

**CITY OF BARRE, VERMONT
CITY COUNCIL POLICY ON
MUNICIPAL BODIES & APPOINTMENTS**

PURPOSES

Pursuant to section 307 of the Barre City Charter, the Council establishes this policy to: standardize procedures for the establishment, elimination, and appointments to Commissions, Boards, Committees, and Task Forces.

PERSONS AFFECTED

1. City Manager & Staff
2. City Clerk/Treasurer
3. City Council
4. Applicable Boards, Committees, Commissions and Task Forces
5. Applicants and appointees to municipal bodies

APPLICATION

1. **Effective date.** This policy shall become effective upon adoption.
2. **Applicability.** This policy shall apply to:
 - a. Committees of inquiry to conduct investigations into the conduct of officers and departments relating to the welfare of the City pursuant to Section 304 of the Charter;
 - b. Offices and commissions under Section 301 of the Charter;
 - c. Vacancies to elected offices under Section 206(a) of the Charter, notwithstanding 3(b) in this section;
 - d. The Planning Commission;
 - e. The Development Review Board;
 - f. Board of Health;
 - g. All advisory committees;
 - h. All work groups;
 - i. All task forces; and
 - j. Unelected appointees and alternates to regional bodies, not otherwise appointed by the regional entity, including but not limited to:
 - i. Central Vermont Regional Planning Commission
 - ii. Central Vermont Solid Waste Management District;
 - iii. Central Vermont Internet Board and Commission; and the
 - iv. Central Vermont Public Safety Authority.
3. **Non-Applicability/Exclusions.** This policy shall not apply to the following:
 - a. City Council and subcommittees thereof, including the:
 - i. The Animal Control Committee;
 - b. Other elected bodies or appointees thereof;
 - c. Officers of the City, including but not limited to, the:
 - i. City Manager or Acting Manager;
 - ii. Zoning Administrator;
 - iii. City Attorney;

- iv. Library Liaison;
- v. Collectors of Taxes;
- vi. Health Officer; and
- vii. Appointments made by the City Manager under Section 407 of the Charter not otherwise delegated to the City Council;
- d. State committees, boards, and commissions; and
- e. Any part of this policy in conflict with a municipal charter (including a charter for a regional authority) or general law

POLICY & PROCEDURE

1. Establishment, Combination, or Abolition of a Municipal Body

- a. All bodies created, amalgamated, or abolished under this policy shall occur by approval of the Council. The action to create a municipal body shall be presented in writing and include all items listed in paragraphs 2-7 of this section. This policy encourages the Council to combine committees of common interest to avoid siloed decision-making and reduce direct and indirect administrative costs associated with committee support.

2. Classification of a Municipal Body

- a. Bodies shall be classified as standing committees or finite ad hoc committees. Standing committees are encouraged to be named in accordance with the classifications established in the Rules of Procedure for Public Bodies Policy. Council action establishing finite ad hoc committees shall define a time certain at which point the committee will dissolve, such as the completion of a report or project, a date certain, or a vote of the committee.

3. Powers, Duties, Charge and Expectations of a Body

- a. The powers, duties and charge of all bodies not otherwise defined by charter or general law (such as the Planning Commission pursuant to 24 VSA 4325) shall be defined.

4. Membership of a Body

- a. The maximum number of seats on any municipal body shall be defined. This policy recommends odd-numbered bodies with fewer than seven members.
- b. To further the interests of diverse, expert, and representative membership, the membership of a body may include specific requirements, including but not limited to:
 - i. Residency;
 - ii. A particular expertise or skill; or
 - iii. A member representing an important interest group, such as a youth representative.

5. Membership Terms

- a. The duration of terms and expiration date of all seats shall be defined. This policy recommends staggered, two-to-three-year terms for standing committees. The intent of staggered terms is to provide continuity of membership and the transfer of institutional knowledge.

6. Meeting Days, Times & Frequency

- a. The intended days, times and frequency of meetings may be defined by Council to encourage citizen participation, avoid conflicts with other bodies, avoid meeting room constraints, allocate staff time, or other reasons.

7. City Staffing

- a. The nature and extent of any intended staff support may be defined by Council, which may include requirements and limitations to ensure effective meetings and advancement of the body's charge.

