

BOARD RETREAT

9am - Welcome remarks, Mayor Grossman

Individual Trustee Statements:

- DeLonga
- Kim
- McDonald
- Wall
- Wyley
- Zurn

Review Past Retreat Goal Sheet, re-work GOALS for 2015

10:45am - Break

11am - Resume

Merging Big Picture/Morning session 2015 Goals vs. Budget

12pm - Break (Staff Arrives)

12:15 - Resume: Working Lunch with Staff to discuss morning session

Open Forum

1:30-ish - Retreat summary/recap of 2015 Retreat Goals - Mayor Grossman

2pm-ish - Conclude

Oct 2013 Retreat Goals...

(In no particular order, and an ongoing discussion... A Working Draft.)

- Library.
- Continue web presence.
- Jobs.
- In house email.
- Welcome to City of Creede kiosk / better entry into town boundaries signage.
- Consistent business support.
- Increased 149 presence.
- Develop modern code of ethics, and adopt Bob's Rules instead of Robert's Rules.
- Flume.
- Restructure Parks and Rec.
- Develop mining events arena into a tourist attraction / self guided tour when not in use.
- Upgrade restrooms.
- Develop "triangle."
- Plan / develop rest of RR ROW south.
- Continue storm drainage improvements.
- Emergency valves for canyon water in case of disaster / aka contingency plans for such.
- Backup generator power.
- Downtown develop district following Downtown Colorado Inc membership.
- Sidewalks.
- Modern job descriptions (re-write.)
- Chain of command for day to day operations and consistent structure.
- Better engaging of public via thought bubbles, etc.
- Mayor / City Manager monthly coffee stops.
- New town hall on soon to be old school property.
- Begin a Beatify Business Award.
- USFS Land swap / acquisition.
- Law enforcement solutions.
- Update Model Traffic Code.
- Office projector, screen, digital timer, etc.
- Continued economic development.
- Sub committee tasks.
- Re-visit ATV's.
- Possible Long term VC outlay structure, 1/3 to each: parks and rec / capital improvements / the local non-profit public.
- Re-write VC criteria / outlay structure / requirements / better accountability / committee suggestions for recommended distribution, and making only one cycle per year.
- Maintaining our history by preservation of old structures and pursuing such, etc.

October 2013 Retreat Goals/ Priority

| Ongoing | 1 | Action item for 1 | 2 | 3 | 4 | 5 |
|--------------------------------------------|---------------------------------------------|-------------------|-----------------------------------|---------------------------------|----------------|--------------------|
| Web Presence | Flume | | Storm drainage | Welcome to Creede sign/kiosk | Code of ethics | Back- up generator |
| Business Support | Downtown development | | Emergency valves | Mining events arena (2015) | | |
| Chain of command for day to day operations | Public bubbles | | Sidewalks | Upgrade restrooms, winter usage | | |
| Beautification award to businesses | Monthly Mayor and City Manager coffee stops | | Town hall (new) | Develop rest of RR ROW south | | |
| USFS land Swap | Law enforcement | | Public meeting for the old school | | | |
| Office projector | Sub committees and ordinances | | | | | |
| Economic development | VC- rewrite and reevaluate | | | | | |
| | History preservation | | | | | |
| | Marijuana retail store | | | | | |
| | Parks and Rec | | | | | |
| | Develop triangle | | | | | |
| | | | | | | |

-update Creede Master Plan

Done: in house email, 149 presence (Silver Thread byway), staff evaluations, model traffic code, ATV, job descriptions

Town Report Card

To help keep track of our efforts, in 2004 the Trustees started keeping track of some accomplishments:

- City Master Plan & Land Use Code
- City Annexation & Sub-division regulations
- Adopted 2003 IBC & IRC Building Code & City's first Certified Building Inspector.
- Began submitting water accounting reports for the first time as required by our augmentation plan.
- Consistent, responsible financial reports with a positive trend.
- Comprehensive Water & Sewer regulation's with Standards & Specifications that say: "We're proud of our City & want the best"
- New Restrooms at Basham Park, New Skate Park, New Veterans Memorial Park, Seime Parks in Creede America.
- Insulated maintenance shop, upgraded windows & painted town hall.
- Purchased a much needed new (for us) dump truck with snow plow and utility truck.
- New Zamboni, with hockey tournaments to promote a winter economy.
- New Telemetry System & improvements to our wastewater system
- New metering manhole and agreement for Deep Creek Sanitation District.
- Vulnerability Assessment & Emergency Response Plans
- Technical, Management & Financial plans including Asset Management have been filed with the State.
- New water main distribution line on La Garita & Mesa Estates, and new water and sewer lines for Railroad Ave, North Creede and Creede America.
- Paving plans began in 2008 with La Garita and Third and Loma Street repairs & will continue until we have new pavement throughout town.
- Cleaned, painted and insulated both water tanks in 2009.
- Plans to finance and rehabilitate the flume continue with the Army Corps of Engineers.
- Acquiring Creede Resources property south of town has been steadily moving forward since 2007.
- The City's first Municipal Code was passed in November of 2008.
- **The removal of the Federal jurisdiction on our railroad rights-of-way within town.**
- The Colorado State Land Board terminated the railroad right-of-way in Section 36.
- The Colorado Public Utilities Commission closed all the crossings in town. (12/9/08)
- Achieved new ISO (Insurance) rating that should save residents money, starting in 2011.
- **Received deeds from the Colorado State Land Board for the abandoned railroad ROW.**
- We completed the water main distribution project begun in 2006 in the fall of 2011. This project will not only provide us with better fire protection, but we will have accurate "as-built" maps for the first time since the late 1960's. We also saved a little over 20.5 million gallons (20,688,900) of water production the first year or a little over one and a half million gallons (1,724,075) a month.
- In the overall effort to correct our block and lot boundaries begun in 2009, we've re-platted and developed properties directly related to improving our economy such as a new grocery store, new bank and improving our local hardware.
- Renewed our intergovernmental agreement with Deep Creek Sanitation to treat their wastewater.
- We continue working on updating our official plat and zoning maps of the town.
- We finished paving our streets in the fall of 2012.
- The Creede Resources property was annexed, zoned and subdivided in 2011
- The first phase of the Voluntary Clean-Up Plan for the Creede Resources property was approved by the Colorado Department of Public Health & Environment in 2011.
- The Lower Willow Creek Restoration Company was set up between Creede Resources Inc. and the City of Creede to help work thru the VCUP and ultimate transition of property to the City.
- **Received Quit Claim Deed for the "First One Half (1/2) cfs from Kanawha Ditch".**
- Increased our pumping rate for our water wells.
- Entered water and development agreements with Rio Grande Silver to help the economy.
- We added a new employee to our Public Works & Maintenance Departments.

- We've adopted Creede's first Municipal Retention Schedule, purged old records, while improving access and organization to our essential permanent records.
- Held a special event for Walt Disney Productions in the filming of the "**Lone Ranger**" in 2012.
- We've implemented locally approved Special Event Licenses to save local non-profits time & money.
- In 2013 we've worked with the State to develop and launch Creede's first website, free of charge, that includes many 24-hour office services, including our first credit card payment options, service applications, and more.
- We've implemented a "consent agenda" to expedite dealing with routine agenda items.
- We've improved our technology and worked with staff and council to greatly reduce paper waste.
- We've implemented a technology update for Utility Billing resulting in increased productivity savings of nearly \$50/month.
- We've added a Main Street and education component to our Snow Removal Policy that's improved snow removal performance on Main Street.
- We've overhauled our outdated Employee Handbook with an eye toward employee well being and liability protection.
- We're currently updating our Emergency Response and Vulnerability Assessment Plans.
- We're working on a new Development Code to replace our old Land Use Code & are about 90% done.
- We've started negotiations with the U.S. Forest Service and County for some long over due land trades.
- Working with Mineral County to annex portions of roads in Creede America Subdivision.
- The Flume Committee arranged for a demonstration of cement blankets for a possible remedy to our aging flume. This is going to be a priority #1 discussion throughout 2015!
- We have two preliminary designs for the improvement of Rio Grande St. between 3rd & 5th Streets.
- We're working with Ben and Eloise to restructure the Parks and Arts & Recreation Departments.
- We're starting negotiations with SLVREC to renew the Franchise Agreement that expires in 2015.
- Entered agreements with Deep Creek Water and Sanitation and Creede School Districts to supply water to the new school.
- We supported continuing education and assisted our clerk with earning Creede's first Certified Municipal Clerk designation.
- Defined and designated "Silver Ice Park" including the hockey ponds.
- Held a special event hosting a Carhartt commercial in January of 2015.
- We received a DOLA grant to help us with a Preliminary Engineering Report on repairing/rehabilitating the Willow Creek Flume.
- Virginia Christensen Trust Fund requirements and uses were clarified in the fall of 2014, and the grant guidelines & applications will be re-written accordingly for the Spring 2015 grant cycle.

