

R E S O L U T I O N   N O .   1 1 5

A RESOLUTION ESTABLISHING RULES AND PROCEDURES FOR ALL  
BOARDS AND COMMISSIONS ESTABLISHED WITHIN THE TOWN OF RICO.

WHEREAS, defined in C.R.S. 31-4-302, one of the duties of  
the Mayor is to preside at all meetings of the Board of Trustees

WHEREAS, the Handbook for Elected Officials in Statutory  
Municipalities (1990), Chapter 3, paragraph 1-B-4, titled the  
"Need for rules of procedures", suggests that every legislative  
body adopt a set of rules by which to operate and the Board of  
Trustees of the Town of Rico, depend on order and procedure  
during meetings.

NOW THEREFORE, be it resolved by the Board of Trustees of  
the Town of Rico that the >>>"Rules and Procedures for Boards  
and Commissions"<<< shall be the rules and authority the Rico  
Town Board and all Boards and >>> Commissions <<< present and  
future, shall use in the course and conduct of business. Such  
rules relate to the orderly transaction of business in meetings  
and to the duties of officers and members in that connection.  
The object of the rules of order is to facilitate the smooth  
functioning of the board and to provide a firm basis for re-  
solving questions of procedure that may arise. The rules con-  
tained in the manual are binding upon the board in all cases  
where they are not inconsistent with any provisions of local  
state, or national law applying to the type of board or >>>  
Commission<<<.

FURTHER, the Town Clerk shall keep the most current copy  
of Roberts Rules of Order, Newly Revised on file at the Town  
Hall.

FURTHER, this amendment shall repeal Resolution 116.

ATTEST:

TOWN OF RICO

Linda Yellowman  
Town Clerk

Gene Folsom  
Mayor

**TOWN OF RICO**

**RULES AND PROCEDURES  
FOR  
BOARDS AND COMMISSIONS**

Adopted March 1993

RICO TOWN BOARD

R.W. Small, Mayor  
Robert Cummings, Mayor Protem

Peter Carter  
Rachel Hardwick  
Jerrie Matthews  
Bill Riedmann  
Susan Robertson

**TOWN OF RICO**  
**BOARDS AND COMMISSIONS**

**REGULATORY BOARDS OR COMMISSIONS**

Election Commission  
Board of Appeals  
Liquor Licensing Authority  
Planning Commission

**ADVISORY BOARDS OR COMMISSIONS**

Economic Development Commission  
Finance Advisory Board  
Historic Preservation Board  
Parks & Recreation Board  
Road & Street Advisory Board  
Senior Center Advisory Commission  
Water & Sewer Commission

For a list of current members see Exhibit B

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ARTICLE I DEFINITIONS

The following definitions shall apply to terms used in these Rules and Procedures:

- Ad Hoc Board or Commission---A Board or Commission established by the Town Council whose functions are limited to a specific task or program and which has a termination point.
- Ex Officio Member-----A member of a Board or Commission by virtue of office.
- Advisory Board or Commission-A Board or Commission established by resolution or ordinance whose recommendations to the Council are advisory in nature.
- Regulatory Board or-----Any Board or Commission established by ordinance which has decision making authority in accordance with State statutes or Town Code.
- Joint Board or Commission----A Board or Commission composed of members of both Town and County government.
- Committee-----A group which may be established by the Town Council which has a specific charge. Normally a committee is an administrative device appointed through the Town's administrative system. A Committee is not subject to these rules and procedure.

## ARTICLE II PROCEDURES FOR ESTABLISHMENT OF BOARDS OR COMMISSIONS

**Section 1. General Authority:** The framework for Town Boards or Commissions is established by Council Resolution No. 115 which adopts these "Town of Rico Rules and Procedures for Boards and Commissions".

Boards and Commissions may develop, in addition to these rules and procedures by-laws as a separate document to be accepted by the Town Council.

Boards and Commissions serve the Town Council in two manners: Advisory - a Board or Commission whose work, actions and recommendations are advisory to the Town Council, and Regulatory - a Board or Commission that has been vested, by the Town Council, with regulatory powers or administrative decision-making powers.

**Section 2. Establishment of Boards and Commissions:** The creation of a Board or Commission requires formal action by the Town Council. Regulatory Boards and Commissions are established by the adoption of an Ordinance. Advisory Boards or Commissions are established by the adoption of a resolution or ordinance as appropriate.

**Section 3. Conflicts With Enabling Ordinances:** If any sections of these rules and procedures are found to be in conflict with the enabling ordinance of regulatory boards or commissions, then the ordinance will supersede the provisions of those sections of the rules and procedures.

### ARTICLE III NAME, PURPOSE, DUTIES AND RESPONSIBILITIES

**Section 1. Name:** Each Board or Commission shall have a name and it shall be stated in the Board or Commission's enabling ordinance or resolution.

**Section 2. Purpose:** Each Board or Commission shall have a purpose and it shall be stated in the Board or Commissions enabling ordinance or resolution.

