

# PITKIN BOARD OF TRUSTEES

## RULES OF PROCEDURE

### **RULE I PURPOSE**

These Rules of Procedure are to govern the actions of Town of Pitkin Board of Trustees in the conduct of its business and serve as a reference in resolving procedural issues. Upon taking office, all Trustees shall review and become familiar with the Rules of Procedure.

### **RULE II CONDUCT OF BOARD OF TRUSTEES MEETINGS**

All Town of Pitkin meetings will be noticed and conducted in a manner that is sufficient to satisfy all applicable Colorado Revised Statutes relating to municipal town governance; most notably, the Colorado Sunshine Law and the Colorado Code of Ethics.

All Town of Pitkin meetings are open to the public. A quorum of Board of Trustee members must be present to conduct business, and no business may be conducted at a Town of Pitkin meeting without being duly noticed on the agenda at least twenty-four (24) hours prior to the scheduled meeting. Meeting packets are available for the public on the Town of Pitkin website. Agendas are provided and Minutes are kept for all Town of Pitkin meetings.

#### **1. Meeting Types & Scheduling:**

- a. **Regular meetings** of the Pitkin Board of Trustees are for the conducting of Town business, and are held in a public place on the second Monday or Tuesday of each month at 7:00 pm. These meetings also provide an opportunity for general public input as well as scheduled public hearings (*discussed later on*). Proclamations, public recognitions and awards are appropriate to regular business meetings as are committee and staff reports.
- b. **Work sessions** are scheduled by the Board of Trustees on an as-needed basis. Work sessions are less formal than regular business meetings and are for items that require initial or further study, exploration and discussion. Public input during work sessions is anticipated and appreciated. No official action or vote shall be taken at work sessions.
- c. **Special meetings** are any business meetings or work sessions that are scheduled outside of the regular monthly meeting due to unforeseen or time sensitive circumstances. The Town Clerk may call a special meeting at the request of the Mayor *or any two (2) members of the Board of Trustees*, once all trustees have been notified of the date and time and a quorum can be met.
- d. **Emergency meetings** are meetings that are called in the event of an emergency that requires the immediate action of the Board of Trustees in order to protect the public health, safety and welfare of the residents of the Town. Notice of such emergency meeting must meet statutory requirements. If the passing of an emergency ordinance is necessary, the process must follow statutory provisions for adopting emergency ordinances.

#### **2. Meeting Notice and Agenda Posting:**

- a. The Board of Trustees meeting agendas shall be posted to the Town of Pitkin website and in accordance with Resolution \_\_\_\_\_ (our posting res) at least twenty-four (24) hours preceding the Board of Trustees business meeting or special meeting.

- b. Packets, containing the agenda and applicable documents will be posted to the website at least 24 hours in advance and usually on the Friday prior to the Monday regular meeting. Trustees will be notified of the packet's posting via email. Each Trustee is responsible for thoroughly reviewing all material within the packet prior to the applicable meeting.
- c. If a Trustee has a question or issue for the Town staff, the Trustee should attempt to contact the appropriate staff member or attorney within a reasonable time prior to the meeting, when possible, so he/she may prepare a response or be prepared to respond.

### **3. Agenda and Packet Items:**

- a. The agenda contains items of business for the administration of the Town, action items ready for a vote and items for discussion & update. Agenda content is either brought forward from a previous meetings, requested by the board during a previous meeting, as requested by the attorney or deemed necessary by the Mayor. As a general rule, policy items should be discussed in a Town meeting or work session before appearing on the agenda as an action item.
- b. The Mayor may set the order of the agenda. As standard procedure, agenda items should not be added or deleted once the agenda is made available to the public, but such may occur with the consent of the Mayor and in accordance with posting requirements.
- c. Any request and subsequent preparation for an agenda item that requires significant attorney or staff time must be previously approved by a majority vote of the Trustees present at the setting of an agenda.
- d. The Mayor may delegate to the Town Clerk the preparation of agenda. The agenda may be modified by the Mayor or Town Clerk within twenty-four (24) hours of a meeting or work session, subject to compliance with legal notice requirements and notice to Trustees (such as personal, written, telephonic and electronic communications).
- e. Trustees and members of the public may petition the Mayor outside of a public meeting for an item to be placed on the agenda. Acceptance of such petition is at the discretion of the Mayor.
- f. Agenda items and any supporting documentation shall be submitted to the Town Clerk no later than five (5) days prior to a business meeting or work session. I.e. the Thursday evening before a Monday meeting.