Property Acquiescence / Boundary Clarifications:

Basler property
 Taylor property
 Walter property
 Kentucky Belle property.
 The Railroad Avenue Right-of-way.
 The Creede America Lots 15A & 15B.
 The Bank & Journey's property.
 The Recycle Creede & CRT Lease property.
 Kenny Leggitt property.
 Tomkins Hardware property.
 Petersen property.
 Creede Resource Inc. property
 Amethyst Lodge and Houston property
 A.J. Hosselkus property
 Powell and Sawyer property

Jan Cullings property
 Thompson property
 Archibald property
 Pizel property
 Old Fire House property
 Brennand property
 Myers property
 LaMee property
 Headlee property
 Biernat & Grant property

Working on:
 Birdsey property
 North Creede properties and boundaries
 Caleb Simon Property
 Annexation of Mineral County Fairgrounds

SAMPLE CODE OF CONDUCT POLICIES



TOWN OF NEDERLAND Code of Conduct for Town Boards

This Code of Conduct is adopted by the Board of Trustees of the Town of Nederland as a supplement to its Rules of Procedure.

CONDUCT WITH ONE ANOTHER

The Board of Trustees is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Trustees may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not, however, allow Trustees to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Trustees should conduct themselves in a professional manner at all times.

Honor the role of the Mayor in maintaining order. It is the responsibility of the Mayor to keep the comments of Trustees on track during public meetings. Trustees should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

Avoid personal comments that could offend other Trustees. If a Trustee is personally offended by the remarks of another Trustee, the offended Trustee should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Trustee to justify or apologize for the language used. The Mayor will maintain control of this discussion.

Demonstrate effective problem-solving approaches. Trustees have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Be punctual and keep comments relative to topics discussed. Trustees have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Trustees be punctual and that meetings start on time. Be respectful of other people's time. Prepare in

advance of meetings and be familiar with issues on the agenda. Stay focused and act efficiently during public meetings. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

Avoid expressing opinions during Public Hearings. Trustees will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Trustees are not appropriate until after the close of the public hearing. Trustees should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

IN PRIVATE ENCOUNTERS

Continue respectful behavior in private. The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

Be aware of the insecurity of written notes, voicemail messages, and e-mail. Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note e-mailed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

Even private conversations can have a public presence. Elected officials are always on display. People around them that they may not know monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

TRUSTEE CONDUCT WITH TOWN STAFF

Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed to the Town Administrator. The Town Administrator should be copied on or informed of any request. Requests for follow-up or directions to staff should be made only through the Town Administrator

Do not disrupt Town staff from their jobs. Trustees should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions, in order to have their individual needs met.

Never publicly criticize an individual employee. Trustees should never express concerns about the performance of a Town employee in public or to the employee directly. Comments about staff performance are best handled by correspondence or communication with the Town Administrator.

Do not get involved in administrative functions. Trustees must not attempt to influence Town staff on the making of appointments, the awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

Check with Town staff on correspondence before taking action. Before sending correspondence, Trustees should check with Town staff to see if an official Town response has already been sent or is in progress.

Do not solicit political support from staff. Trustees should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

TRUSTEES CONDUCT WITH THE PUBLIC

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Trustees toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness. Speaking in front of the Board can be a difficult experience for some people. Some issues the Board undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Trustees treat people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

Be fair and equitable in allocating public hearing time to individual speakers. The Mayor will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three (3) minutes, with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Board requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.

Give the appearance of active listening. It is disconcerting to speakers to have Trustees not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

Ask for clarification, but avoid debate and argument with the public. Only the Mayor – not individual Trustees -- can interrupt a speaker during a presentation. However, a Trustee can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Trustee finds disturbing.

If speakers become flustered or defensive by Trustees questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Trustees to members of the public testifying should seek to clarify or expand information. It is never appropriate to challenge or belittle the speaker. Trustees' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

No personal attacks of any kind, under any circumstance. Trustees should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

Follow parliamentary procedure in conducting public meetings. The Town Attorney serves as advisory parliamentarian for the Town and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the appeal of the full Board.

Main motions may be followed by amendments. Any Trustee can call for a point of order. Only Trustees who voted on the prevailing side may make motions to reconsider.

IN UNOFFICIAL SETTINGS

Make no promises on behalf of the Board. Trustees will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise that Town staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

Make no personal comments about other Trustees. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Trustees, their opinions and actions.

Remember that despite its recent growth, Nederland is a small community at heart. The community is constantly observing Trustees every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Nederland. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Trustees, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

BOARD CONDUCT WITH OTHER PUBLIC AGENCIES

Be clear about representing the Town or personal interests. If a Trustee appears before another governmental agency or organization to give a statement on an issue, the Trustee must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the Town; 2) whether this is the majority or minority opinion of the Board. Even if the Trustee is representing his or her own personal opinions, remember that this still may reflect upon the Town as an organization.

If the Trustee is representing the Town, the Trustee must support and advocate the official Town position on an issue, not a personal viewpoint.

If the Trustee is representing another organization whose position is different from the Town, the Trustee should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Board members should be clear about which organizations they represent and inform the Mayor and Board of their involvement.

Correspondence should also be equally clear about representation. Town letterhead may be used when the Trustee is representing the Town and the Town's official position. A copy of official correspondence should be given to the Town Clerk to be filed as part of the permanent public record. Town letterhead may not be used for correspondence of Trustees representing a personal point of view, or a dissenting point of view from an official Board position.

TOWN BOARD CONDUCT WITH OTHER BOARDS AND COMMISSIONS

The Town has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Town Board. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

If attending a Board or Commission meeting, be careful to only express personal opinions. Trustees may attend any Board or Commission meeting, which are always open to any member of the public. However, if the Board/Commission is conducting a public hearing, the Trustee shall remove himself from the proceedings. Trustees should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Trustee at a Board/Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Board. Also, a Trustee's presence may affect the conduct of the Board/Commission and limit their role and function.

Limit contact with Board and Commission members. It is inappropriate for a Trustee to contact a Board/Commission member to lobby on behalf of an individual, business, or developer. Trustees should contact staff in order to clarify a position taken by the Board/Commission.

Be respectful of diverse opinions. A primary role of the Board is to provide advice and make decisions based on a full spectrum of concerns and perspectives. Trustees must be fair and respectful of all citizens serving on Boards and Commissions.

Inappropriate behavior can lead to removal. Inappropriate behavior by a Trustee should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Town Board, and the individual may be subject to removal from the Board/Commission.

CONDUCT WITH THE MEDIA

Trustees may be contacted by the media for background information and quotes.

The best advice for dealing with the media is to never go "off the record." Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the Town Board of Trustees. The Mayor is the designated representative of the Board of Trustees to present and speak on the official Town position. If the media contacts an individual Trustee, the Trustee should be clear about whether their comments represent the official Town position or a personal viewpoint.

Choose words carefully and cautiously. Comments taken out of context can cause problems. Be especially cautious about humor, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

SANCTIONS

Public Disruption. Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Town meeting room.

Inappropriate Staff Behavior. Trustees should refer to the Town Administrator any Town staff that does not follow proper conduct in their dealings with Trustees, other Town staff, or the public. These employees may be disciplined in accordance with standard Town procedures for such actions.

Trustees Behavior and Conduct. Trustees who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Town Board. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the Town Board.

Trustees should point out the offending Trustee's infractions of the Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro Tem.

It is the responsibility of the Mayor to initiate action if a Trustee's behavior warrants sanction. If the Mayor takes no action, the alleged violation(s) can be brought up with the full Board in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the Mayor or Board, the alleged violation should be referred to the Mayor. The Mayor should ask the Town Administrator to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; the investigation and its findings, as well as to recommend sanction options for Board consideration.

