

Town of Buena Vista

Advisory Boards and Commissions Manual

Buena Vista's Guide to Informed Citizen Participation



**Adopted on
April 26, 2016**

Our collective community consists of friendly, well informed people who feel they can make a difference and have an impact in determining their future and the quality of life and enjoy freedom of expression. - Buena Vista “Community Spirit” Collective Vision Statement

Welcome

Welcome to the Town of Buena Vista! Your selection as an active member of a board or commission provides you with a valuable opportunity for genuine public service and we thank you for your contribution. Although the specific duties of each board and commission vary widely, there are certain responsibilities common to all board and commission members. These guidelines will assist you in maximizing your contribution to our community.

Introduction

The Town of Buena Vista relies on the active participation of residents volunteering their time and effort to sustain the quality of community we enjoy. Board and commission members exemplify the spirit of volunteerism by lending their talents and resources to benefit town. Appointment to an advisory board or commission in Buena Vista is an honor that brings both responsibility and opportunity. This manual has been designed to provide information on the organization of the Town of Buena Vista and the role served by board and commission members.

Boards and commissions are established by ordinance in the Municipal Code, which sets forth the composition and duties of each body. Qualified candidates fill vacancies, and the Board of Trustees approves appointments. Board and commission member duties include reviewing items and issues at the request of or interest to the public. Town advisory boards and committees serve the community by providing input on various projects and topics on behalf of the Town of Buena Vista. Board and commission members provide recommendations to assist the trustees in making decisions, and also serve as ambassadors to the community, informing and educating the public regarding the purpose of the board or commission and activities of the town.

The following materials provide general information on the town organization and its various boards and commissions, including procedures and laws that apply to their activities. Please contact the Town of Buena Vista at 719-395-8643 to speak with a board or commission staff liaison regarding the role of board and commission members.

Types of Boards and Commissions

Advisory to Board of Trustees

Airport Advisory Board

Beautification Advisory Board

Economic Vitality Advisory Board

Recreation Advisory Board

Tree Advisory Board

Trails Advisory Board

Water Board

Quasi-Judicial

Planning and Zoning Commission

Advisory Boards and Commissions:

Advisory Board Member Job Description:

Advisory Board members attend meetings to contribute to making decisions on projects and plans the advisory board is considering, or currently working on. They offer opinions, advice and expertise in an advisory capacity. Each advisory board member offers their time in a voluntary capacity at the meetings, as well as in any preparation for the meeting, follow-up, or when working on projects in the community related to their respective advisory board.

It is important to remember that Advisory Boards (with the exception of the Planning & Zoning Commission) are advisory only. They do not make policy decisions, budget decisions, or other planning decisions directly.

Officer positions:

Each advisory board and commission will select a Chair, Vice Chair and Secretary from among the board/commission members.

Chair:

Responsible for running meetings according to the agenda (agenda is set by the Chair or the staff liaison, depending on the board or commission), policy questions growing out of operating decisions/Board of Trustee decisions, bringing forward for discussion and action problems arising from conflict of interest, problems stressing financial stewardship, and in charge of budget/project requests on behalf of the board.

Vice Chair:

In absence of the Chair, responsible for running meetings according to the agenda (agenda is set by the Chair or the staff liaison, depending on the board or commission), policy questions growing out of operating decisions/Board of Trustee decisions, bringing forward for discussion and action problems arising from conflict of interest, problems stressing financial stewardship, and in charge of budget/project requests on behalf of the board.

Secretary:

Distributes meeting agenda before the meeting, responsible for posting the agenda and sending the agenda to the Town Clerk, takes minutes during the meeting, and circulates/distributes minutes to the members so that they may be approved. Sends approved minutes to the Town Clerk for inclusion in the Trustee packet.

Election of Officers

The election of officers should be held each year during the regular meeting in January or February. Staff liaisons must notify the Town Clerk when new officers are elected.