\*Suzy audio suggestions 3/11/19 -25:15

- i. Consent agenda @ beginning; modify, remove or re-order items; majority vote
- ii. Item on agenda to discuss potential agenda items and identify discussion points (currently "setting work session and future agenda items")
- iii. What does and doesn't go on agenda? Agenda item sponsor and time limit idea.

### **4. Trustee Attendance at Other Entity Meetings and Social Gatherings**

- a. The Town may be represented by its elected officials at meetings of other entities, including, without limitation, intergovernmental organizations, neighborhood organizations, business and service organizations, and other organizations or groups with whom the Town has a relationship.
- b. Trustees may have chance encounters with two or more other Trustees, or may attend social gatherings or meetings of other groups without the public notice required by the Open Meetings Law, C.R.S. § 24-6-401, et seq., however no Town business may be discussed. Public notice must occur when three or more Trustees attend and the meeting is convened to discuss public business.

## **5. Mayor's Duties during Town Meetings**

The Mayor shall, at the designated date and time, call the Board of Trustee meetings to order and upon ascertainment of a quorum, proceed with business. As the chair, the Mayor is responsible for conducting the meeting in an orderly and democratic fashion.

- a. Chairing of Meetings:
  - i. Shall decide all questions of order, subject to a member's right to appeal to the Board of Trustees as a whole;
  - ii. Shall inform those participating of the meeting rules and procedures as appropriate;
  - iii. Shall speak to points of order in preference to other Trustees;
  - iv. May respond to questions from the podium;
  - v. May call a recess at any time during a meeting to determine a rule of order or at the request of a majority of the Board of Trustees or for the convenience of Trustees or staff;
  - vi. Shall ensure that all discussions are related to the topic at issue;
  - vii. Shall announce the result promptly upon completion of every vote;
  - viii. Shall sign all ordinances and resolutions passed by the Board of Trustees.
- b. Cancellation of Meetings:
  - i. The Mayor may cancel or reschedule any regular meeting with at least 48 hours notice to Trustees, except that at least one (1) regular meeting shall be held per month.
- c. Removal for Disorderly Conduct:
  - i. In the event any person(s) interrupts the business of the Town Board of Trustees or causes a disorder, the Mayor may require such person to cease such behavior and/or leave the Board of Trustees meeting room. Should such person fail to comply, the Mayor may request assistance of others to have such person removed.

## **6. Duties of the Mayor Pro-tem:**

In the absence or inability of the Mayor to serve, the Mayor Pro Tem shall preside and have all powers and duties of the Mayor.

## **7. Members' Duties**

In order for the Board of Trustees to conduct official business, either the Mayor or the Mayor Pro Tem must be present to chair the meeting. In the event that neither is present and a quorum is met, a majority vote must be taken among members present to determine the chair.

- a. It shall be the responsibility of each Board member to attend all scheduled Town meetings and promptly return from any recess or break.
- b. It shall be the responsibility of each Board member to contact the Town Clerk or Mayor as soon as it is known that such member will not be in attendance at a meeting of the Board of Trustees.

## **RULE III ORDER OF BUSINESS**

### **1. Business Meetings**

After the Mayor's Call To Order, the Board of Trustees will generally consider business in the following order:

- a. Roll Call: Following Roll Call, the Mayor will announce whether a quorum is present.
- b. Public Comment
- c. Action Items (Approval of ordinances, resolutions, Town projects, Town policies, Contracts, etc)

- d. Discussion Items: (Discussion of future Action Item topics, without formal action taken)
- e. Attorney Report
- f. Treasurer Report
- g. Mayor and Commissioner Reports
- h. Information Items (Community Reports, Proclamations, Recognitions and Awards)
- i. Discussion Items (Discussion of future Action Item topics and scheduling future work sessions, without formal action taken)
- j. Adjournment

At 9:00 p.m., if the regular meeting of the Board of Trustees has not yet adjourned, the Board of Trustees shall agree to one of the following

- k. Limit the discussion of remaining items to a brief review of the matter and collaboratively pursue adjournment as quickly as possible.
- l. Majority vote in favor of a thirty-minute extension of the proceedings, but more than two (2) thirty-minute extensions are not permitted.
- m. All agenda items not previously considered shall be continued to an hour and day set by the Board of Trustees; or
- n. Limit the discussion of remaining items to a brief review of the matter and adjourn as quickly as possible.