Staff members who are present during Board meetings shall abide by appropriate standards of conduct and may be disciplined if they act inappropriately. Arguing with or challenging Town Trustees is strictly prohibited.

**APPLICATION OF THIS CODE TO ADVISORY BOARDS, COMMISSIONS,
AND TASK FORCES**

It is the intent of the Nederland Board of Trustees that this Code of Conduct be adhered to in spirit and action by all members of Nederland advisory boards, commissions, and task forces.

Appendix A – Working Agreements



Town of Nederland

Board of Trustees Working Agreements

On April 22, 1997 the Nederland Board of Trustees adopted the Working Agreements listed below, which are a basis for running all of the meetings and workshops held by the Nederland Board of Trustees and all of the Town's Advisory Boards, Commissions and Task Forces.

The adopted Working Agreements are:

- We start and end on time.
- We listen for understanding.
- We are open to all ideas.
- We don't interrupt the speaker.
- We are hard on issues, not the person.
- We disagree respectfully.
- We use mediation to resolve conflict.
- We do our homework and are brief and concise.

Appendix B – Meeting procedures for public participation



Town of Nederland

Board of Trustees

Meeting Procedures for Public Participation

WELCOME! The Mayor and Trustees are very glad you have chosen to attend our meeting and communicate your ideas and concerns with us. We are here to work for you and for the Nederland community and we value your input.

The following guidelines are here to help you become more familiar with our procedures:

- Public comment will not exceed 30 minutes.
- Members of the public should register prior to the start of the meeting.
- During public comment, the Mayor will call each individual registered.
- Members of the public have up to three (3) minutes to address the Board.
- Members of the public will have up to three (3) minutes to address the Board on agenda items.
- Members of the public not registered or have additional comments will be allowed one (1) minute.
- Please observe proper decorum to help us keep meetings respectful and productive.
- Please respect our need to conduct a productive meeting by remaining silent during the remainder of the meeting.
- Persons other than Board of Trustees and Town officers can only address the Board upon recognition of the Mayor.

THANK YOU FOR BEING HERE AND FOR RESPECTING THESE GUIDELINES!

As per Nederland Municipal Code Sec2-57 and 2-93.

Appendix C – Principles of Proper Conduct

Principles of Proper Conduct

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing favoritism, antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals. . . Respect for the validity of different opinions. . . Respect for the democratic process. . . Respect for the community that we serve.

Appendix D – Checklist for Monitoring Conduct

- ✓ Will my decision/statement/action violate the trust, rights or good will of others?
- ✓ What are my internal motives and the spirit behind my actions?
- ✓ If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- ✓ How would people whose integrity and character I respect evaluate my conduct?
- ✓ Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- ✓ Is my conduct fair? Just? Morally right?
- ✓ If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ✓ Does my conduct give others reason to trust or distrust me?
- ✓ Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- ✓ Do I exhibit the same conduct in my private life as I do in my public life?
- ✓ Can I take legitimate pride in the way I conduct myself and the example I set?
- ✓ Do I listen and understand the views of others?
- ✓ Do I question and confront different points of view in a constructive manner?
- ✓ Do I work to resolve differences and come to mutual agreement?
- ✓ Do I support others and show respect for their ideas?
- ✓ Will my conduct cause public embarrassment to someone else?

Code of Conduct for the Estes Park Board of Trustees

This Policy prescribes guidelines for behaviors of Town Trustees and appointed officials in the performance of their official duties and interaction with both the Public and Town Administration. Some ethical requirements are enforced by Federal, State or local laws. Others rely on training or on an individual's desire to do the right thing.

“Ethics” means positive principals of conduct and is defined as the rules or standards governing the conduct of a person or member of a group or profession.

Trust:

- Trustees treat their office as a public trust. The Town's resources and powers are to be used for the benefit of the public.
- Trustees shall act in good faith, be honest and honorable in all dealings and strive to provide a balanced approach in establishing policy.
- Trustees refrain from decisions in which their financial or personal interests are specifically affected by a decision and shall adhere to applicable Colorado Law governing conflict of interest.
- Trustees do not accept personal gifts except as specifically allowed by Colorado Law.

Respect:

- Trustees interact with the public, administration, employees and each other in a respectful manner.
- Trustees treat those providing input at Town meetings with respect.
- Trustees respect and adhere to their oath of office

Accountability:

- The Board of Trustees exercises its authority with open meetings and access to public records.
- The Board of Trustees hold executive sessions only for reasons allowed by Colorado Revised Statutes.
- Trustees are positive advocates for the Town and are accessible to the citizens of Estes Park.

Leadership:

- The Board of Trustees upholds the laws and ordinances of the Town of Estes Park and the State of Colorado.
- The Board of Trustees represents the citizens of Estes Park, and strives to meet the adopted mission and vision statements for the betterment of the community.
- The Board of Trustees establishes policies for the governance and safety of the community, sets fiscal policy and decides long term priorities.
- The Board of Trustees acts as a body to strive for a balanced approach to meet the current and future needs of its citizens.

TOWN OF AULT, COLORADO

RESOLUTION NO. 2007-01

**ESTABLISHING A CODE OF CONDUCT CONCERNING
THE DECORUM AND ORDER FOR TOWN BOARD
MEETINGS.**

WHEREAS, it is necessary that all participants at Town Board meetings have a responsibility to preserve the dignity and propriety of the governing body, the Board of Trustees; and

WHEREAS, disruptions, impertinent or slanderous remarks, boisterous conduct, obstinancy, undue interruptions or delays, and threats have no place at the meetings of a municipal governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF AULT, COLORADO, that the following rules are adopted to establish decorum and order at Town Board meetings:

1. Town Board members have the following responsibilities:
 - a. To be prepared for each meeting and to arrive at the governing body's chamber by the specified meeting time.
 - b. To strive to contribute relevant information and opinion to the Board's proceedings whenever possible and within the framework of proper procedure.
 - c. To confine remarks and questions to particular matters before the governing body as specified by the agenda format or order of business.
 - d. To listen and to refrain from private conversation when citizens or other members of the Board are speaking.
 - e. To accord the utmost courtesy to Board members, to municipal officials and employees, and to other citizens appearing before the governing body.
 - f. To refrain at all times from rude and derogatory remarks; reflections as to the integrity of others; abusive comments; and statements as to the motives and personalities of other members, municipal officials, or citizens appearing before the Board.

2. Town Board members should not take lightly their responsibilities as participants in meetings. They should prepare for meetings and develop a proper attitude concerning them. Good participation is primarily a matter of interpersonal relations and communication with people. A cooperative and understanding attitude and respect for the rights of other members help make a meeting efficient and productive.

3. Once a vote has been taken, accept the will of the majority. Board members on the losing side of a vote should accept the decision of the majority. It is not appropriate to continue lecturing concerning your position or to resort to vengeance or retaliation. Accept the decision and go forward with it. Similarly, it is not appropriate for those voting on the winning side of a vote to do anything to gloat or to put down those on the other side of the vote. If discussion has been heated, attempts should be made to heal any wounds which might interfere with the Board acting as a group in the future.

4. It all comes down to respect. Respect for one another as individuals . . . respect for the validity of different opinions . . . respect for the democratic process . . . respect for the community that we serve.

PASSED, SIGNED, APPROVED AND ADOPTED this ____ day of _____, 2007.

TOWN OF AULT, COLORADO

ATTEST:

By: _____
Town Clerk, Sharon Sullivan

By: _____
Brad Bayne, Mayor

TOWN OF TELLURIDE

Council Adopted Rules for the Conduct of Meetings and General Business

**Adopted January 2000
Amended August 2004
Amended January 2006
Amended November 2007
Amended November 2009
Amended May 2011
Amended November 2011**

I. Conduct

- Council is expected to uphold a high standard of civility toward each other.
- Civility is expected between Council and the public, and among members of the public while in meetings; rude behavior will not be tolerated.
- All participants in Council meetings are to refrain from profanity.
- Robert's Rules of Order are to be generally followed for making and entertaining motions.
- Council is to strive for brevity and to avoid redundancy and will encourage the same of the public.
- The Mayor is charged with the primary role of enforcing Council's rules of conduct. Council is also encouraged to courteously ask each other to refrain from inappropriate behavior if it occurs (that is, Council can "call" each other on inappropriate behavior to reinforce the ethic of the group as a whole or to support the Mayor's efforts to achieve the same effect).
- Council members are encouraged to speak with staff if they have questions or objections to staff recommendations coming before the body.

