

## **RULES OF PROCEDURE:** **BOARD OF SELECTMEN:**

### **SECTION I : PURPOSE:**

These Rules of Procedure describe the duties and methods of operation of the Windham Board of Selectmen.

### **SECTION II : ORGANIZATION:**

#### A) RESPONSIBILITIES OF MEMBERS:

1. All members shall make every effort to attend each scheduled meeting.
2. Members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound by any action or statement of any individual Board member, except when such statement or action is pursuant to instructions from the Board.

#### B) OFFICERS:

1. ELECTION - A chairperson and Vice-Chairperson shall be elected at the first regularly scheduled meeting following the swearing in of members elected at the annual Town Meeting. Election shall be by a majority vote of those present.
2. DUTIES - The Chairperson shall preside at all meetings of the Board, and perform all duties required by law.

In the absence of the Chairperson, the Vice-Chairperson shall preside and assume all duties and responsibilities of the Chair.

- C) COMMITTEES: The Board, by vote, may delegate members of the Board to investigate Town matters, to serve on committees, and to perform other duties.

### **SECTION III : OPERATION:**

#### A) MEETINGS:

1. ORGANIZATIONAL MEETINGS - An organizational meeting to elect officers shall be held in accordance with II, B, 1. The Board may adopt the previous Board's policies and procedures, subject to amendment as provided in these Rules of Procedure. The Board shall establish a schedule for meetings for the upcoming year.
2. REGULAR MEETINGS - A more formalized meeting of the Board generally conducted in accordance with the order of the "Agenda" contained herein.
3. WORKSHOP MEETINGS - A less formalized meeting of the Board, generally conducted for the purpose of providing Board members with a more detailed understanding of a limited number of issues or to permit discussion of issues in greater depth.

- 4. NON-PUBLIC MEETINGS - A meeting of the Board held for town legal and personnel issues in accordance with RSA 91-A:3.
  - 5. SPECIAL MEETINGS - May be called by the Chairperson in accordance with RSA 91-A:2,II; upon demand of three (3) members of the Board; or at the request of the Town Administrator. The Town Administrator, or his/her designee, shall notify each member in accordance with RSA 91-A:2,ii.
- B) SCHEDULE OF MEETINGS: The Board shall meet every other Monday evening in a regular meeting. Each meeting shall be posted in accordance with RSA 91-A. The weeks in which the Board is not scheduled to meet shall be reserved for workshop sessions as called by the Chairperson or Town Administrator.
- C) REPORTS OF COMMITTEES: Written reports from committees received by the Board shall be filed for review by the Selectmen. Copies shall be kept for a period of three (3) months.
- D) REVIEW OF AUDIT REPORTS: The Board shall review the annual financial report submitted by the auditor as soon as the report is made available and take any action related thereto.

**SECTION IV : RULES OF ORDER:**

- A) QUORUM - A quorum shall consist of three (3) members of the Board.
- B) AGENDA - Shall be published with meeting notice, and included in the minutes. A suggested agenda is provided below. It may be changed by the Chair or by vote of the Board.
- 1. Non-Public(s), if necessary.
  - 2. Announcements.
  - 3. Liaison Reports
  - 4. Approval of Minutes
  - 5. Scheduled Agenda Issues;
    - Departments/Committees
    - Residents
    - Others
  - 6. Old Business/Tabled and Pending.
  - 7. New Business
  - 8. Non-Public(s), if necessary.
  - 9. Adjournment.
- a) A motion for adjournment will usually not be in order until after the completion of the order of business, unless a motion has been made at the start of the meeting to adjourn at a specified time.

Persons, including Selectmen, wishing to place an item on the agenda must notify Town Administrator or his Administrative Assistant before the agenda setting deadline, which is 12:00 noon on the Wednesday preceding the meeting. If the person is going to make a presentation, s/he must provide a copy of all presentation material and documentation to be included in each Selectman's packet no later than 12:00 noon on the Friday preceding the meeting, in order that

the Board packets may be provided to the members no later than 4:00 PM on said Friday.

Only bonafied emergencies or time sensitive items may be placed on the agenda for discussion at the meeting after the agenda setting deadline has passed

C) ROLE OF THE CHAIRPERSON: The Chairperson's duties are as follows:

1. To open the session at the time at which the Board is to meet by calling the members to order.
2. To announce the business before the Board in the order in which it is to be acted upon.
3. To recognize members entitled to the floor.
4. To state and put to vote all the questions which are regularly called or necessarily arise in the course of the proceedings, and to announce the result of the vote.
5. To protect the Board from annoyance.
6. To assist in expediting all business in every way compatible with the rights of the members by:
  - a) Allowing remarks when non-debatable motions are pending.
  - b) Calling a recess to permit restoration of order or clarification of an obscure point if s/he thinks it advisable.
  - c) Guiding the members when engaged in a debate to stay within the rules of order.
  - d) Ensuring on all occasions the observance of order and decorum among the members.
  - e) Deciding all questions of order (subject to an appeal by any two (2) members) unless s/he prefers to submit the question for the decision of the Board.
  - f) Informing the Board on a point of order, or practice pertinent to pending business.
7. To authenticate by his/her signature, when necessary, all acts, orders, and proceedings as directed by vote of the Board.
8. The Chairperson shall vote as a member of the Board.
9. Discussions which are not addressing the business before the Board, or which are conducted in a disorderly or disrespectful manner, shall be ruled out of order. The Chairperson shall take whatever action is necessary to achieve and maintain order, including ordering the removal of any person who continues disorderly conduct.

- D) CONDUCT OF MEETINGS: Meetings shall be conducted in accordance with generally accepted practices of order and decorum. In the event of a dispute regarding procedural matters, Robert Rules of Order shall serve as a guideline with a vote of the Board being the final deciding authority.
- E) RECORDING OF VOTES: Votes shall be by a show of hands, or by a roll call. The vote of each member present shall be recorded. No action shall be re-considered at a subsequent meeting in the same calendar year except by majority vote of the members present and voting.
- F) REQUESTS FOR INFORMATION: Should it become apparent to the Chairperson or an individual Board member, in the interim between meetings, that additional information relative to a specific item may be needed for Board use at the next regularly scheduled meeting, a request for this information may be submitted to the Town Administrator.

Any information provided to any individual Selectman shall be provided to the rest of the Board and shall note the origin of the request.

- G) SHARING OF INFORMATION: Should any Board member, as part of their meeting preparation, obtain information and/or documentation from another source which they intend to present during the course of the meeting; said member shall distribute same to the remaining members no later than the Friday preceding the meeting.

#### **SECTION V : EMPLOYEES:**

- A) DUTIES: The Administrative Assistant, or his/her designee, shall be responsible for recording the minutes of the Board's meetings, and an official copy of the records is to be filed in the Selectmen's' Office and open to inspection by any person at reasonable times. In addition to keeping the minutes of the meetings, it is the duty of said Assistant to keep a roll of members and to call the roll when required. Said Assistant shall record the essentials, called "the minutes" of the proceedings as follows:
1. The kind of meeting - regular, special, work session, or recessed.
  2. Time and place of meeting.
  3. The presence/absence of Board members.
  4. Whether the minutes of the previous meeting were approved or amended.
  5. A brief, written record of the general topics discussed.
  6. All main motions and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn.
  7. Record of any votes by the Board, including names of those Board members opposed if not unanimous.
  8. The hour of adjournment.

#### **SECTION VI : APPOINTMENT TO BOARDS AND COMMISSIONS:**

- A) The Town Administrator shall request from members their choices of committees, boards, and commissions they wish to serve on as Selectmen's' Representative.

The Town Administrator shall distribute to the Board all choices and set a meeting date when the Board shall make appointments.

- B) The term of all appointments of Selectmen Representatives, including the terms of any ex-officio members of the Board of Selectmen serving on local land use boards (i.e. Planning Board, Conservation Commission, and Historic District Commission) shall be for one (1) year, or until next Town Meeting, whichever is sooner.

**SECTION VII : PLACEMENT OF SELECTMEN RECOMMENDATIONS ON WARRANT**

The Board shall place a “Recommended” or “Not Recommended” notation on each warrant article submitted directly by the Board or through petition to any Town Meeting which contains an appropriation in accordance with RSA 32:5 V (a). In addition, the Board shall place a “Recommended” or “Not Recommended” notation on all non-appropriation warrant article submitted by the Board directly or through petition, except when a majority of the Board vote specifically not to submit such a recommendation. All notations shall include the specific numerical vote of the Board.

**SECTION VIII: AMENDMENT PROCEDURE:**

An amendment to these Rules of Procedure may be moved at a Board meeting, but shall not be voted upon until the next regularly scheduled meeting, not less than seven (7) days later. A copy of any amendment shall then be certified and submitted to the Administrator's Administrative Assistant for inclusion in the Selectmen's Records.

**SECTION IX : EFFECTIVE DATE:**

These Rules of Procedure shall take effect immediately following a majority vote of the Board of Selectmen at a regularly scheduled Selectmen's meeting.

Adopted by the Board of Selectmen - 1997.

Re-codified and affirmed by the Board of Selectmen - May 11, 1998

Amended by the Board of Selectmen - July 27, 1999

Amended by the Board of Selectmen - April 16, 2007

Amended by the Board of Selectmen – April 8, 2013

**Amended by the Board of Selectmen – May 7, 2018**

**Ross McLeod**  
**Bruce Breton**  
**Jennifer Simmons**  
**Joel Desilets**  
**Roger Hohenberger**  
Board of Selectmen