## 2. **Work Sessions**

After the call to order, Board of Trustees will generally consider business in the following order:

- a. Roll Call
- b. Work Session Agenda items
- c. Staff & Public Input, and General Comments of Board of Trustees
- d. Adjournment

## 3. **Executive Sessions**

Executive sessions are held in accordance with state statute and permit an affirmative vote of two-thirds of a quorum present to call an executive session at either a regular or special meeting. No formal action can occur during an executive session. The motion for executive session shall describe as specifically as possible the subject of the executive session so long as such description does not disclose any information that would potentially harm the public interest. Only the following matters may be discussed at an executive session:

- i. The purchase, acquisition, lease, transfer or sale of any real, personal or other property interest;
- ii. Conference with the Board's attorney for the purpose of receiving legal advice on specific legal questions;
- iii. Matters required to be kept confidential by federal or state law;
- iv. Details of security arrangements or investigations;
- v. Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiation and instructing negotiators;
- vi. Personnel matters, unless the employee requests an open meeting;
- vii. Consideration of documents protected by the Open Records Act; and

viii. Other matters allowed by state law.

**4. Modification of Order of Business**

Unless an objection is raised by a Trustee, the Mayor may proceed out of order or return to a matter previously considered. In case of objection, the agenda's order or reconsideration of a matter will not be changed unless approved by a majority of Board of Trustees present. A Trustee may move to consider an item out of order, with the approval of the Mayor.

**5. Quorum**

A quorum shall be a majority of the members of the Board of Trustees in office at the time for the transaction of business at all Board meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date, and in the absence of all members, the Town Clerk may adjourn any meeting.

**6. Public Participation**

Regular Board meetings and work sessions are open to the public. At regular Board meetings, provision is made for public comment so interested individuals or spokespersons for various organizations may present their views directly to the Board of Trustees. The time limits for procedures in this Section may be suspended for any agenda item by majority vote of the quorum present.

- a. Members of the public shall have the opportunity to comment on certain matters before the Board.
- b. Public comment to the Board of Trustees on other than agenda items is scheduled at the beginning of each formal Board meeting and shall be scheduled for a total period not to exceed thirty (30) minutes without approval of a majority of the Board members present.
- c. Each individual will have three (3) minutes to address the Board of Trustees. *All individuals or spokespersons desiring to address the Board of Trustees on any agenda item or other business must state name and general address before offering their comments.*
- d. All individuals shall observe proper decorum and avoid the use of abusive or profane language in the meeting room and when addressing the Board of Trustees. In the event that abusive or profane language is used or an individual otherwise disrupts the meeting, such individual may be removed from the meeting room.
- e. Persons other than members of the Board of Trustees and Town officers shall not be permitted to address the Board of Trustees except upon recognition by the chair.
- f. Unsigned communications shall not be introduced to the Board of Trustees.

**RULE IV RULES OF SPEAKING/DECORUM: TRUSTEES**

**1. Recognition**

- a. No Trustee shall speak until such member has addressed and/or been recognized by the Mayor.
- b. When recognized by the Chair, a member's comments shall be confined to the question under debate, avoiding personalities and refraining from impugning the motives of any other member's argument or vote. All discussion shall occur only upon recognition of the presiding officer.
- c. When a Trustee is speaking, no other Trustee shall interrupt or conduct a private conversation.

**2. Decorum**

- a. All Trustees shall be familiar with and at all times abide by the *Pitkin Board of Trustees' Code of Conduct*.

- b. No Trustee shall engage in conversation or commit any other act tending to distract the attention of Board of Trustees from the business before it.
- c. When speaking or debating, Trustees shall confine their remarks to the question under discussion or debate and shall not engage in discussion directed to personal matters or issues. Trustees shall respect the divergent opinions and comments of others and shall not engage in personal, verbal attacks or comments or behavior disrespectful of each other, staff, or other persons. All discussion shall occur only upon recognition of the presiding officer.

### **3. Right of Appeal**

Any member may appeal to the Board of Trustees from a ruling of the presiding officer. If the appeal is seconded, said member making the appeal may briefly state a reason for the same, and the presiding officer may briefly explain the basis for said officer's ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "Yes," the ruling of the Chair is sustained; otherwise it is overruled.