II. Setting the Town Council Agenda

- The Mayor prepares the agenda per the Town Charter (Section 5.2). The Mayor shall include one additional Council member in the agenda setting meeting. The participation shall be equitable among all Council members on a rotating basis.
- Council members wishing to add an item to the agenda should contact the Mayor and/or the Town Manager prior to the agenda setting meeting. Most requested items would simply be added to the agenda.

III. Public Hearings or Action Items

- Mayor opens public hearing.

- Mayor introduces item (reading the item from the agenda and making any prefatory remarks).
- Staff provides report, including brief relevant history of and context for the item.
- Council poses questions to staff.
- Applicant provides presentation.
- Council poses questions to applicant.
- Public Comment is opened
 - Each member of the public is allowed to speak.
 - The public is asked to refrain from duplicating the comments of others if possible.
 - The public is asked to avoid engaging in dialogue with each other but instead to address the Council and the audience in general.
 - If a large number of individuals wish to speak, the Mayor may set a time limit for each speaker.
- Applicant rebuttal if requested.
- Public comment is closed and the matter brought to Council.
- Council motion is placed on floor and acted upon in general accordance with Robert's Rules of Order for making and entertaining motions.

IV. Worksessions

- Worksessions are designed to permit less formal discussion among Council members and the public. They are not for decision-making on policy, but rather to permit education and open-ended exploration of an issue, and to offer informal direction to staff on policy related items.
- The mayor may entertain commentary from the public either in the form of a public hearing (where members of the public are invited to speak) or in a more interactive format depending on the topic, number of speakers present and time constraints.
- Decisions requiring formal motions may not be made at worksessions, but direction may be given to staff for further work or other related matters.
- Items requiring both the interchange of a worksession and the formal decision-making of a public hearing or an action item will be placed on the agenda in both categories.
- Executive sessions and work sessions will generally be held in the morning of regular Council meetings, with all other business to be held in the afternoon.

V. Public Discussion

- Public Discussion will last no more than forty-five (45) minutes per council meeting.
- All members of the public will be allowed to speak but the Mayor may impose time restrictions and limit discussion as necessary to stay on schedule.
- Members of the public are encouraged to stay within a five (5) minute maximum for questions and Council's response.

- If one Town Council member wishes to receive additional information beyond the set time limit from a citizen commenting on a matter, that opportunity to provide additional information shall be afforded to all members of the public wishing to comment on the matter.
- No personal attacks or arguments.
- No grandstanding for the radio or television audience.
- People speaking on the same issue will be asked to refrain from redundancy.
- All attendees including Council members and staff shall turn off cell phones during public meetings, or use vibrate mode.

VI. Flow of Information

Information requests from Town Council to staff:

- For minor or readily available information from Town Hall (i.e. a copy of an ordinance or minutes to a meeting), Council should ask staff for assistance and will be provided the item.
- For items that require substantial research, analysis or compilation of information not readily available, requests should be made of the Town Manager. Staff will undertake the task and provide the information requested if it is reasonable in terms of time. Information so provided will be copied to all Council members and, unless confidential, to the press file. If staff feels the request for research or analysis is too onerous to be coming from one member of Council or has concerns regarding its appropriateness, they will ask the Councilperson to bring the matter up before the Town Council to see if there is agreement that the task should be undertaken.

Information going to Council:

- Mail addressed to individual Council members is simply placed in their boxes.
- Memoranda for Council generated by staff, if not confidential, are placed in Council boxes.
- Emails may be used subject to the requirements of the Colorado Sunshine Laws. Email is intended to provide time sensitive information and updates between Council meetings and is not intended to be a substitute for open information otherwise shared at public meetings. Non-confidential emails from staff to Council should be copied to the Town Clerk.
- Town email accounts will be available to Council members.
- Council members shall not receive or transmit emails or other electronic communications during regular Council meetings. Any electronic information retrieved, utilized or referenced by Council during the Council meetings shall be provided to the Town Clerk as a public record.

VII. Appointments to Boards and Commissions

- Staff provides Council with a monthly written report on upcoming and current vacancies, and the Mayor reports on vacancies at the Council meeting.

- Upon a vacancy, an advertisement is placed on the Town Website and announced on KOTO. An application deadline of the next draft Council packet is set.
- Reminder letters are sent to members with expiring terms.
- Alternates are notified of regular seat vacancies.
- Appointments are placed on the Council agenda after the advertised deadline has expired at the discretion of the Mayor. Applicants are notified of the Council date on which the appointment is scheduled and encouraged to attend.
- Staff prepares a memorandum to Council with the applications and pertinent information on qualifications.
- Council votes on the appointment(s).
- Council members are encouraged to “move to direct staff to re-advertise the vacancy” in lieu of making an appointment if they believe the field is too limited or the public interest would be better served through re-advertisement.
- Late applications will be brought to the Mayor’s attention by staff to afford Council the opportunity to postpone the appointment and extend the deadline if it believes postponement would be in the public interest. Walk-in candidates may be given similar consideration at Council’s discretion. Late or walk-in applicants may not be appointed at that Council meeting; they may only be considered at a subsequent meeting. Council is under no obligation to consider late or walk-in applicants.

VIII. Telluride – County – Mountain Village Joint Meetings

The purpose of these gatherings is to provide a forum for informal dialogue between local governments. If items are not controversial and can be administratively implemented the relevant parties may simply take action as a result of discussion. If an issue has more of a policy or legislative nature the elected officials use this forum to gather input for subsequent consideration through their respective public hearing decision-making processes.

- The Towns of Telluride and Mountain Village, San Miguel County and Ophir rotate as hosts for Intergovernmental Meetings.
- Host entity staff prepares a draft agenda for comment.
- Town staff will immediately circulate the draft agenda to Council members.
- Council members wishing to add items to these agendas should contact the Town Manager, who will in turn advise the host entity.
- Council members are encouraged to use this forum proactively to discuss issues and ideas with the other entities.

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# Town of Crestone Code of Conduct

This Code of Conduct is adopted by the Board of Trustees of the Town of Crestone as a supplement of its Rules of Procedure.

## CONDUCT WITH ONE ANOTHER

The Board of Trustees and Planning Commission are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Trustees/Commissioners may "agree to disagree" on contentious issues.

## IN PUBLIC MEETINGS

**Practice civility, professionalism and decorum in discussions and debate.** Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not, however, allow Trustees/Commissioners to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Trustees/Commissioners should conduct themselves in a professional manner at all times, including dress.

**Honor the role of the Mayor/Chairperson in maintaining order.** It is the responsibility of the Mayor/Chairperson to keep the comments of Trustees/Commissioners on track during public meetings. Trustees/Commissioners should honor efforts by the Mayor/Chairperson to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor/Chairperson's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

**Avoid personal comments that could offend other Trustees/Commissioners.** If a Trustee/Commissioner is personally offended by the remarks of another Trustee/Commissioner, the offended Trustee/Commissioner should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Trustee/Commissioner to justify or apologize for the language used. The Mayor/Chairperson will maintain control of this discussion.

**Demonstrate effective problem-solving approaches.** Trustees/Commissioners have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

**Be punctual and keep comments relative to topics discussed.** Trustees/Commissioners have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Trustees/Commissioners be punctual and that meetings start on time. Be respectful of other people's time. Prepare in advance of meetings and be familiar with issues on the agenda. Stay focused and act efficiently during public meetings. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

**Avoid expressing opinions during Public Hearings.** Trustees/Commissioners will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Trustees/Commissioners are not appropriate until after the close of the public hearing. Trustees/Commissioners should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

## IN PRIVATE ENCOUNTERS

**Continue respectful behavior in private.** The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

**Be aware of the insecurity of written notes, voicemail messages, and e-mail.** Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

**Even private conversations can have a public presence.** Elected officials are always on display. People around them that they may not know monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

## TRUSTEE/COMMISSIONER CONDUCT WITH TOWN STAFF

**Treat all staff as professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

**Limit contact to specific Town staff.** Questions of Town staff and/or requests for additional background information should be directed to the Town Clerk. The Town Clerk should be copied on or informed of any request.