Roles and Responsibilities of Each Board or Commission

Planning and Zoning Commission

- The Planning and Zoning Commission duties include preparing and adopting a master plan for the physical development of the municipality, including any areas outside its boundaries, subject to the approval of the governmental body. The master plan of a municipality shall be an advisory document to guide land development decisions. The planning commission reviews and decides upon variance requests, planned development and other zoning issues and regulations. Full duties and responsibilities are specified in Parts 2 and 3 of Article 23, of Title 31, C.R.S.
- The Planning and Zoning Commission consist of five (5) regular members appointed by the Board of Trustees. Statutorily (Parts 2 and 3 of Article 23, of Title 31, C.R.S.) all commissioners are required to reside within town limits. Neither the Mayor nor any member of the Board of Trustees can serve on the Planning and Zoning Commission. The Board of Trustees may appoint up to two (2) alternate members of the Planning and Zoning Commission. Alternate members can attend all P&Z meetings and participate in the discussion, yet they have no voting rights on any matters before the P&Z unless a regular member of the P&Z is absent or unable to vote on the matter. Terms are three (3) years.
- Planning and Zoning Commission guiding documents: Town of Buena Vista Land Use Code, Town of Buena Vista Comprehensive Plan.

Airport Advisory Board

- The Airport Board was created with the duties and responsibilities to review policy matters relevant to airport operations and development of facilities at the Buena Vista Airport, and to make recommendations to the Board of Trustees. They also serve as ambassadors to the airport and perform other functions and duties as the Board of Trustees may assign.
- The Airport Board has seven (7) voting members and two (2) alternates appointed by the Board of Trustees. The Airport Board also includes the Airport Manager and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Airport Advisory Board guiding documents: Airport Master Plan, Airport Business Plan.

Beautification Advisory Board

- The Beautification Advisory Board makes recommendations to the Board of Trustees regarding beautification matters, projects or endeavors and, upon receiving direction from the Board of Trustees, shall implement, organize and coordinate any beautification project for the Town.
- The Beautification Advisory Board has seven (7) voting members and two (2) alternates appointed by the Board of Trustees. The Beautification Advisory Board also includes a staff liaison and a designated Board of Trustees member, both of whom serve as non-voting ex officio members. Beautification Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan.

Economic Vitality Advisory Board

- This Economic Vitality Advisory Board acts as the advisory board to the Town of Buena Vista Board of Trustees on matters and policies pertaining to economic development, including goal setting, strategic planning, comprehensive plan updates, marketing and business recruitment, retention and expansion for all business, industrial and commercial areas. The board provides broad policy recommendations, and provides direction and time table for advisory board activities. The board also performs other functions and duties as the Board of Trustees may, from time to time, assign to the board.
- The Economic Vitality Advisory Board has seven (7) voting members and two (2) alternates will be appointed by the Board of Trustees. The Economic Vitality Advisory Board also includes a staff liaison and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Economic Vitality Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan.

Recreation Advisory Board

- Recreation Advisory Board duties are to make recommendations to the Trustees regarding the operation, improvement, and maintenance of the Town's recreation programs and facilities, and to bring to the attention of the Board of Trustees any matter pertaining to the Town's recreation programs and facilities.
- The Recreation Advisory Board has seven (7) voting members and two (2) alternates will be appointed by the Board of Trustees. The Recreation Advisory Board also includes the recreation staff and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Recreation Advisory Board guiding documents: Recreation Master Plan, River Park Master Plan.

Tree Advisory Board

- The Tree Advisory Board duties and responsibilities are to study, investigate, develop and recommend to the Board of Trustees the adoption of a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas.
- The Tree Advisory Board consists of seven (7) members and two (2) alternates, appointed by the Board of Trustees. The Tree Advisory Board also includes the Public Works Director and a designated Board of Trustees member, both of whom serve as non-voting ex officio members.
- Tree Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan, Planting Guide.