### **4. Limitation of Debate**

Members of the Board of Trustees should refrain from speaking more than once upon any one (1) subject until every other member choosing to speak shall have spoken, and no member shall speak more than twice upon any one (1) subject, nor for a longer time than ten (10) minutes, without consensus of the Board of Trustees.

### **5. Conflict of Interest**

In the event that the Mayor or a Board member has a conflict of interest that requires disclosure pursuant to state law, such person shall disclose such interest, in writing or during a meeting, as soon as the conflict of interest is known. If the Mayor or a Board member has a conflict of interest which such person has not disclosed, such a conflict may be addressed by any other Board member, and the Board of Trustees may determine by a majority of those present that a conflict of the Mayor or a Board member exists. If the Mayor or a Board member has a conflict of interest, whether self-disclosed or determined by the Board of Trustees, such person shall abstain from voting on the issue. In this instance, the Trustee shall not participate in the discussion of the issue. If the vote of a member is necessary to obtain a quorum or otherwise enable the Board of Trustees to act, the member may vote only after disclosure in the office of the Secretary of State as provided by state law.

### **6. Recesses**

In the Mayor's sole discretion, the Mayor may call a recess at any time during a formal Board meeting. During a recess no formal action can be taken. No individual shall be excluded from discussions that involve a sufficient number of Board members to constitute a quorum. Three or more Board members shall not convene privately and discuss substantive issues before them, including through electronic means.

## **RULE V VOTING**

### **1. Voting Generally**

- a. Every Trustee, including the Mayor, must vote unless; a) the matter concerns Trustee's own

- conduct; b) Trustee has a conflict of interest, which, by applicable law, requires Trustee to abstain from voting. The failure to vote when required to do so shall be considered an affirmative vote.
- b. Votes may be taken either by voice vote or by roll call vote. A voice vote is achieved by asking those in favor of an item to indicate such as a group and then by asking those in opposition to an item to likewise indicate as a group. A roll call vote is achieved by having each board member individually indicate his vote either in favor of or in opposition to the item. All votes are announced by the Mayor with the assistance of the Town Clerk, if necessary.
  - c. Roll call votes are recorded in the minutes and indicate the names of the Board members who voted in opposition. Any Board of Trustees member may call for a roll call vote at any time.
  - d. The order of a roll call vote shall rotate with each vote taken.
  - e. All ordinances, resolutions and order for the appropriation of funds require an affirmative vote of a majority of the Town Board through a roll call vote. All other actions may be approved by a majority of those present.
  - f. In case of a tie vote on any motion, the motion shall be considered defeated. In the event an applicant/proponent is present for the matter in question, the Mayor may, prior to calling for a vote, ask such individual whether, because an even number of Town Trustees are present, the applicant/proponent wishes to continue the matter until all members of Board of Trustees are present. The decision of the applicant/proponent shall be determinative. In the event the applicant/proponent is not present, Trustees present shall decide whether to proceed on the item despite the presence of an even number of Trustees.

## **2. Voting Requirements**

Matters coming before the Board of Trustees shall be subject to the following voting requirements:

- a. To pass any ordinance, resolution, or to appoint officers: Majority vote of quorum present.
- b. To pass an ordinance as emergent or to call a special election: Vote of three-fourths of all members of the Board.

## **3. Making Motions**

Any Board of Trustees action which requires a vote must be preceded by a motion. All motions presented require a second. The Mayor shall be entitled to participate in the discussion of motions, and may make or second a motion. Motions are generally introduced by voice. However, if the motion is long or involved, motions may be put into writing. Any Trustee may request that a motion be put into writing.

The following steps shall be taken for the presentation and disposition of motions:

- a. The presiding officer recognizes a Board member.
- b. The Board member proposes a motion.
- c. Another Board member seconds the motion. If there is no second, the motion dies.
- d. The presiding officer may cause the motion to be restated.
- e. The Board debates/discusses the motion and may solicit public input (an amendment to the motion may be made during the debate/discussion only by the Trustee who proposed the motion).
- f. At the conclusion of the debate/discussion, the presiding officer may cause the motion to be restated.
- g. Vote is taken and the presiding officer announces the result of the vote.