Requests for follow-up or directions to staff should be made only through the Town Clerk or the Town Attorney when appropriate. When in doubt about what staff contact is appropriate, Trustees/Commissioners should ask the Town Clerk for direction. Materials supplied to Trustees/Commissioners in response to a request will be made available to all Trustees/Commissioners, so that all have equal access to information.

**Do not disrupt Town staff from their jobs.** Trustees/Commissioners should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions, in order to have their individual needs met.

**Never publicly criticize an individual employee.** Trustees/Commissioners should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Town Clerk through private correspondence or conversation.

**Do not get involved in administrative functions.** Trustees/Commissioners must not attempt to influence Town staff on the making of appointments, the awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

**Check with Town staff on correspondence before taking action.** Before sending correspondence, Trustees/Commissioners should check with Town staff to see if an official Town response has already been sent or is in progress.

**Limit requests for staff support.** The Town Clerk opens all mail for Trustees/Commissioners. Mail addressed to Trustees/Commissioners is reviewed first by the Town Clerk, who notes suggested action and/or follow-up items.

**Requests for additional staff support**, even in high priority or emergency situations, should be made to the Town Clerk, who is responsible for allocating Town resources in order to maintain a professional, well-run Town government.

**Do not solicit political support from staff.** Trustees/Commissioners should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

## **TRUSTEES/COMMISSIONERS CONDUCT WITH THE PUBLIC**

### **IN PUBLIC MEETINGS**

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Trustees/Commissioners toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

**Be welcoming to speakers and treat them with care and gentleness.** Speaking in front of the Board/Commission can be a difficult experience for some people. Some issues the Board/Commission undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Trustees/Commissioners treat people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

**Be fair and equitable in allocating public hearing time to individual speakers.** The Mayor/Chairperson will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three (3) minutes, with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor/Chairperson may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Board/Commission requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor/Chairperson reopens the public hearing for a limited and specific purpose.

**Give the appearance of active listening.** It is disconcerting to speakers to have Trustees/Commissioners not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

**Ask for clarification, but avoid debate and argument with the public.** Only the Mayor/Chairperson – not individual Trustees/Commissioners -- can interrupt a speaker during a presentation. However, a Trustee/Commissioner can ask the Mayor/Chairperson for a point of order if the speaker is off the topic or exhibiting behavior or language the Trustee/Commissioner finds disturbing.

If speakers become flustered or defensive by Trustees/Commissioners questions, it is the responsibility of the Mayor/Chairperson to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Trustees/Commissioners to members of the public testifying should seek to clarify or expand information. It is never appropriate to challenge or belittle the speaker. Trustees/Commissioners personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

**No personal attacks of any kind, under any circumstance.** Trustees/Commissioners should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

**Follow parliamentary procedure in conducting public meetings.** The Town Attorney serves as advisory parliamentarian for the Town and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor/Chairperson, subject to the appeal of the full Board/Commission.

Main motions may be followed by amendments. Any Trustee/Commissioner can call for a point of order. Only Trustees/Commissioners who voted on the prevailing side may make motions to reconsider.

## **IN UNOFFICIAL SETTINGS**

**Make no promises on behalf of the Board/Commission.** Trustees/Commissioners will frequently be asked to explain a Board/Commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Board/Commission action, or to promise that Town staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

**Make no personal comments about other Trustees/Commissioners.** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Trustees/Commissioners, their opinions and actions.

**Remember that despite its recent growth, Crestone is a small community at heart.** The community is constantly observing Trustees/Commissioners every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Crestone. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Trustees/Commissioners, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

## **BOARD/COMMISSION CONDUCT WITH OTHER PUBLIC AGENCIES**

**Be clear about representing the Town or personal interests.** If a Trustee/Commissioner appears before another governmental agency or organization to give a statement on an issue, the Trustee/Commissioner must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the Town; 2) whether this is the majority or minority opinion of the Board/Commission. Even if the Trustee/Commissioner is representing his or her own personal opinions, remember that this still may reflect upon the Town as an organization.

If the Trustee/Commissioner is representing the Town, the Trustee/Commissioner must support and advocate the official Town position on an issue, not a personal viewpoint.

If the Trustee/Commissioner is representing another organization whose position is different from the Town, the Trustee/Commissioner should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Board/Commission members should be clear about which organizations they represent and inform the Mayor/Chairperson and Board/Commission of their involvement.

**Correspondence should also be equally clear about representation.** Town letterhead may be used when the Trustee/Commissioner is representing the Town and the Town's official position. A copy of official correspondence should be given to the Town Clerk to be filed as part of the permanent public record. Town letterhead may not be used for correspondence of Trustees/Commissioners representing a personal point of view, or a dissenting point of view from an official Commission position.

## TOWN BOARD/COMMISSION CONDUCT WITH OTHER BOARDS AND COMMISSIONS

The Town has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Town Board. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

**If attending a Board or Commission meeting, be careful to only express personal opinions.** Trustees/Commissioners may attend any Board or Commission meeting, which are always open to any member of the public. However, if the Board/Commission is conducting a public hearing, the Trustee/Commissioner shall remove themselves from the proceedings. Trustees/Commissioners should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Trustee/Commissioner at a Board/Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Board/Commission. Also, a Trustees/Commissioners presence may affect the conduct of the Board/Commission and limit their role and function.

**Limit contact with Board and Commission members.** It is inappropriate for a Trustee/Commissioner to contact a Board/Commission member to lobby on behalf of an individual, business, or developer. Trustees/Commissioners should contact staff in order to clarify a position taken by the Board/Commission.

**Be respectful of diverse opinions.** A primary role of the Board/Commission is to provide advice and make decisions based on a full spectrum of concerns and perspectives. Trustees/Commissioners must be fair and respectful of all citizens serving on Boards and Commissions.

**Inappropriate behavior can lead to removal.** Inappropriate behavior by a Trustee/Commissioner should be noted to the Mayor/Chairperson, and the Mayor/Chairperson should counsel the offending member. If inappropriate behavior continues, the Mayor/Chairperson should bring the situation to the attention of the Town Board, and the individual may be subject to removal from the Board/Commission.

## CONDUCT WITH THE MEDIA

Trustees/Commissioners may be contacted by the media for background information and quotes.

**The best advice for dealing with the media is to never go "off the record."** Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

**The Mayor/Chairperson is the official spokesperson for the Town Board of Trustees/Planning Commission.** The Mayor/Chairperson is the designated representative of the Board of Trustees/Planning Commission to present and speak on the official Town position. If the media contacts an individual Trustee/Commissioner, the Trustee/Commissioner should be clear about whether their comments represent the official Town position or a personal viewpoint.

**Choose words carefully and cautiously.** Comments taken out of context can cause problems. Be especially cautious about humor, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

## SANCTIONS

**Public Disruption.** Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Town meeting room.

**Inappropriate Staff Behavior.** Trustees/Commissioners should refer to the Town Clerk any Town staff that does not follow proper conduct in their dealings with Trustees/Commissioners, other Town staff, or the public. These employees may be disciplined in accordance with standard Town procedures for such actions.

**Trustees/Commissioners Behavior and Conduct.** Trustees/Commissioners who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Town Board. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the Town Board.

Trustees/Commissioners should point out the offending Trustees/Commissioners infractions of the Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor/Chairperson in private. If the Mayor/Chairperson is the individual whose actions are being challenged, then the matter should be referred to the Mayor Protem/Vice-Chairperson.

It is the responsibility of the Mayor/Chairperson to initiate action if a Trustees/Commissioners behavior warrants sanction. If the Mayor/Chairperson takes no action, the alleged violation(s) can be brought up with the full Board/Commission in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the Mayor/Chairperson or Board/Commission members, the alleged violation should be referred to the Mayor/Chairperson. The Mayor/Chairperson should ask the Town Clerk to investigate the allegation and report the findings to the Mayor/Chairperson. It is the Mayor's/Chairperson's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; the investigation and its findings, as well as to recommend sanction options for Board/Commission consideration.

Staff members who are present during Board/Commission meetings shall abide by appropriate standards of conduct and may be disciplined if they act inappropriately. Arguing with or challenging Town Trustees/Commissioners is strictly prohibited.

## **Principles of Proper Conduct**

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing favoritism, antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

## **It all comes down to respect**

Respect for one another as individuals. . . Respect for the validity of different opinions. . . Respect for the democratic process. . . Respect for the community that we serve.

