

Underhill Selectboard  
2021-2022 Rules of Procedure

A. PURPOSE.

The Town of Underhill Selectboard is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. 310-314. Selectboard meetings must be open to the public at all times, except as provided in 1 V.S.A. 313.

B. APPLICATION.

These rules shall apply to all regular, special, and emergency meetings of the Selectboard. These rules shall be made available at all meetings, and procedures for public comment shall be reviewed at the beginning of all meetings.

C. ORGANIZATION.

1. The Selectboard shall annually elect a chair and a vice-chair. The Selectboard chair or, in the chair's absence, the vice-chair shall preside over all meetings.
2. The chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
3. A majority of the Selectboard members shall constitute a quorum. If a quorum of the Selectboard members is not present at a meeting, no meeting shall take place. Subject to the limitations contained in 1 V.S.A. § 310 and § 312(g) (as amended from time to time), "meeting" means a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action.
4. No single Selectboard member of the body shall have authority to represent or act on behalf of the Selectboard unless, by majority vote, the body has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
5. Motions made by members of the Selectboard require a second. The chair of the Selectboard may make motions and may vote on all questions before the Selectboard. A motion will only pass if it receives the votes of a majority of the total membership of the Selectboard.

6. A Selectboard member may speak or make a motion without being recognized by the chair.
7. Any member of the Selectboard may request a roll call vote. Pursuant to 1 V.S.A. 312(a)(2), when one or more members attend a meeting electronically, a roll call vote is required for votes that are not unanimous.
8. Meetings may be recessed (adjourned) to a time and place certain. Any adjourned meeting shall be considered a new meeting, unless the time and place for the adjourned meeting is announced before the meeting adjourns.
9. The Town Clerk's Office (12 Pleasant Valley Road), Jacob's Family Market (16 Park Street) and Underhill Center Post Office (286 River Road) are designated as public posting locations. The Burlington Free Press is designated as the Town's newspaper of record.
10. These rules may be amended by majority vote of the Selectboard and must be readopted annually at the organizational meeting.

#### D. AGENDAS.

1. Each regular and special Selectboard meeting shall have an agenda, with time allotted for each item of business to be considered by the Selectboard. Those who wish to be added to the meeting agenda shall contact the Town Administrator to request inclusion on the agenda. The chair shall determine the final content of the agenda.
2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, the Town shall post a meeting agenda in or near the municipal office (12 Pleasant Valley Road) and at the following designated public places in the municipality: the Underhill Center Post Office (286 River Road) and Jacobs's Family Market (16 Park Street). At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted on the Town of Underhill website ([www.underhillvt.gov](http://www.underhillvt.gov)). The agenda must also be made available to any person who requests such agenda prior to the meeting.
3. To enable the Selectboard to review materials related to agenda items in a regular Selectboard meeting, individuals shall submit such materials to the Town Administrator at least 72 hours prior to the regular meeting.
  - a. Items that are not submitted in accordance to the above may be consider if approved by the majority of selectboard members present.

- b. Any addition to or deletion from the agenda shall be made as the first act of business at the meeting. Any other adjustment to the agenda may be made at any time during the meeting.

#### E. MEETINGS.

1. The time and place of regular meetings shall be determined for the ensuing year at an organizational meeting, which will be held annually, after Town Meeting. This information shall be available to any person upon request.
2. The time, place and purpose of all special meetings shall be publicly announced at least 24 hours in advance by giving notice to all members of the Selectboard unless previously waived; to an editor, publisher or news director, or radio station serving the area; and to any person who has requested notice of such meetings. In addition, notices shall be posted in the municipal clerk's office and at the following designated places in the municipality: the Underhill Center Post Office (286 River Road) and Jacobs' Family Market (16 Park Street).
3. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the Selectboard. Any one Selectboard member can authorize an emergency warrant in instances where payment cannot wait until the next regularly scheduled meeting of the Selectboard. The emergency warrant will be presented to the full board at the next following regular meeting of the Selectboard.
4. A member of the Selectboard may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened and is able to hear and be heard throughout the meeting. Whenever one or more members attend electronically, voting that is not unanimous must be done by roll call. If a quorum or more of the Selectboard attend a meeting (regular, special, or emergency) without being physically present at a designated meeting location, the agenda for the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the Selectboard, or at least one staff or designee of the Selectboard, shall be physically present at each designated meeting location.
5. The bi-weekly payroll which falls on Thursday will be approved at the next regularly scheduled Selectboard meeting.

## F. PUBLIC PARTICIPATION.

1. All Selectboard meetings are meetings in the public, not of the public. At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson and such further rules as are set forth below. This subsection shall not apply to quasi-judicial proceedings
2. At the beginning of each Selectboard meeting, there shall be 5 minutes afforded for open public comment. By majority vote, the Selectboard may increase the time for open public comment and may adjust the agenda items accordingly. Comment by the public or members of the Selectboard must be addressed to the chair or to the Selectboard as a whole, and not to any individual member of the Selectboard or public. Members of the public must be acknowledged by the chair before speaking. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.
3. All persons present at the meeting shall observe order and decorum. Neither Selectboard members nor the members of the public shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Selectboard members and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.
4. Selectboard members and members of the public shall obey the orders of the chair or other presiding member. The chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines, in his or her sole discretion, that deviation from the process is reasonable and warranted:
  - a. Call the meeting to order and remind the members of the applicable rules of procedure.
  - b. Declare a recess or table the issue.

- c. Adjourn the meeting until a time and date certain.
- d. Order the constable or designee to remove disorderly person(s) from the meeting.

ADOPTED: December 21, 2021


SIGNATURES:

  
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DATE: 1/6/2022

  
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DATE: 1/6/2022

  
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DATE: 1/6/2022