## **4. Types of Motions**

The following motions are the most commonly used:

- a. **Motion to adopt:**
- b. **Motion to amend:** A motion to amend may take the form of inserting, striking out or striking out and inserting words, sentences, or paragraphs. A motion to amend must be pertinent to the main motion. It is proper to make a motion to amend an amendment. Motions shall be discussed in the reverse order from which they were proposed. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be heard unless otherwise agreed by the member making the first amendment. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.
- c. **Motion to continue:** A motion to continue has the effect of moving an item to a future agenda. The motion shall include the date to which the item is being continued.
- d. **Motion to lay on the table:** This motion is used to set aside an item currently under discussion for a more pressing matter. It is not used to “kill” an item. Once the more pressing matter has been dealt with, a motion to take from the table is in order. This motion shall be made at the same Board meeting or at the next Regular Board meeting.
- e. **Motion to postpone to a definite time or indefinitely:** Approval of this motion effectively “kills” the item. If the motion fails, discussion on the motion and a vote can be had. All motions to postpone, except a motion to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely is carried, the principal questions shall be declared lost. Reconsideration of a Motion postponed indefinitely shall require the affirmative vote of a majority of the Board.
- f. **Motion to move the previous question:** This motion is used to cut off debate and to bring an immediate vote on the pending motion. This motion cannot be made while a Board member has the floor. The motion requires a second, cannot be debated, and requires a two-thirds vote to approve. A vote is first taken on the motion; if successful, debate is halted and a vote on the main motion is made. If the vote on the motion to move the previous question fails, debate on the main motion may continue.
- g. **Motion to reconsider:** Any action taken by the Board may be reconsidered. A motion to reconsider must be made at the same meeting at which the action occurred or at the next following regular meeting. The motion must be made by a Board member who voted on the prevailing side and he shall so state that in his motion. A vote is then taken on the motion to reconsider. The passage of a motion to reconsider suspends all action on the original motion. The original question is then placed before the Board in the exact form it was in when previously adopted. Once the vote is taken and the results determined, no further reconsideration can be granted without unanimous consent of the Board.

In the event a contract has been signed by the Mayor or other legal obligations made or entered into with Board of Trustees approval, a motion to reconsider may be made at any time before the final adoption.

In the event a quasi-judicial matter is to be reconsidered, the applicable notice requirements shall be followed and the reconsideration of the original question shall be postponed to a future business or special meeting. The notice shall inform the public when the original question is to be reconsidered. In the event the reason supporting the reconsideration motion is based upon new information or evidence, the Board of Trustees shall reopen the public hearing to take evidence on the narrow issue of the new information or evidence. In such circumstance, staff shall be

directed to make a good faith effort to notify, in writing, all persons who testified at the original public hearing of the date and time for the continued public hearing. In the absence of new or additional evidence or information, the Board of Trustees shall not reopen the public hearing for purposes of additional public testimony. The matter shall be scheduled for a future business or special meeting.

- h. **Motion to refer:** If a Board member believes more information is needed before a decision can be made, such member may move to refer the item to a board or commission for further study. The motion should identify the board or commission as well as instructions regarding actions to be taken by that body and when a report should be made to the Board. This motion should not be used to receive further information from staff. In that case, a motion to continue should be made.
- i. **Motion to adjourn:** A motion to adjourn shall be in order at any time, except as follows: a) When repeated without intervening business or discussion; b) When made as an interruption of a member while speaking; c) When the previous question has been ordered; and d) While a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

#### 5. **Withdrawal of Motion**

Any motion may be withdrawn by the mover with the consent of the Board of Trustees.

#### 6. **Division of Question**

If the question contains two or more divisible propositions, the Mayor may divide the motion.

#### 7. **Procedure in Absence of Rule**

In the absence of a rule to govern a point of procedure, reference shall be to *Robert's Rules of Order*. The principles and provisions of *Robert's Rules of Order* shall apply only to the extent that they are appropriate to a governing assembly such as Board of Trustees, with consideration being given to the size of Board of Trustees, as well as its political and legal status.