## **Checklist for Monitoring Conduct**

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my internal motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would people whose integrity and character I respect evaluate my conduct?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

## **Glossary of Terms**

|                                    |                                                                                                                                                               |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Attitude</b>                    | The manner in which one shows one's dispositions, opinions, and feelings                                                                                      |
| <b>Behavior</b>                    | External appearance or action; manner of behaving; carriage of oneself                                                                                        |
| <b>Civility</b>                    | Politeness, consideration, courtesy                                                                                                                           |
| <b>Conduct</b>                     | The way one acts; personal behavior                                                                                                                           |
| <b>Courtesy</b>                    | Politeness connected with kindness                                                                                                                            |
| <b>Decorum</b>                     | Suitable; proper; good taste in behavior                                                                                                                      |
| <b>Manners</b>                     | A way of acting; a style, method or form; the way in which things are done                                                                                    |
| <b>Point of order</b>              | An interruption of a meeting to question whether rules or bylaws are being broken, e.g. the speaker has strayed from the motion currently under consideration |
| <b>Point of personal privilege</b> | A challenge to a speaker to defend or apologize for comments that a fellow Trustee/Commissioner considers offensive                                           |
| <b>Propriety</b>                   | Conforming to acceptable standards of behavior                                                                                                                |
| <b>Protocol</b>                    | The courtesies that are established as proper and correct                                                                                                     |
| <b>Respect</b>                     | The act of noticing with attention; holding in esteem; courteous regard                                                                                       |

**Town of Mancos Board of Trustees Protocols**  
*Approved by Board of Trustees on March 12, 2014*

**Communication: Agenda Items**

1. The agenda packet is e-mailed to all Board Members on the Friday before scheduled Board Meetings. Board Members will direct their individual requests for additional materials or information relating to agenda items to the Administrator via e-mail, while copying the request to the Mayor prior to the Board Meeting. If the requested information can be provided from readily available data with no diversion of the staff time, then it will be provided within a reasonable amount of time after the request. Information will be sent at the same time to all Board Members to their official town email address.
2. Board Members should strive to ask questions of staff for further information in a regular meeting. If this is not possible, in order to honor the time of Town staff, Board Members will make every attempt to request additional materials or information relating to the Board Meeting agenda as soon as possible before the scheduled meeting and will attempt to collect all questions in one request if a question cannot wait until the next regular meeting. The Board as a whole should direct the Town Administrator to provide this information at a future meeting; or, if more immediate information is needed, by email or hard copy to all Board Members.
3. If the requested information is not readily available or requires a special report or a significant investment of time that will divert staff from established priorities, the Administrator will notify the requestor and the Mayor prior to the start of the meeting. The requestor has the option of pulling the item from the agenda and/or making a motion to postpone the agenda item for further consideration.
  - a. The Mayor will place the request for information or agenda item on the next meeting agenda if the majority of Board Members agree the requested information is important for future decision-making.
  - b. If the Board agrees that the information is important for future decision-making, then the Administrator will direct that a report be developed and provided as requested by the Board and commit to a time frame for providing the information.

**Communication: Between Meetings**

1. The Administrator may update all Board Members on important town issues as necessary, between meetings, but shall always strive to follow open meeting laws. This may include one-way communication via mail or email from the Town Administrator where information will be sent to all Board Members at the same time. In times of emergency requiring immediate notification via phone, the Mayor will be the first contact, then Mayor pro-tem, and then the other members.
2. Any mail correspondence a Board Member may have received at Town Hall is promptly delivered to the Board Member's mailbox in the lobby of Town Hall. The Administrator will communicate requested information to all Board Members in a reasonable time without interfering with the regular conduct of town business. The Administrator will distribute to all Board Members any information requested for the Board by the Mayor or a Board Member at a regular meeting.
3. Board Members may communicate with other individual Board Members, the Mayor or the Town Administrator for the purposes of asking clarifying questions, providing clarifying information or socializing under circumstances that do not conflict with or circumvent the Colorado Open Meetings law. Board members shall refrain from conducting business requiring deliberation by the entire board through email and/or between meetings. If three or more members of the Board are participating in a conversation through email or in person, an open meeting is required. Board Members will communicate their individual requests for detailed or sensitive non-agenda information to the

Administrator while copying the request to the Mayor. If the requested information can be provided from readily available data with no diversion of the staff time, then it will be provided within a reasonable amount of time after the request at a public meeting

4. If a Board Member has a question requiring the Town attorney's response, he/she should refer the question to the Town Administrator and carbon copy the Mayor. This is done as a cost-saving measure and to ensure that several Board Members are not contacting the attorney with duplicate questions or that one Board Member is directing the Town Attorney.
5. Board Members will not directly contact entities with which the Town contracts with or otherwise engages, such as, but not limited to, Town Engineers, potential or current vendors, and IT service providers for purposes of town business.

#### **Communication: Visiting Town Operations**

1. Board Members are encouraged to visit any Town facility or operation for informational purposes. As a courtesy, Board Members will inform the Town Administrator of any visit as much in advance as possible to accommodate courtesy of staff's time, unless the Board Member is attending a function to which he/she has been invited. The Town Administrator will set up tours of town operations as Board Members request them. Board Members must follow proper safety guidelines. All visits are to be escorted or directed by a staff member designated by the Administrator. Board Members will not assume a supervisory role with staff or their contractors.

#### **Communication: With the Public**

1. Board Members are encouraged to participate in community activities as liaisons between the public and the Town with respect to its legislative role (not with respect to quasi-judicial matters, i.e. licensing or land use decisions pertaining to a particular property or entity). Board Members are expected to:
  - a. Listen politely and respectfully.
  - b. Accurately relay non-confidential information about the Town in a positive and truthful manner.
  - c. Refer questions about specific Town activities/issues to the Town Administrator or appropriate staff person or spokesperson when they do not know the answers.
  - d. Clarify Board Member's limitations, obligations, and responsibilities as a member of the Board. Do not speak on behalf of the entire board.
  - e. Respect Board decisions.
2. If the citizen has a complaint, ask if they have followed the Town's procedures and/or chain of command. Complaints regarding staff should be directed to the Town Administrator. Complaints regarding the Town Administrator should be directed to the Mayor and Board of Trustees. Complaints regarding Town services or issues should be directed to the Town Administrator, who may request that the complainant fill out a Citizen Comment Form. This written request will be kept on file and, per Town protocol, will be responded to in writing by the Town Administrator within three days as time allows. The Town Administrator will inform the Board of the resolution of any issue referred to the Town Administrator. Multiple complaints or those of a severe or unusual nature with regard to Town services or issues will be brought before the Board by the Town Administrator.
3. Citizens wishing to express themselves regarding policy, finances, or other responsibilities of the Board that are not quasi-judicial in nature should use one or more of these alternatives: contact Town Hall, e-mail, telephone, or write Board Members, speak at public forums, or participate in the "audience participation" public comment period of a Board Meeting.
4. A Board Member retains the right to speak to anyone as an individual, except with regard to quasi-judicial matters to be heard by the Board, but must understand that any comment will likely be

interpreted by the listener as being an official statement of the Board. In speaking as an individual, the Board Member should: 1) clarify that he or she is speaking as an individual and not for the Board; and 2) remind community representatives of any position or action that the Board has officially taken related to the issue in question and support the official position taken by the Board.

### **Communication: With the Media**

1. The Mayor or designee will be the official spokesperson for the Board to the media on issues that relate to Board decisions. The Town Administrator or a designated staff member will be the official spokesperson for the Town on issues of media attention that relate to Town operations.
2. Press releases issued on behalf of the Board will be approved by the Board prior to release, unless an emergency or public necessity exists. Press releases issued on behalf of the Town will be approved by the Town Administrator prior to release, unless an emergency or public necessity exists.
3. A Board Member who receives a call from the media requesting information, comments, or an interview regarding town business will direct the caller to the Town Administrator. The Town Administrator will notify the Board, periodically, of any media requests. If the matter is urgent, the Town Administrator will notify each Board Member via phone or e-mail, whichever is more practical. The Town Administrator or designee will keep Board Members apprised of issues the media may be considering. Statements will not be made to the media regarding personnel or other matters protected by law.
4. A Board Member retains the right to speak to the media as an individual, but must understand that any comment will likely be interpreted by viewers/readers as an official statement of the Board. In speaking as an individual, the Board Member should: 1) Clarify that he/she is speaking as an individual and not for the Board; 3) Remind the media representative(s) of the position or action of the Board related to the issue in question; and 4) Notify the Town Administrator and the Mayor about the media request. The Mayor or Town Administrator will inform the rest of the Board of the media correspondence.