Trails Advisory Board

- The Trails Advisory Board shall study, investigate, develop and recommend to the Board of Trustees the adoption of a written plan for the care, preservation, maintenance, and improvement of the Buena Vista trails system. Once a written plan for the BV trails system has been adopted by the Board of Trustees, the Trails Advisory Board shall recommend annual updates and modifications to the plan. The Trails Advisory Board is also responsible for bringing to the attention of the Board of Trustees any action or condition which is in apparent violation

of any ordinance of the Town pertaining to trails or matters related to trails, or recommend any specific remedial enforcement action desired by the Trails Advisory Board.

- The Trails Advisory Board consists of seven (7) members and two (2) alternates, appointed by the Board of Trustees. The Trails Board also includes the Public Works Director, recreation staff and a designated Board of Trustees member, all of whom serve as non-voting ex officio members.
- Trails Advisory Board guiding documents: Town of Buena Vista Comprehensive Plan, Trails Master Plan and Cooperative Management Agreement with BLM.

Water Advisory Board

- The Water Advisory Board reviews policy matters relevant to stewardship and development of the Town's water rights portfolio, storage, treatment and distribution systems and to make recommendations thereon to the Board of Trustees. The Board also plans for the long-term water needs of the Town and to make recommendations thereon to the Board of Trustees regarding water rights acquisitions, intergovernmental agreements with other governmental entities regarding development and use of water rights and supplies, water service rates, system development fees, capital development projects and allocation of resources in the Water Fund.
- The Water Board consists of seven (7) members and two (2) alternates, appointed by the Board of Trustees. The Water Board also includes the Public Works Director and a designated Board of Trustees member, both of whom serve as non-voting ex officio members
- Water Advisory Board guiding documents: Water Master Plan.

While each advisory board has a specific focus and area of concern, each advisory board member should be familiar with the Buena Vista Comprehensive Plan and the Town's code. Familiarity with the Buena Vista Comprehensive Plan is necessary to ensure the larger focus of advisory boards is holistic and maintains a community-wide perspective.

Biannual presentations to the Board of Trustees

Each quarter, two advisory boards will make a presentation to the Board of Trustees. The presentations will be separate from the annual presentation associated with budget requests that occur in the fall. Therefore, each advisory board will present to the Board of Trustees biannually. The presentation will be a brief 5-10 minutes to update the Mayor and Trustees on the projects, progress and work being done in the advisory boards.

The presentation will be followed by a short 5-minute question and answer period. The intention of the biannual presentations to the Board of Trustees is to improve communication and understanding between the advisory boards and the Board of Trustees.

Representation of a Board or Commission

As an individual member of a board or commission, you must not represent your own views or recommendations as those of the board or commission unless the majority of the body has officially voted to approve such action. Board or commission members making recommendations or expressing

views which have not been approved by a majority of the board should indicate they are expressing their individual opinion and are not speaking on behalf of the board or the Town.

Public statements should not contain promises that may be construed to be binding on a board or commission, staff, or the Board of Trustees. When making a public statement, members should remind listeners that board actions are recommendations (unless otherwise provided by law) and that final action will be taken by the Board of Trustees. Remember that your actions and statements as a board or commission member assume special significance. If not responsibly discharged, your actions and statements could result in a situation detrimental to the Town's best interests.

Although board and commission members may be selected, in part, on the basis of representing specific interest groups, each member should represent the overall public good and not that of an exclusive group or interest.

Relationship with other members

On many occasions, the success or failure of the efforts of a board or commission is dependent upon the degree of cooperation among the individual members of the body. You are encouraged to keep the following points in mind in your interactions with other members:

- Show respect for another's point of view.
- Allow others adequate time to present their view fully before making comments.
- Be open and honest.
- Welcome new members and help them become acquainted with their duties.

C.H.A.R.G.E - A checklist for effectiveness

It is a great civic duty to take C.H.A.R.G.E. in the community to improve the quality of life for all. Below is a checklist that you need to consider to ensure that your experience as an advisory board member is effective and enjoyable.