### **RULE VI MISCELLANEOUS**

#### **1. Confidentiality**

- a. It shall be a conflict of interest and a violation of this policy for any member of the Board of Trustees to disclose any confidences of the Town, any matter discussed in executive session, or any matter which is subject to the attorney-client privilege between the Town and the Town Attorney, unless a majority of the Board of Trustees determines that such disclosure should be made.
- b. A decision to breach confidentiality, or to waive a privilege, such as the attorney- client privilege, shall only be made by Board of Trustees acting as a whole, whenever the confidentiality requirement or the privilege applies to the Town as a whole or to Board of Trustees as a whole. Any Trustee who individually breaches such confidentiality, or who purports to waive such a privilege will be considered to be acting outside the performance of Trustee's authority, and will be subject to any consequential liability for such act.

#### **2. Protest**

Any Board of Trustees member shall have the right to express dissent from or protest against any ordinance or resolution of the Board of Trustees, and have the reason therefor entered upon the record. Such dissent or protest must be filed in writing, couched in respectful language, and presented to the

Board of Trustees not later than the next regular meeting following the date of passage of the objectionable ordinance or resolution.

## **RULE VII ORDINANCES AND RESOLUTIONS**

### **1. Introduction**

All ordinances and resolutions, except emergency ordinances, shall be introduced to the Board of Trustees in printed or written form at least forty-eight (48) hours prior to the meeting. Emergency ordinances can be introduced to the Board of Trustees in the meeting in printed or written form.

### **2. Review**

All proposed ordinances shall be reviewed by the Town Attorney for certification that they are in correct form.

### **3. Reading of Ordinances and Resolutions**

Ordinances shall be read by title only where copies are available to the Board of Trustees and may be amended prior to adoption. After proper publication, ordinances will be in effect thirty (30) days following adoption with the exception of ordinances that are repealed prior to the thirty-day limit. All ordinances adopted containing an emergency clause are effective immediately.

### **4. Amendment of Ordinances**

If an ordinance is proposed as an amendment to a previously adopted ordinance. It shall be accompanied by an exhibit showing the part of the original ordinance to be amended-- properly identified by page, section or paragraph referenced to the original ordinance. A line shall be drawn through the part stricken out and any content that is added shall be shown in italics, underscore, or a different color ink.

### **5. Report by Committee**

All matters referred to a committee or advisory board must be reported by the committee or board within the time frames specified by the Board of Trustees upon referral. If not reported as provided above, any member of the Board of Trustees may call the document out of committee by notifying the Town Clerk and Mayor in open session of said member's intention. It shall then be the duty of the Clerk to place the document before the Board of Trustees for consideration at the next succeeding meeting without any further reference.

## **RULE VIII PUBLIC HEARINGS**

### **1. General**

This Rule shall apply to all Town Boards conducting public hearings, including the Board of Trustees, the Zoning Board of Adjustment, and the Environmental Health Board

*All persons desiring to speak before a Town Board conducting a public hearing shall sign up to be heard prior to the hearing's commencement. All persons speaking before a Town Board at a public hearing shall provide their names and addresses. ?*

### **2. Public Hearing Procedures on Environmental Health Board Hearings (?)**

- a. Reference OWTS hearing protocol - FIX OWTS hearing protocol

### **3. Public Hearing Procedures (...on land use matters, ...on proposed policy ...)**

- a. The meeting shall be chaired by the Mayor or board chairperson. The hearing shall be conducted in a manner which provides a reasonable opportunity for interested parties to express themselves, as long as the testimony or evidence presented is reasonably related to the purpose of the public hearing. The Chairperson has the authority to limit debate to a reasonable length of time to maintain reasonable equality of time for all positions on an issue. The Chairperson shall cause all such persons to promise and agree that all statements and evidence they present shall be the truth.
- b. When the number of persons wishing to speak may unduly prolong the hearing, the Mayor/Chairperson may impose a time limit upon each speaker.
- c. Town staff's duties are to enter, as part of the record, a copy of the matter's public notice; all application documents for the proposed project and copies of any other information and documents that are an appropriate part of the public hearing record; to provide a synopsis or summary of the issues before the board including issues considered in prior public meetings/hearings of boards and/or commissions; make recommendations as to the matters to be determined by the board; and answer specific questions as requested by the board or the parties to the hearing.
- d. In the case of a project/issue: the property owner, applicant or proponent or representative(s) of the project/issue before the board, shall present evidence and describe the nature of the request. The burden of presenting the case for the proponent of the project/issue is upon such proponent or its representative, not the Town staff.
- e. In the case of a public hearing that is noticed prior to voting on an ordinance; persons wishing to speak may do so whether in favor, opposed or neutral. No specific order of those in favor or in opposition will be used. With the advice of the Town attorney, the Mayor/Chairperson shall conduct the hearing in such manner as to provide for free speech and expression of opinion of all persons speaking, subject only to the limits of courtesy and respect to other persons and their opinions as long as the subject is related to the issue or the public hearing. Notwithstanding these purposes, the Mayor/Chairperson has the authority to limit comments to a reasonable length of time.
- f. All testimony in support or opposition, and any questions shall be directed through the Mayor/Chairperson, who will direct the appropriate person to respond.
- g. Any person speaking may be questioned by a member of the board or, where appropriate, by members of Town staff, or an attorney or representative of one in opposition to such person, as long as permission has been granted by the Chairperson.
- h. The property owner, applicant or proponent or representative(s) of the project/issue will be afforded an opportunity for brief rebuttal statements/evidence following public input.
- i. If final action is not to be taken at the same time as the public hearing, the Mayor/Chairperson will advise the audience/public when the matter will be considered.
- j. If a board member is absent during a public hearing, he/she shall not be eligible to vote on the matter unless he/she has listened to and reviewed the entire record of the hearing. It is not the purpose or intent of this provision to postpone or unduly delay a decision by the board because of the absence of a member to enable him/her substantial time to review the record.
- k. The Mayor/Chairperson shall rule upon all disputed matters or procedures.