### **Communication: E-mail**

1. Board Members may respond to e-mails from constituents, but should bear in mind that any such responses may be subject to Public Information Act requests. A Board Member retains the right to respond to e-mails as an individual, but must understand that such communication may be interpreted by the reader as being an official statement of the Board. The member should: 1) Clarify that he/she is responding as an individual and not for the Board; and 2) Remind the reader of any position or action the Board has officially taken on the subject.
2. Members are encouraged to share Town business related e-mails they receive with the rest of the Board via the Town Administrator. The Board Member should copy the Town Administrator for dissemination to the rest of the Board. This applies if:
  - a. The e-mail is not of a personal or confidential nature.
  - b. It is not obvious that the sender has copied the rest of the Board Members on the e-mail.
  - c. The Board does not engage in any conversation or action which would violate the Open Meetings Act.
3. E-mail or letters addressed to all Board Members are to be answered by the Town Administrator on behalf of the Board or are to be put in the Board Packet. A copy of such response will be forwarded to all Board Members.
4. Board Members will not respond to anonymous e-mails as to town business unless the communication pertains to criminal, health, or safety issues. Any such e-mails will be forwarded to the Town Administrator for appropriate action. If a Board Member receives an e-mail which he/she perceives to

be of a threatening nature, the Board Member will immediately call the Town Marshal and the Town Administrator and forward the e-mail to the Town Administrator for action and the rest of the Board for information.

5. Written correspondence is handled in the same manner as described above.

### **Meetings: Types of Meetings**

1. There are a variety of meetings for Board Members. Attendance at some meetings is more critical than others, but all are important to attend. While most meetings occur on a regular basis, dates can change or meetings can be omitted altogether due to other conflicts on the calendar.
2. **Board Meetings** -These open meetings are usually held on the second and fourth Wednesday of the month at Town Hall. They are held to conduct the formal business of the town in public. Action may be taken during this meeting. Board Meetings may be preceded or followed by an executive/closed session.
  - a. Members of the public are invited to address the Board during a Board Meeting regarding agenda or non-agenda items during an “audience participation” public comment period. Anyone wishing to address the Board must sign up at the start of the meeting.
  - b. Each speaker has up to three (3) minutes to address the Board related to items on the agenda and five (5) minutes related to non-agenda items. The Mayor will call the speakers forward to the podium to speak at the appropriate time based upon the order of receipt within the speaking time allotment.
  - c. On occasion, the Board may choose to modify the number of minutes assigned to each speaker. If more than five people with the same issue wish to speak, they will be asked to appoint one speaker on their behalf. Board Members will listen to the comments. Board Members will not conduct an interchange with the speaker if the speaker addresses a non-agenda item. The Board may provide factual information and/or reference to policy in order to facilitate resolution.
  - d. The Board Meeting is recorded and minutes shall be made available by the Town Clerk upon formal adoption by the Board at the following meeting. Adopted minutes shall be available on the Town web site.
3. **Executive Sessions** -These meetings are not open to the public and typically include consultation with legal counsel or other matters as allowed by Colorado Sunshine Laws for the Board. Since they are executive/closed meetings, there cannot be any formal action taken during an executive session. Executive session discussions will be kept confidential.
4. **Work Sessions** -These open meetings are typically held on the first Wednesday of the month at 7:00 a.m. at Town Hall. The Work Session is a meeting between Board Members and staff to discuss items and to receive information. The Board may choose to solicit public input on agenda items but no input will be entertained on non-agenda items. In addition, no action is typically taken. The Board is typically provided more of an update on particular issues and programs that may come to the Board at a later date during a Board Meeting.
  - a. Members of the public may not address the Board during a Work Session meeting unless invited to do so by the Board. Public input is scheduled at regular Board Meetings only.

Any Board Member may make a request for a specific topic to be addressed in a future Work Session by submitting to the Mayor and Town Administrator a formal request in writing, submitted prior to the

work session at which the topic shall be addressed. The Board may address the issue if a majority wishes to. At the end of each work session, the Mayor will ask Board members if they have a topic to be discussed at a future meeting.

5. **Public Input Sessions** -On issues of broad community interest the Board may decide to conduct public input sessions. Examples include tax rate setting, general information gathering or sharing sessions, and similar topics. This meeting may be held at Town Hall or another location. Members of the public may address the Board on the posted topic at hand. Board Members will listen to the comments but will not conduct an interchange with the speaker. However, if the speaker provides incorrect information then the Board or staff may submit correct information. No action may be taken.
6. **Special Meetings** -A special or emergency meeting is a business meeting held on a date other than the regularly scheduled meeting. Action may be taken. At minimum of 24 hours notice to the public of the meeting is required.
7. **Emergency Meetings** -An emergency meeting is a business meeting scheduled with at least a two hour notice to the public. An emergency meeting is usually called to address a situation which must be handled immediately. Action may be taken to be ratified at a subsequent meeting for which full and timely notice has been provided. As much notice as possible under the circumstances, will be given for an emergency meeting
8. **Retreats** -A retreat is a planning meeting between Board Members and staff which could include a training session for Board Members. A retreat must be held within town limits. Board Members may elect to participate via telephone or video conference if unable to attend. No action may be taken.
9. Public input shall be considered at all of the above meetings, except Executive/Closed sessions, retreats, and Work Sessions. All of the above, except Executive/Closed sessions shall be open to the public to attend. It should be noted that public comment is not expert testimony. In most cases, no immediate action or comments from the Board are necessary. The Mayor shall read a prepared statement at the start of meetings to this effect.

### **Meetings: Agenda Setting**

1. Agendas are drafted by the Town Administrator in consultation with the Mayor. The Town Administrator will place the request for information or agenda item on the next meeting agenda if a majority of Board Members agree that the requested information is important for future decision-making and the agenda item is desired at the next meeting. If the Town Administrator receives a written request from a member of the public to include an item on an upcoming agenda, the Town Administrator shall decide how to present the information to the Board. He/she may elect to put the item on the next agenda, in consultation with the Mayor.
2. No item should be placed on a Board Meeting agenda less than 72 hours in advance of the meeting unless an emergency or urgent public necessity exists. The Colorado Open Meetings Law provides the Town should attempt to post the agenda in a public location 24 hours prior to the meeting.
3. The Town Administrator will ensure that adequate back up materials are provided for each Board Meeting agenda item and he/she will attempt to relay that information to Board Members at least four (4) calendar days prior to the meeting, typically on the Friday before the meeting. The information may be relayed in the weekly packets unless an emergency or urgent public necessity exists which would not permit the four (4) day notification. Items not available when the agenda is electronically posted and e-mailed, will be e-mailed immediately upon completion to all Board Members or provided at the start of the meeting.

4. Should the Board wish to pass items through a “consent agenda,” they may do so in one motion. The Consent Agenda may include:
  - a. Staff Reports
  - b. Approval of Minutes
  - c. Bids, Purchases, Construction
  - d. Contracts
  - e. Surplus Disposal
  - f. Recommended Budget Amendments
  - g. Monthly Bills and Claims
  - h. Quarterly Financial Reports
  - i. Other items agreed to by the Board
  
5. During a Board Meeting, any Board Member may remove an item from the consent agenda for separate consideration. Prior to the meeting, the Board Member will make every effort to inform the appropriate staff member of his/her intent to remove the item from the consent agenda so that the staff member may be prepared. The Board Member will also notify the Town Administrator and the Mayor of his/her need to further discuss the consent agenda item prior to action by the Board. Consent agenda items must still be voted upon by counting the ayes and nays of each board member, but as a whole, and the votes required to pass any specific item on the consent agenda are not altered by placing the item on the consent agenda

#### **Meetings: Board Member Preparation and Conduct**

1. Board Members will read and study the packet prior to each meeting. Board Members will direct agenda related questions to the Town Administrator, copying the Mayor, in accordance with the procedure outlined in “Communication: Agenda Items.”
  
