

RULES OF PROCEDURE AND BYLAWS
WEST FAIRLEE PLANNING COMMISSION
(Adopted: January 9, 2017)

A. POWERS of the PLANNING COMMISSION.

The legal basis of the Planning Commission stems from, and is stipulated in, 24 V.S.A., Chapter 117, as amended and such other laws as may be enacted by the Vermont General Assembly including, but not limited to Act 250, Section 248, Act 248a and Act 174.

B. PURPOSE.

The purposes and function of municipal planning commissions are prescribed in 24 V.S.A., Chapter 117. The Planning Commission of the Town of West Fairlee (“West Fairlee”) is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Planning Commission of West Fairlee must be open to the public at all times, except as provided in 1 V.S.A. § 313.

C. APPLICATION.

This policy setting forth rules of procedure shall apply to the Planning Commission of West Fairlee, which is referred to below as the “Planning Commission”. These rules shall apply to all regular, special, and emergency meetings of the Planning Commission.

D. ORGANIZATION.

1. The Select Board of West Fairlee shall appoint the members of the Planning Commission for staggered terms of up to four years as determined by the Select Board. The Select Board may remove a member at any time by unanimous vote. Any Select Board appointment to fill a vacancy on the Planning Commission shall be for the balance of the term remaining or until a successor is appointed. In the event of a vacancy of an officer position, such office shall be filled by majority vote at the next Planning Commission meeting. Officers so elected are to hold office for the balance of the current term or until their successors are elected. The Planning Commission shall have not less than three (3) nor more than nine (9) voting members.

Members must be conscientious about regular attendance at all meetings. Members shall make reasonable efforts to notify the chair or clerk of their inability to attend a meeting. Repeated absences without a satisfactory excuse may result in a request for resignation from the chair.

The fiscal year shall be from January 1 through December 31. The organizational year shall be from April 1 through March 31. An Annual Organization Meeting shall be called by the chair during the month of April for the purpose of electing officers and to undertake any other business deemed proper. The terms of officers shall take effect immediately after the Annual Organization Meeting and shall be for one year or until their successors have been duly elected. The chair or the chair’s designee shall prepare a written report at or before the January meeting for approval by members prior to publication in the Annual Town Report.

2. The Planning Commission shall annually elect a chair, vice-chair and clerk. The chair, vice chair and clerk shall be voting members unless appointment to the Planning Commission is as an ex officio member. The chair of the Planning Commission or, in the chair’s absence, the vice-chair shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the Planning

Commission shall act as chair for that meeting. The clerk shall perform all the duties customary to that office, including keeping minutes of meetings and hearings. The clerk shall be the custodian of all records and correspondence. The clerk shall have the power to delegate all or part of the duties of this office to a non-member staff person.

3. 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.
4. A majority of the members of the Planning Commission shall constitute a quorum. If a quorum of the members of the Planning Commission is not present at a meeting, no meeting shall take place.
5. No single member of the Planning Commission shall have authority to represent or act on behalf of the Planning Commission unless, by majority vote, the Planning Commission has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
6. Motions made by members of the Planning Commission require a second. The chair of the Planning Commission may make motions and may vote on all questions before the Planning Commission. A motion will only pass if it receives the votes of a majority of the total membership of the Planning Commission.
7. There is no limit to the number of times a member of the Planning Commission may speak to a question. A member may speak or make a motion without being recognized by the chair. Motions to close or limit debate will be entertained.
8. Any member of the Planning Commission 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.
9. Meetings may be recessed to a time and place certain.
10. These Rules of Procedure may be amended by majority vote of the Planning Commission.

E. AGENDAS.

1. Each regular and special meeting of the Planning Commission shall have an agenda, with time allotted for each item of business to be considered by the Planning Commission. Those who wish to be added to the meeting agenda shall contact the chair 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, a meeting agenda shall be posted at the following designated public places in the municipality: West Fairlee Community Building, 870 Route 113, on the bulletin board at the exterior entrance to the Town Clerk's office, at the entrance to the West Fairlee Public Library and at the entrance to B&B Cash Market, West Fairlee. The agenda must also be made available to any person who requests such agenda prior to the meeting.
3. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made as the first act of business at the meeting. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by majority vote of the Planning Commission.

F. MEETINGS.

1. Regular meetings shall take place on the second Monday of each month at 7:00 p.m. at the West Fairlee Community Building (lower level), 870 VT Route 113, West Fairlee, and at such other times and such other locations as determined by the chair in compliance with legal notice requirements. The schedule of regular meetings and locations may be amended from time to time by majority vote. Such changes shall be posted in the designated public places where meeting notices are posted.
2. Special meetings shall be publicly announced at least 24 hours in advance by giving notice to all members of the Planning Commission unless previously waived and to any person who has requested notice of such meetings. In addition, notices shall be posted at the following designated places in the municipality: West Fairlee Community Building, 870 Route 113, and West Fairlee on the bulletin board at the exterior entrance to the Town Clerk's office, at the entrance to the West Fairlee Public Library and at B&B Cash Market, West Fairlee.
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 public body.
4. A member of the Planning Commission 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 Planning Commission 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 Planning Commission, or at least one staff or designee of the Planning Commission, shall be physically present at each designated meeting location.

G. PUBLIC PARTICIPATION.

1. All meetings of the Planning Commission are meetings in the public (except as provided by Vermont law), not of the public. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the Planning Commission, so long as order is maintained according to these rules.
2. At the beginning of each agenda item, but before any action is taken by the public body at each meeting, there may be two (2) minutes afforded for open public comment. By majority vote, the Planning Commission may increase the time for open public comment and its place on the agenda.
3. Comment by the public or members of the Planning Commission must be addressed to the chair or to the Planning Commission as a whole, and not to any individual member of the Planning Commission or public.
4. Members of the public must be acknowledged by the chair and are requested to state their names and addresses before speaking.
5. 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.

6. Order and decorum shall be observed by all persons present at the meeting. Neither members of the Planning Commission, 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. Members of the Planning Commission and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.

7. Members of the Planning Commission 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 warranted:
 - a. Call the meeting to order and remind the members of the applicable rules of procedure.

 - b. Declare a recess or table the issue.

 - c. Adjourn the meeting until a time and date certain.

 - d. Order the constable to remove disorderly person(s) from the meeting.

ADOPTED:

(Printed Names)

(Signatures)

(Date)

Adopted January 9, 2017