C – Code:

The Town of Buena Vista is governed by its municipal code. By passing ordinances and taking action on resolutions and formal motions, the Board of Trustees affects the municipal code, and hence the laws that govern the Town.

Am I familiar with:

- The Municipal Code of the Town of Buena Vista?
- The specific function of my board or commission, as outlined in the town code?
- What my fellow board members and I expect to achieve for the community?
- The name of the trustee liaison and staff liaison to my board or commission?

H – Hierarchy

The Town of Buena Vista follows an organizational chart passed by the Board of Trustees every year in December, which takes effect the following January. The organizational chart is important to be familiar with and understand. The Town of Buena Vista operates within a council-administrator form of government. At the top are the citizens of Buena Vista, below the citizens are the Mayor and Board of Trustees, because the Mayor and Trustees serve and are accountable to the citizens of Buena Vista. Below the staff are the Advisory Boards and Commissions because they are advisory in nature and work with staff to implement their goals and projects.

Do I understand:

- How my board or commission's work affects the community?
- The scope of authority of my board or commission?
- The role of board's staff liaison, town trustee liaison and chairperson?
- My role as a board or commission member?

A – Accountability

Being accountable refers to an obligation or willingness to accept responsibility or to account for one's actions. It is the acknowledgement and assumption of responsibility for actions, decisions and products and encompasses the obligation to report, explain and be answerable for resulting consequences.

Do I understand:

- My board or commission's liability and my own ability as an individual member?
- What constitutes a conflict of interest?
- Exactly how the law requires that a conflict of interest be handled?
- My board's accountability to the public?

R – Responsibility

The state or fact of being responsible, answerable or accountable for something within one's power, control, or management. In this context refers to the responsibility to fulfill your commitment to serving as a volunteer advisory board member.

Do I:

- Attend all board or commission meetings as much as possible?
- Prepare for the meetings by studying the agenda and supplemental materials ahead of time?
- Complete the tasks I have volunteered to take on?
- Know what responsibilities each of us, as individual board members, has to our board colleagues?

G – Goals

A goal is a desired result that a person, system or organization envisions, plans and attempts to achieve: a personal or organizational desired end-point. Many reach goals within a finite time by setting deadlines. In this context, the advisory board will set goals related to the board's mission and work plan, which will accordingly fit into the Town and Board of Trustee goals for the year. Each advisory board member should understand the goals and know the associated tasks and deadlines, both on an individual level and advisory board level.

Do I know:

- My board or commission's goals for the next 12 months?
- What tasks must be completed to reach each of our goals?
- Deadlines for the tasks for which I am responsible?

E – Evaluation

Evaluation is a systematic determination of a subject's merit, worth and significance, using criteria governed by a set of standards. The primary purpose, in addition to gaining insight into prior or existing initiatives, is to enable reflection and assist in the identification of future change.

Have I:

- Discussed with other members and staff what our board or commission can do to improve our performance?

Introduction to Town government

Board of Trustees

The Town of Buena Vista operates under the statutory form of government. The Board of Trustees is the legislative, policy-making body for the Town of Buena Vista. It consists of one mayor and six board members elected at large, with the mayor serving a four-year term. Expiration of terms is staggered, and elections for board members are held every two years. After each biennial election (held in April), the Board elects from among themselves a Mayor Pro Tem, and all members of the board must have resided within the town limits for at least 12 months prior to election. The board takes action by enactment of ordinances, resolutions, and formal motions, which provide direction for the town staff. The board appoints a Town Administrator, Town Attorney, Town Clerk, Town Treasurer and Municipal Judge.

Town Administrator

The Town of Buena Vista operates within a council-administrator form of government. The Town Administrator is the chief executive officer of the town and is responsible for the overall management of town operations.

