

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

I. PURPOSES

- a. 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 in order to allow people an equal and inclusive opportunity to be considered for appointment and provide for consistent administration.

II. PERSONS AFFECTED

- a. City Manager & Staff
- b. City Clerk/Treasurer
- c. City Council
- d. Applicable Boards, Committees and Commissions
- e. Applicants and appointees to municipal bodies

III. APPLICATION

- a. **Effective date.** This policy becomes effective upon adoption.
- b. **Applicability.** This policy shall apply to:
 - i. 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;
 - ii. Offices and commissions under Section 301 of the Charter;
 - iii. Vacancies to elected offices under Section 206(a) of the Charter, notwithstanding (m(ii)) in section III;
 - iv. The Planning Commission;
 - v. The Development Review Board;
 - vi. Board of Health;
 - vii. All committees;
 - viii. All commissions;
 - ix. All boards; and
 - x. Unelected appointees and alternates to regional bodies, not otherwise appointed by the regional entity, including but not limited to:
 - 1. Central Vermont Regional Planning Commission
 - 2. Central Vermont Solid Waste Management District;
 - 3. Central Vermont Internet Board and Commission; and the
 - 4. Central Vermont Public Safety Authority.
- c. **Non-Applicability/ Exemptions.** This policy shall not apply to the following:
 - i. City Council, City Council liaison positions to bodies of outside organizations, ex officio positions of the Council, and subcommittees thereof, for which members of Council should be given equal opportunity to be nominated and considered for appointment.
 - ii. Other elected bodies or appointees thereof;

- iii. Officers of the City, including but not limited to, the:
 - 1. City Manager or Acting Manager;
 - 2. Zoning Administrator;
 - 3. City Attorney;
 - 4. Library Liaison;
 - 5. Collectors of Taxes;
 - 6. Health Officer; and
 - 7. Appointments made by the City Manager under Section 407 of the Charter not otherwise delegated to the City Council;
- iv. State committees, boards, and commissions; and
- v. Any part of this policy that is in conflict with a municipal charter (including a charter for a regional authority) or general law

IV. POLICY & PROCEDURE

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

- i. All bodies created, combined, 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 b-g of this section. This policy encourages the Council to combine committees of common interest to support coordinated decision-making and reduce direct and indirect administrative costs associated with committee support.

b. Classification of a Municipal Body

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

c. Powers, Duties, and Charge of a Body

- i. 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.

d. Membership of a Body

- i. The maximum number of seats on any municipal body shall be defined. This policy encourages odd-numbered bodies with up to seven members.
- ii. To further the interests of diverse, expert, and representative membership, the membership of a body may include specific requirements, including but not limited to:
 - 1. Residency;
 - 2. A particular expertise or skill; or
 - 3. A member representing an important interest group, such as a youth representative.
 - 4. Any City body may include a youth advisory member. The Council may extend voting privileges to youth members appointed

to established voting seats of a body if doing is not in conflict with a City ordinance, municipal charter, or general law. Existing committee officers are encouraged to serve as mentors to youth advisory members.

e. Membership Terms

- i. The duration of terms and expiration date of all seats shall be defined. This policy encourages 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.

f. Meeting Days, Times & Frequency

- i. 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 for other reasons.

g. City Staffing

- i. 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.

h. Appointments to a Municipal Body

i. Term Expirations

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

ii. Vacancies/Open Seats

1. Appointees may resign by contacting the City Manager, or designee, in writing.
2. If an appointee does not attend more than 3 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
3. If an appointee is removed from office by the appointing authority, the seat shall be considered vacant.
4. All appointees serving 10 or more years shall receive a special service recognition by the Mayor and Council prior to June 30th each year, as recommended by the Manager or designee

iii. Posting of Open Seats

1. All seats with expiring terms, vacant seats, and openings on newly established municipal bodies shall be considered open seats.
2. Open seats shall be posted on the city website by staff at least on a monthly basis with postings occurring on the first week of each month.

3. Open seats shall be advertised at least 3 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.
4. All open seats that have been advertised once under sections iii (2 –3) should remain posted and may be appointed on a rolling basis until filled.
5. Applications for appointments will be due 7 days prior to the appointment meeting before City Council.
6. Postings should list the municipal body, open seat term length and expiration, deadline to apply, where to find the application form, staff contact for more information, encouragement to attend a meeting of existing municipal bodies or speak to the chair, 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.
7. The City of Barre provides equal 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. The City will provide reasonable accommodation for applicants.

iv. Application Form

1. The City Manager, or designee, shall maintain a standard application form for appointments to municipal bodies periodically reviewed by the Council
2. The form shall state how to submit the application.
3. 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 or spoken with the chair (if an existing municipal body)
4. 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.

5. Notification to applicants will outline what an applicant can expect at the appointment interviews and next steps.

v. Council Interviews & Appointments

1. City Council will consider applicants for open seats monthly.
2. The manager will include timely applications in the Council's meeting materials.
3. Applicants will be given a reasonable opportunity to introduce themselves to the Council and answer questions at the meeting.
4. 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.
5. This policy encourages an open and transparent government.
6. 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.
7. 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 ..."
8. In instances where the Council considers removal of an appointee Executive Session may be used in accordance with the law.

i. Orientation for Appointees

- i. The City Manager, or designee, shall provide for the following orientation and training to all appointees and re-appointees:
 1. Rules of Procedures
 2. Basic Roberts Rules of Order
 3. Ethics & Conflicts of Interest
 4. Open Meeting Law
 5. Public Records Laws

j. Administration of Appointments

- i. To track the status of 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, which may be a public record and will be treated by staff with appropriate and legal care.

k. Public Information of a Body

- i. 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 IV b-g 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.

- ii. If a municipal body has adopted independent bylaws, the bylaws shall be made available on the body's municipal webpage.
- iii. All meetings shall be accessible to the public and recorded if the meeting is held in a hybrid format via a platform with a recording feature. Recordings will be posted by the City and shall be retained for one-year. Committees holding in-person only or outdoor meetings shall not be required to record proceedings. Members of the public shall be allowed to record meetings regardless of the meeting format, except for deliberative and executive sessions. The committee chairperson or a committee member assigned by the chairperson shall be responsible for recording meetings as required under this section.

V. DEFINITIONS

- a. As used in this policy, the following have these meanings.
 - i. Will, must, shall means a mandatory action
 - ii. May, should, encouraged means optional

VI. REFERENCE

- a. Adopted by City Council on November 30, 2021
- b. Amended by City Council on March 29, 2022
- c. Amended by City Council on October 10, 2023

As certified by the City Clerk



Carolyn S. Dawes