## **RULE IX AMENDMENT/SUSPENSION OF RULES**

1. **Amendment of the Rules**

These rules may be amended or replaced by a majority vote. Any such amendments shall be submitted in writing at a business meeting or work session preceding formal action to amend. The amendments shall be placed on the discussion agenda of a subsequent business meeting with a resolution. This requirement may be waived by unanimous consent with a recorded vote of all Trustees present.

2. **Suspension of the Rules**

Any provision of these rules not governed by Colorado Revised Statutes may be suspended at any meeting of the Board of Trustees by a majority vote of all Trustees present. The vote on any such suspension shall be entered upon the record. When making a motion to suspend the rules, the Trustee shall specify which rule or part of such rule being temporarily suspended and the purpose for which the rule is to be suspended.

# PITKIN BOARD OF TRUSTEES

## RULES OF PROCEDURE

### INDEX

<b>RULE I PURPOSE</b>	<b>...Pg 1</b>
<b>RULE II CONDUCT OF BOARD OF TRUSTEES MEETINGS</b>	<b>...Pg 1</b>
1. Meeting Types & Scheduling:	
2. Meeting Notice and Agenda Posting	
3. Agenda and Packet Items	
4. Trustee Attendance at Other Entity Meetings and Social Gatherings	
5. Mayor's Duties during Town Meetings	
6. Duties of the Mayor Pro-tem	
7. Members' Duties	
<b>RULE III ORDER OF BUSINESS</b>	<b>...Pg 3</b>
1. Business Meetings	
2. Work Sessions	
3. Executive Sessions	
4. Modification of Order of Business	
5. Quorum	
6. Public Participation	
<b>RULE IV RULES OF SPEAKING/DECORUM: TRUSTEES</b>	<b>...Pg 5</b>
1. Recognition	
2. Decorum	
3. Right to Appeal	
4. Limitation of Debate	
5. Conflict of Interest	
6. Recess	
<b>RULE V VOTING</b>	<b>...Pg 7</b>
1. Voting Generally	
2. Voting Requirements	
3. Making Motions	
4. Types of Motions	
5. Withdrawal of Motion	
6. Division of Question	
7. Procedure in Absence of Rule	
<b>RULE VI MISCELLANEOUS</b>	<b>...Pg 9</b>
1. Confidentiality	
2. Protest	
<b>RULE VII ORDINANCES AND RESOLUTIONS</b>	<b>...Pg 10</b>
1. Introduction	
2. Review	
3. Reading of Ordinances and Resolutions	
4. Amendment of Ordinances	
5. Report by Committee	
<b>RULE VIII PUBLIC HEARINGS</b>	<b>...Pg 10</b>
1. General	
2. Public Hearing Procedures on Environmental Health Board Hearings (?)	
3. Public Hearing Procedures (...on land use matters, ...on proposed policy ...)	
<b>RULE IX AMENDMENT/SUSPENSION OF RULES</b>	<b>...Pg 12</b>
1. Amendment of the Rules	
2. Suspension of the Rules	