Functions of the Town Administrator include:

- Implement policy decisions and legislative actions taken by the Board of Trustees
- Make recommendations to Board of Trustees
- Oversee the operations of the town
- Prepares the town budget

Council-Administrator form of government

	Board of Trustees	Town Administrator
Responsible for:	Policy Decisions	Day-to-day operations
Hires and Supervises:	Town Administrator Town Attorney Town Clerk Town Treasurer Municipal Judge	All other town staff members/employees

General provisions

Details about boards and commissions can be found in Chapter 2, Article XIII to XV of the Municipal Code. The Board of Trustees, by ordinance, establishes and appoints boards and commissions to advise on various issues and performs such functions as the trustees may designate. The ordinance establishing each board or commission describes the powers, duties and operating procedures of the board or

commission; and establishes the terms of office of the board or commission members, including initial overlapping terms.

All board and commission members are subject to removal, with a majority vote of the board members required to remove a board or commission member before their term has expired. Any vacancy during the unexpired term of any member is filled by the trustees for the remainder of the term. Each board and commission shall choose its own officers among its members. The trustees may change any or all of the powers, duties and procedures of any board or commission and may abolish any board or commission not required by the Municipal Code or law.

Membership limitations

The following limitations and requirements are applied to board and commission membership:

Employees of the Town of Buena Vista may not serve on any board or commission appointed by the Board of Trustees.

Planning and Zoning Commission members must reside within Town limits.

Attendance policy

Upon application for and acceptance of appointment, board and commission members demonstrate their intention and ability to attend meetings.

Budget process

Generally, budgets are not established for boards and commissions. However, each year boards and commissions may request funds for projects and initiatives.

Work Plans

An outlined work plan for the coming year will be presented to the Board of Trustees by the second Trustee meeting in October, regardless if there are budget requests to present. The work plan will set out major projects and issues for discussion for the following year. Timelines and scope of review should be provided when possible. If appropriate, an estimate of action to be taken should be included. Work plans should be concise and easily readable. The Board of Trustees will review the work plan for each advisory board.

Please use the following as a guide for work plans and goals: Short-term goals are outcomes to be accomplished in 1 – 2 years and long-term goals are to be accomplished in 3 -5 years.

The Board of Trustees, along with staff, establishes Strategic Objectives each year. Advisory boards will work with the staff liaison and trustee liaison to ensure that the work plan for that year aligns with the established Strategic Objectives for that year, as well as the Collective Vision Statements listed below. Objectives and vision statements will be considered when planning for each year's work plan:

Town of Buena Vista Collective Vision Statements:

General Community Character

We envision the town as a clean, safe, quiet and secure community that is a desirable place to live, work, and play – an altogether good place to raise our children.

Community Spirit

Our collective community consists of friendly, well-informed people who feel they can make a difference and have an impact in determining their future and their quality of life and enjoy freedom of expression.

Community Appearance

The town we envision has a defined sense of place as expressed in its history and architecture.

Community Services

The town of our vision has high-quality education and medical and emergency response services, as well as quality, efficient, and well maintained parks and public buildings. The town's public servants exhibit an excellent level of public service, including approachability, honesty and helpfulness. Our town government and community leaders demonstrate accountability, consistency and visibility. We engage in a high level of cooperation with surrounding governmental and nongovernmental entities

Environment

We desire a community where urban, rural and agricultural land uses can coexist in a well-planned pattern. Land use decisions are made with thoughtfulness and an eye toward sustainability. We want a healthy community with clean air and water.

Economy

We envision a community in which all citizens enjoy financial prosperity and can find an affordable place to live. The town has a bustling downtown community core with abundant and diverse retail establishments. We continually strive for economic diversity within the community. Our town government is economically stable and viable.

