post notice of the meeting in or near the municipal clerk's office and posted near the North and South Pomfret Post Offices.
  - b. The public announcement and posted notice of the meeting will 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, will be physically present at each designated meeting location.

#### E. MEETING AGENDAS

1. Each regular or special meeting of the Board will have an agenda, with time allotted for each item of business to be considered by the Board.
2. Members of the Board who wish to have items added to the meeting agenda will contact the Selectboard Assistant to request inclusion on the agenda. Members of the public wishing to request an item be placed on the agenda will contact a member of the Board with their request.
3. The Selectboard Chair will lead the development of the regular agenda. The Selectboard Assistant, or in his or her absence, the Selectboard Clerk or other designee, will prepare the final regular agenda for distribution.
4. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, notice of the meeting, to include a meeting agenda, will be posted on the home page of the Town's website, on the Pomfret Listserv, in the Town Offices, and posted near the North and South Pomfret Post Offices. The agenda must also be made available to any person who requests such agenda prior to the meeting.
5. The agenda packet, including document attachments, will be posted as a separate document on the Town website. Except for payroll, warrant orders drawn on Town accounts will be included in the agenda packet.
6. All business will be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made after the first public

comment period at the meeting. No additions to or deletions from the agenda will be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by unanimous vote of the Board. majority

7. Draft minutes will be prepared by the Selectboard Assistant, or in his or her absence, the Selectboard Clerk or other designee and he/she will clearly label them as “draft” minutes and will post the draft minutes on the Town website within five (5) calendar days of the meeting.

8. After the draft minutes have been approved by the Selectboard, the Selectboard Assistant, or in his or her absence, the Selectboard Clerk or other designee, will prepare the approved minutes by making any additions and/or corrections to the draft minutes and clearly label them as “approved” and will post them on the Town website.

9. Selectboard meetings will be audio recorded, except in cases where technical problems prevent doing so. The audio recording for a given meeting will be posted on the Town website not later than five (5) calendar days after the meeting.

#### F. MEETING PROCEDURES

1. Motions made by members of the Board require a second. The Chair of the Board may make motions and may vote on all questions before the Board. A motion will pass only if it receives the votes of a majority of the Board’s five members.

2. When discussing agenda items for a possible vote, the Board member leading the discussion will attempt to frame a question(s) for the Board to answer.

3. There is no limit to the number of times a member of the Board 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 not be entertained.

4. The Chair has the authority to call the question and cease discussion or debate on a matter.

5. Any member of the Board may request a roll call vote.

6. All Board members present are expected to vote unless they have recused themselves or choose to abstain.

7. A member who recuses him or herself shall not sit with the Board during discussion of the matter and shall be considered “absent.”

8. Unless one or more members of the Board objects, the Chair may determine that agreement on simple matters (e.g., matters that do not implicate spending, policy decisions, or statutory obligations) has been reached by consensus. Matters reached by consensus will be reflected in the meeting minutes.

9. Meetings may be recessed to a time and place certain. These rules will be made available at all meetings, and procedures for public comment will be reviewed at the beginning of all meetings.

## G. PUBLIC PARTICIPATION

1. All meetings of the Board are meetings in the public, not of the public. Board meetings are limited public forums.
2. Members of the public will be afforded reasonable opportunity to express opinions about matters considered by the Board, so long as order is maintained in accordance with these rules.
3. At the beginning of each Selectboard meeting there will be up to 10 minutes allotted for public comment on issues not contained in the agenda. Each speaker will be limited to two (2) minutes per comment.
4. By majority vote, the Board may increase the time allotted for public comment.
5. Speakers must identify themselves with name and address the first time they speak during a meeting.
6. Comments by the public must be addressed to the Chair or to the Board as a whole, and not to any individual member of the Board or public.
7. At the end of Board discussion of each agenda item, but before Board action is taken, the Chair may allow up to two (2) minutes per person for public comment germane to the motion.
8. Before making comment, a member of the public wishing to speak on the motion must first be recognized by the Chair before speaking.
9. If a member of the public has already spoken on the motion, he or she will not be recognized again until others have first been given the opportunity to comment.
10. Order and decorum will be observed. Neither members of the Board, nor the members of the public, will delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking.
11. Members of the Board and members of the public are prohibited from making personally attacking, impertinent, threatening, or profane remarks; it is the topic of discussion not the individual that is the subject of debate.
12. Public comment will not be used to make allegations of misconduct, conflicts of interest, open meeting violations, or public records violations. If a member of the public has such a concern, the complainant must submit a written complaint to the Chair requesting that the issue be addressed at a future meeting. Open Meeting complaints must follow the statutory timeline of seven days for the Board to respond.
13. If a conflict of interest is raised during a Board meeting, the Board will cease discussion of the topic at hand and will make an on-the-spot determination of whether, according to the Town's Conflict of Interest Policy, a conflict of interest exists and whether the conflict is acceptable or must be mitigated.
14. Members of the Board and members of the public will obey the orders of 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:

_____	_____
Frank Perron, Jr.	Date
_____	_____
Emily Grube	Date
_____	_____
John Peters, Jr.	Date
_____	_____
	Date
_____	_____
Scott Woodward	Date

DRAFT