2. All Board Members are expected to conduct themselves professionally and ethically during all meetings and public forums. Examples of behavior that will not be tolerated are rude remarks, interruptions, yelling, name calling and disrespectful verbal or body language. During posted meetings, all members will conduct himself/herself according to this protocol. Where this protocol is silent, *Roberts Rules of Order, Newly Revised shall apply*. If, during a meeting or public forum, any member conducts themselves in a manner that is intolerable or prevents the accomplishment of goals, the Mayor may adjourn or recess the meeting. Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject. The Mayor may request a Board Member who is unruly or disruptive to be escorted from the room.
  
3. Only Board Members who are physically present may participate in meetings. Board Members who cannot attend, but would like to listen to a called meeting, may listen via phone, but cannot speak once the meeting begins. The minutes may reflect the following: “[BOARD MEMBER] was unable to attend the meeting in person. Pursuant to the Open Meetings Act, [BOARD MEMBER] was not permitted to *participate in the meeting, but, [BOARD MEMBER] did call in and was able to listen to all the discussion on each of the agenda items discussed.*”
  
4. Rules of Order Include the Following:
  - a. The Mayor or designated chair will recognize any member who wishes to speak on a subject. Members will not be allowed to speak a second time until every member who wishes to participate has spoken once.
  - b. Each member will be allowed three (3) minutes to ask questions or comment before he/she must yield the floor to another who wishes to speak. A Board Member may elect to yield his/her time to another member.
  - c. Debate and discussion may continue until such time as the Mayor feels that he/she has had adequate time to ask clarifying questions or make other comments, unless the previous question has been moved and adopted.

- d. Questions or comments must always be germane to the current agenda item.
- e. No Board Member will coerce another member to vote in a particular manner, and no member may attempt to solicit votes in any manner inconsistent with Colorado Open Meetings Laws.
- f. No Board Member will criticize any other member with regard to his/her questions, discussion or vote.
- g. Although it is the duty of every Board Member who has an opinion on a question to express it by his/her vote, he/she can abstain, since he/she cannot be compelled to vote. Members abstaining from voting may briefly state their reason for the abstention.
- h. Nothing in this operating procedure will be construed to limit a Board Member's ability to ask reasonable, pertinent questions during the board meeting.
- i. Once the Board has made a decision, Board Members agree to move forward and not revisit the issue or criticize any members or the Board itself for its decision.

### **Meetings: Audience Participation**

1. The purpose of providing an agenda item for Audience Participation is to allow for citizen participation on agenda and non-agenda items. In many instances Audience Participation comments are statements and not questions, and as such may not require a response from the Board. It is important to bear in mind that Board meetings are for the purpose of Board deliberation, not direct democracy, and that it is neither feasible nor desirable to use the Audience Participation comments as a means of engaging in direct democracy.
2. Items requiring extensive Board discussion must be placed on the agenda, as must items requiring action by the Board. The Board may, if it chooses, respond by requesting that a topic of interest be placed on a future agenda. The Board may also request that the Town Administrator follow up with the participant to provide additional information.

### **Meetings: Executive Sessions**

1. Executive session is a closed meeting and usually precedes or follows a Board Meeting or Work Session. Topics that can be discussed in executive/closed session include:
  - a. Personnel Matters involving a specific employee including the Town Administrator's evaluation and/or contract, unless the specific employee requests the matter be discussed in an open meeting.
  - b. Attorney conferences to receive legal advice on a specific legal question
  - c. Discuss purchase, exchange, lease, sale, or value of real property or other property transactions;
  - d. Deliberation regarding negotiations to develop a strategy for negotiations or to instruct a negotiator;
  - e. Other topics as provided by the Colorado Open Meetings Law such as documents protected under the Open Records Act, security arrangements or investigations, or matters confidential under state or federal law.
2. No formal action or decision may be made in executive session. The outcome of the discussion may be voted on by the Board once the executive session is adjourned and the regular meeting has recommenced.
3. All matters discussed in executive session are considered confidential. Board Members will not disclose executive session conversations. When it is apparent to the Board that it would be in the best interest of the staff, community or Board to make a statement regarding anything that occurs in or results from an executive session, the Mayor will compose an official public statement that meets with the approval of a majority of the Board. Any such statement will comply with the limitations of the law. If individual Board Members are pressed for information regarding executive sessions that Board

Member will state clearly that he/she can give no information other than what is posted on the agenda. If pressed further, the Board Member will refer the inquiry to the Town Administrator.

4. The Town Clerk will tape-record the proceedings and will note the time of the session start and close, as well as those in attendance. No formal minutes of the proceedings shall be taken.
5. No person other than the Board and the Town Administrator is entitled to attend or participate in executive sessions. If the Mayor, designee or the Town Administrator believes that consultation with a person or group would be beneficial to the discussion, that person or group may be invited to participate for a specific purpose. Such consultants must leave the room upon the conclusion of their participation or when the Board no longer believes such participation is productive. A Board Member will make such a request to the Mayor or designee, who will work with the Town Administrator to arrange for participation as requested. The Town Administrator may be prohibited from participating in executive/closed sessions where the Board may be considering any aspect of his/her employment or job performance. In the event any persons other than the Board and Town Administrator participate in executive sessions, the Town Administrator and Board will ensure that the participant(s) are aware of the limitations placed on disclosure of the content of the discussion occurring in executive session.

### **Committee and Board Liaisons**

1. Board Members serve as community liaisons to various groups throughout the community as well as committees within the Town. Through consultation and an appointment by the Mayor, members may serve on the following boards as a standing liaison:
  - Mancos Tree Board
  - Mancos Trails Committee
  - Mancos Valley Chamber of Commerce
  - Planning and Zoning Commission
  - Mancos Public Library
  - Other boards and committees, as determined by the Board
2. The Mayor will solicit input from the Board Members regarding preferences and will assign each member to liaison positions. Recommended liaison assignments will be approved by a majority of the Board. Liaisons can be removed from their assigned Board or Committee by a majority vote or as otherwise provided in the Mancos Municipal Code.
3. The board liaison will: 1) serve as the contact person for Board Members with questions in that particular area; 2) be willing to commit the time necessary to be effective; 3) be responsible for communicating executive level summaries to the Board on a periodic basis, subject to Colorado Open Meetings law limitations; and 4) be responsible for helping staff know how/when/what to communicate to the Board about the area.
4. The board liaison will not: 1) give orders, make decisions for the Board or Town, or otherwise imply that they are part of the Town staff; 2) impede other Board Members from learning more about a subject from staff; 3) violate any Colorado Open Meetings Laws; or 4) make decisions on behalf of the Board.

### **Board Member Conflict of Interest**

1. A Board Member shall disclose at the earliest stage possible any personal or private interest in any purchase or award of contract proposed before the Board of Trustees, may not vote thereon unless allowed to do so under Colorado law, and shall refrain from attempting to influence the other members of the Board of Trustees in voting on the matter. Purchases from family members, Board of Trustee members or any other person where an actual or perceived conflict of interest exists must be preceded with a competitive bid process and disclosed at an open Board of Trustees meeting prior to actual

award of the bid. The Board of Trustees may require a vote on the award and may accept or reject the bid.

2. Any Board Member who may gain financially from any purchase or award of a contract shall recuse himself from discussions and selection process pertaining to the matter. External obligations, financial interests, and activities of each employee and Board Member of the Town of Mancos must be conducted so there is no real or perceived conflict or interference with the individual's primary obligation and commitment to the Town of Mancos. Board Members should not acquire or hold an interest, directly or indirectly, in any business or undertaking that may be economically benefited by action over which they have substantial authority. Board Members shall comply with applicable state law, concerning conflict of interest and disclosure requirements, including without limitation C.R.S. 24-18-10 et seq., C.R.S. 31-4-404, C.R.S. 24-18-201, C.R.S. 18-4-301, C.R.S. 18-4-401, and C.R.S. 18-8-308. Board members shall complete and submit a Conflicts Disclosure Form to the town and to the Colorado Secretary of State at their earliest opportunity. Board Members shall refer to the town's purchasing policy for information on bidding and purchasing requirements.
3. If a Board Member has questions or concerns about a potential conflict of interest, he or she should consult the Town Administrator (outside of a Board of Trustees meeting) requesting that the Town Administrator consult with the Town Attorney, or consult the Town Attorney during a meeting.