Timeline of budget process:

Deadline	Task	Associated definitions
May 31	Staff liaison requests possible capital improvement projects (CIP) to update the 5-year CIP plan; associated operation costs are not due at this time.	CIP: A capital improvement is any addition or alteration to real property \$5,000 and over that meets all three of the following conditions: It substantially adds to the value of the real property, or appreciably prolongs the useful life of real property.
June 30	Estimated CIP costs due to staff liaison.	
August 1	Board discusses possible projects and associated costs for upcoming year.	
September 1	Staff liaison requests costs associated with requested budget items for inclusion in the coming years' proposed budget.	
October 1	Board/commission has voted and approved requested budget. Full budget due to staff liaison for inclusion in coming years' proposed budget.	
2nd Trustee meeting in October	Board or commission chair presents budget requests and work plan at Trustee work session.	

Staff Liaison Role

Staff support is available to boards and commissions through the assigned staff liaison to help each group. The boards and commissions' staff liaison is responsible for the following:

- Coordinate the board's annual work plan and budget, with input and guidance from the Town Administrator.
 - If necessary or appropriate, the liaison will work with the Town Administrator to seek direction on the appropriateness of the request and may provide direction to the board on whether the project is possible in the coming budget year.
- Ensure new members are oriented to the board, including procedures and projects.
 - Staff liaison will be responsible for the process of re-confirming and election of members, and tracking terms.
- Answer questions and research for various policy questions.

- At the request of the Board of Trustees, provide information to board or commission regarding policy changes and distribute updated information to all members.
- Coordinate reserving a meeting space if necessary/requested by the board/commission.
- Advise the Town Administrator of the following:
 - Attendance problems
 - Resignations
 - Meeting schedule/location changes
 - Name/address/phone number changes for board members
 - Staff/name/title/phone number changes for staff liaisons
- Serve as a communications link between the Town Administrator and/or Board of Trustees and board members.
- From time to time, staff liaisons may prepare memorandums to trustees at the request of the board or commission, or Town Administrator. These communications are sent directly to the Board of Trustees. It is the responsibility of the trustees to respond directly to the board or commission if a trustee chooses. The staff liaison is not responsible to monitor or ensure a response from trustees.
- Oversees the procurement of goods and services necessary to execute projects approved by the Board of Trustees.

Trustee Liaison Role

Every two years after the municipal election, the Board of Trustees selects liaisons to the boards and commissions. The role of the Trustee liaison:

- Communicates with the board or commission when needed and serves as the primary two-way communication channel between the Board of Trustees and the advisory board or commission.
- Serve as the primary trustee contact for the advisory board or commission.
- Help resolve questions the board or commission may have about the role of the trustees, municipal government and the advisory board or commission.
- Establishes formal or informal contact with the chairperson of the board or commission and effectively communicates with the staff liaison.
- Provides procedural direction about the trustee's position to the advisory board.
- Serves as trustee contact rather than an advocate for or ex-officio member of the board.
- Identifies and helps resolve any problems that may exist with respect to the function of the board.
- Facilitates the training of new board and commission members by providing suggestions and relevant information to town staff responsible for providing such training.
- Attendance at monthly board meetings is recommended but not required. Attention should not be focused on the trustee liaison and his or her input. (If Trustee liaison participation is critical to a particular item, a direct invitation should be made to the trustee liaison, explaining why participation is deemed to be critical.)

Orientation and Training

Town staff provides yearly training with regard to the structure and operation of town government and the legal and ethical duties and responsibilities of board and commission members. All members of town boards and commissions are required to attend the training, either in person or in such other

fashion as the Town Administrator may deem appropriate (such as viewing a video tape of the live training session). This requirement must be fulfilled within six months of the appointment of any member.

Additionally, staff liaisons should provide new board members with pertinent materials which will assist new members in becoming fully functioning members of the board. Established board members are encouraged to share their experience and knowledge with new members.