8. Appointments to a Municipal Body

a. Term Expirations

- i. Unless otherwise specified or applicable, all terms expire June 30th in the term's defined year of expiration.
- ii. Appointees with expiring terms shall be notified by the City Manager, or designee, at least six weeks prior to the application deadline to be re-appointed. The communication shall thank appointees for their service and explain the appointment process.

b. Vacancies

- i. Appointees may resign by contacting the City Manager, or designee, in writing.
- ii. If an appointee does not attend more than four consecutive regular meetings and does not reply to an inquiry from the Chair, City Manager, or City Manager's designee to confirm their interest in continued appointment, the seat shall be considered vacant
- iii. If an appointee is removed from office by the appointing authority, the seat shall be considered vacant.
- iv. All appointees serving ten or more years shall receive a service recognition by the Mayor and Council, as recommended by the Manager or designee

c. Advertising of Open Seats

- i. All seats with expiring terms, vacant seats, and openings on newly established municipal bodies shall be considered open seats.
- ii. Open seats shall be advertised for appointment by Council at least on a quarterly basis.
- iii. Applications for appointment will be due approximately 14 days prior to the appointment meeting before City Council.
- iv. Open seats shall be advertised at least six weeks prior to the application deadline on the City's volunteer opportunities webpage, in a newspaper of general circulation, and active social media accounts in use by the City, unless immediate appointment is necessary to establish a quorum for an urgent matter.
- v. Advertisements should list the municipal body, open seat term length, deadline to apply, where to find the application form, staff contact for more information, encouragement to attend a meeting of existing municipal bodies, date(s) for appointment, a link to the volunteer opportunities page, and a statement of commitment and affirmation to applicants from historically discriminated and under-represented populations.
- vi. The City of Barre provides equal employment opportunities (EEO) to all volunteers and applicants for volunteering without regard to race, religion, sex (including sexual orientation, pregnancy or gender identity), national origin, age (40 and older), disability and genetic information (including family medical history). In addition to those federally protected categories

the State of Vermont under the Fair Employment Protection Act (FEPA) has also identified ancestry, HIV+ status, place of birth, association with a member of a legally protected category listed above, crime victim status and health insurance coverage status. The City of Barre has added protection for financial class.

d. Application Form

- i. The City Manager, or designee, shall maintain a standard application form for appointments to municipal bodies periodically reviewed by the Council
- ii. The form shall state how to submit the application.
- iii. The form shall collect contact information from applicants (which may be redacted in the Council's packet in the interest of privacy), ask why the applicant is motivated to serve, and if they have attended a meeting of the municipal body (if an existing municipal body)
- iv. The form shall include a procedural checklist for staff including confirmation of receipt, notification of appointment meeting, confirmation of attendance for appointment, the attendance record of existing appointees, and a listing of the major past and upcoming work plan items.
- v. Notification to applicants will outline what an applicant can expect at the appointment interviews and next steps.

e. Council Interviews & Appointments

- i. City Council will consider applicants for open seats at least each quarter beginning in July.
- ii. Timely applications will be included in the Council's meeting materials.
- iii. Applicants will be given reasonable opportunity to introduce themselves to Council and answer questions at the meeting.
- iv. The Council may delay making appointment decisions until timely applications and the applicants have been given a reasonable opportunity to attend one of two meetings.
- v. This policy encourages an open and transparent government.
- vi. The City Council reserves the right to enter executive session, as allowed by Vermont law (1 VSA 313) to deliberate on the appointment of any members of municipal bodies serving as public officers. This policy considers municipal appointees public officers with official duties.
- vii. In instances where there are more applications than seats available the City Council may enter Executive Session to deliberate on applicants prior to voting a slate of appointees in an open meeting. The standard motion must explain the reason for the final decision, such as "based on the needs of the City and the applicants' motivations and background, I move to appoint ..."
- viii. In instances where the Council considers removal of an appointee Executive Session may be used in accordance with the law.

9. Orientation for Appointees

- a. The City Manager, or designee, shall provide for the following orientation and training to all appointees and re-appointees
 - i. Rules of Procedures
 - ii. Basic Roberts Rules of Order

- iii. Ethics & Conflicts of Interest
- iv. Open Meeting Law
- v. Public Records Laws

10. Administration of Appointments

- a. To track the status and support consistent administration of all municipal body appointments, the City Manager, or designee, shall maintain a spreadsheet listing, at least, all municipal body appointees by body, seat, term, term expiration, years of service, address, phone, and email, which, like permits, voter registration, property cards, and other documents, may be a public record and will be treated by staff with appropriate and legal care.

11. Public Information of a Body

- a. All municipal bodies shall have a city webpage and the City Manager, or designee, shall maintain a current webpage in accordance with existing Rules of Procedures and Social Media policies to include all governance details outlined in paragraphs 2 through 7 of this policy as well as least one form of contact information for all appointees, except that the contact information of members of quasi-judicial bodies (for which *ex parte* communication outside of a hearing does not allow constitutional due process) shall not be listed; communication to quasi-judicial bodies shall occur through a staff contact and be presented at an open hearing.
- b. If a municipal body has adopted independent bylaws, such bylaws shall be made available on the body's municipal webpage.

DEFINITIONS

As used in this policy, the following have these meanings.

- 1. **Will, must, shall** means a mandatory action
- 2. **May, should, encouraged** means optional

REFERENCE

- Adopted by City Council on November 30, 2021

As certified by the City Clerk



Carolyn S. Dawes