Meeting Responsibilities

Conduct of Meetings

It is important that boards and commissions conduct their meetings in a manner that is procedurally correct. It is recommended that boards and commissions follow the procedures for the conduct of meetings as established in *Robert's Rules of Order, Newly Revised* be followed, however, the chairpersons of town boards and commissions are permitted to decide on the conduct most appropriate to run an efficient meeting.

Public Input

Each board or commission shall, at or near the beginning of its regular meetings, afford members of the public an opportunity to speak to any matter coming within the purview of the board or commission, regardless of whether such matter is scheduled for consideration at that particular meeting. Time limitations may be imposed by the chairperson of the board or commission on such public input as necessary to conduct the business of the board or commission in a timely and efficient manner.

Meetings and meeting minutes are posted publicly and available on the Town's website.

Open Meetings

Colorado State Statute requires that all meetings of a board or commission, and all meetings of any committee of a board or commission, be open to the public at all times, except when the board or commission is meeting in a validly convened executive session.

The term "meeting" is defined as a gathering of a quorum of three or more members, whichever is fewer, of any board or commission, or any committee of such board or commission, at which any public business is discussed or at which any formal action may be taken. It is important to remember that the open meeting requirements apply to more than just in-person gatherings. They also apply to telephone conference calls, electronic "chat room" conferences, or any other means of communication where conference-like communication can occur. However, the term "meeting" does not include a chance meeting or social gathering at which the discussion of public business is not the central purpose.

Quorum Requirements

In order for a board or commission to conduct any business or take any formal action, it is necessary that a quorum of the membership be present at the meeting. A quorum consists of the majority of the total number of members specified by the Municipal Code to comprise the board or commission. This quorum requirement does not change even if a position on the board or commission is vacant and the

Board of Trustees has not appointed a replacement. In the event that a quorum is not present for a meeting, alternate members can constitute the quorum and may vote. However, if there are not enough regular or alternate members present, those present can adjourn the meeting to a later date and time. Unless otherwise provided in the board or commission bylaws or Municipal Code, members present at the meeting by speaker phone shall be counted toward establishing a quorum, and may participate and vote in a non-quasi-judicial portion of the meeting. Attendance by speaker phone for purposes of establishing a quorum or participating and voting in the meeting is not permissible in quasi-judicial portions of meetings.

Minutes

Minutes must be taken at any meeting of a board or commission (or committee of a board or commission) at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur. Minutes are taken by the appointed secretary, or alternate if the secretary is not present. The minutes must be open to public inspection and a copy must be filed with the Town Clerk upon approval.

Approval of Minutes

Any additions, deletions, or corrections to the minutes should be presented by board and staff members.

A motion should be made and seconded to approve the minutes of the last meeting as amended.

The approved minutes should be signed by the chairperson and secretary of the board or commission. The secretary is responsible for ensuring the approved minutes are sent to the Town Clerk for inclusion in the Board of Trustee packet.

Discussion Items

While the minutes should be as accurate as possible, the secretary is not required to record every remark made at a meeting. The secretary should not make the minutes a verbatim transcript.

The minutes should include a description of each item being discussed. Listing questions and answers during discussion of each item is not necessary; however, comments that summarize board member positions on each item should be included as support for each board member's vote on each issue. The exact wording of any motion made should be included in the minutes and the maker and second of the motion should be noted. If the motion is approved or defeated unanimously, such should be noted. If the vote on a motion is split, the record should reflect those voting in favor of the motion and those voting against the motion.

Adjournment

Recording adjournment of a meeting in the minutes is advisable, since it indicates whether the meeting was finally adjourned, or adjourned to another time prior to the next regular meeting. The adjournment should specify the time the meeting was adjourned to a later date and hour.

Filing and Distribution of Minutes

Written minutes of board and commission meetings are considered permanent records of the municipality. The Municipal Code requires boards and commissions to file minutes with the Town Clerk for incorporation into the records of the municipality. Minutes are approved via the consent agenda by the Board of Trustees.

Conflict of Interest Guidelines

Introduction

The members of town boards and commissions are subject to certain rules of ethical conduct established by the code. The following summary highlights the primary areas of concern addressed by these rules. When in doubt, a board or commission member should ask staff for clarification of any applicable regulations.

Conflicts of Interest

A board or commission member should refrain from voting on or attempting to influence any decision in which he or she has a financial or personal conflict of interest.

Generally, a board or commission member has a financial interest in a decision when the decision entails some foreseeable, measurable financial benefit to the individual member or relative.

Even if a member does not have a financial interest in a decision or recommendation, a personal interest may also create a conflict of interest. The test for a personal interest is whether, in the judgement of a reasonable prudent person, the board or commission member would realize or experience some direct or substantial benefit or detriment different in kind from that experience by the general public. In applying this test in a business context, a board or commission member should check with the town staff before participating in any decision which directly and substantially benefits a business in which he or she either has a substantial financial interest or is engaged as a consultant or representative. Or, if a decision of the town might directly and substantially affect a particular business to its economic detriment, and a board or commission member has a substantial financial interest in a competing firm, the member should also exercise caution in deciding whether to participate in the decision.

Contracts with the Town

Board and commission members and their relatives are prohibited from having a financial interest in sales to the town, but only if they exercise, directly or indirectly, any decision-making or supervisory authority with regard to the goods and services to be sold to the town.

As to purchases from the town, such purchases are permitted only when the property is offered for sale at an established price and not by bid or auction, and the purchase must be on the same terms and conditions as would be available to all members of the general public.

Disclosure of Confidences

Board and commission members sometimes receive confidential information from town staff. Such information should not be used for the private benefit of the board or commission member or any other

individual. Additionally, disclosure of the information is prohibited if a reasonable person would consider that the disclosure would injure the financial interests of the town.

Gifts and Favors

The acceptance of honoraria (compensation for speech or participation in public events as an official of the town) is prohibited. The acceptance of any other gift or favor from persons doing business with the town or desiring to do business with the town is also prohibited if the gift or favor might reasonably be construed as compensation for an official decision or as something that would tend to impair the board or commission member's independence of judgement in the performance of his or her official duties.

The following specific items are excluded from the definition of prohibited gifts or favors and may be accepted:

- Nonpecuniary awards for public service.
- Reimbursement for expenditure for attending job-related conferences or other meetings.
- Invitations to social functions or meetings which are not extraordinary when viewed in the light of the position held by the board or commission member.
- Perishable or nonpermanent items that are insignificant in value, such as meals, lodging, travel, tickets to sporting, recreation, educational or cultural events.
- Salary from outside employment.

Checklist

The following questions are suggested when examining a potential conflict of interest or a question of ethical conduct. If the answer to the question is "yes," the board or commission member should avoid participating in the decision of engaging in the proposed transaction:

- Sales to the town:** Will I or my relative receive some foreseeable, measurable financial benefit? Am I involved in the procurement or supervision?
- Financial interest in a decision:** Will I or my relative receive some foreseeable, measurable financial benefit?
- Personal interests:** Would a reasonably prudent person believe that I or my relative will realize or experience some direct and substantial benefit or detriment from this decision that is different in kind from that experienced by the general public? Will the business that either of us represents directly and substantially benefit? Will a competing firm be directly and substantially harmed?
- Gifts or favors:** Is this gift or favor being offered to me because of a decision I have made or am about to make? Would a reasonably prudent person think that this gift or favor would impair my independence of judgment? (Before deciding to accept a gift, it should fit under one of the exemptions in the code.)
- Confidences:** Am I about to use or disclose a confidence which, in the judgment of a reasonably prudent person, would injure the financial interests of the town? Will I be using it for private gain, either for myself or for another person?

Appeals Procedure

The decisions of certain boards, commissions, and other decision makers can be appealed to the Board of Trustees. Questions regarding the appeal process should be directed to the Town Clerk's Office by calling 719.395.8643 ext.10