**Section 3. Duties and Responsibilities:** Each Board or Commission shall have its duties and responsibilities stated in the Board or Commission's enabling ordinance or resolution. Duties and responsibilities shall include, at a minimum, the following:

A. Duties

- a. To initiate, review and make recommendations to the Town Council and Town staff on matters related to its area of responsibility.
- b. To assist administrative departments of the Town in defining programs which meet the needs of the residents of the Town of Rico.
- c. To provide public information for groups interested in its area of responsibility.
- d. If a regulatory Board or Commission, to follow all laws and procedures governing its area of concern.
- e. To perform other duties such as the Town Council may require.

B. Responsibilities

- a. To submit reports, as required, to the Town Council.
- b. To meet as necessary, but at least monthly, to accomplish its duties and responsibilities.
- c. To hold public meetings and hearings as may be required.
- d. To set and review goals and objectives in accordance with the management system authorized by the Town Council.
- e. To make recommendations to the Town Council relative to needed policies, ordinances and programs to achieve the Board or Commission's purpose.

## ARTICLE IV RELATIONSHIP WITH OTHER ENTITIES

**Section 1. Overall Coordination:** As advisory representatives of the Town Council, Boards or Commissions may need to facilitate agreements among governmental units and individuals when requested to do so, for specific projects or other related matters. Boards or Commissions shall do so by:

- A. providing a forum for discussion and study of matters which are of mutual interest to governmental units and members of the Town Council;
- B. discovering, clarifying and comprehensively planning for the solution of problems within the Board or Commission's area of responsibility which come to the attention of the Board or Commission.

**Section 2. Relationship with the Town Council:** The Board or Commission is to review, recommend and advise the Town Council on policy matters regarding its area of responsibility. All actions of a Board or Commission, except decisions of regulatory Boards or Commissions governed by statute, shall be subject to the approval and confirmation of the Town Council. No action of a Board or Commission shall relieve the Town Council of its responsibilities or usurp the authority granted to the Town Council, excepting those regulatory Boards or Commissions which have direct review by the court system. Advisory Board or Commission conflicts associated with this relationship shall be expeditiously referred in writing to the Town Council through the Town Manager.

**Section 3. Relationship with Administrative Staff:** Boards or Commissions shall work closely with department directors and the Town Manager. A Board or Commission may call upon specific administrative departments to provide information upon which the Board or Commission can make informed decisions. The Town Council may establish close working relationships with specific departments through the designation of a member of such a department as an ex officio member of the Board or Commission. Department members designated as ex officio Board or Commission members shall attend all Board or Commission meetings and participate in Board or Commission discussions, provide background information and advocate positions on potential Board or Commission actions. A Board or Commission may call upon other Town administrative departments for information or assistance by directing a request through the ex officio member to the Town Manager. The department representative shall not vote on Board or Commission actions. Town departments may provide staff reports to the Town Council through the Town Manager. Such reports may supplement, agree with, or take positions opposed to the recommendations of the Board or Commission. If a staff report is prepared relating to a decision by a Board or Commission, a copy of the report shall be provided to the chairperson of the Board or Commission. Conflicts associated with the relationship between a Board or Commission and Town

staff shall be directly and expeditiously referred in writing to the Town Manager.

**Section 4. Relationships with other Private and Public Agencies:** Boards or Commissions may call upon private and public agencies in order to have adequate information to make decisions and prepare recommendations. A Board or Commission shall provide guidance, advice and appropriate actions as requested by such bodies. However, prudence should be practiced so that no action of a full Board or Commission or its individual members can be interpreted as an official position or action of the Town Council. Conflicts associated with this relationship shall be expeditiously referred in writing to the Town Council through the Town Manager.

**Section 5. Relationships with Joint Boards or Commissions:** Joint Boards or Commissions, unless otherwise agreed upon by the Town Council, and the County Commissioners, when considering Town business shall follow the rules and procedure adopted by the Town Council. Members of Joint Boards or Commissions shall in all cases work to expedite the work of the Joint Board or Commission.

**ARTICLE V BOARD OR COMMISSION BUSINESS OUTSIDE OF MEETINGS**

**Section 1. Attendance at Town Meetings:** Board or Commission members shall attend scheduled meeting when required to carry out the work of the Board or Commission.

**Section 2. Special Assignments:** At the discretion of the Board or Commission, Board or Commission members may undertake special assignments outside of meetings that are required for the efficient dispatch of the Board or Commission's business.

**Section 3. Review of Background Material:** Board or Commission members shall review all background information provided in preparation for regular or special meetings or work sessions.

## ARTICLE VI MEMBERSHIP

**Section 1. Regular Members:** The Town Council shall consider the following in determining the composition and membership of each Board or Commission:

- A. There shall be a minimum of three members on a Board or Commission. The exact number of members shall be specified in the enabling ordinance or resolution.
- B. Generally, applicants for Board or Commission positions will be submitted to the Town Clerk and the names of all applicants will be submitted to the Town Council. At the time of Council consideration, Council members may nominate additional persons for membership. Members of Boards or Commissions shall be appointed by a majority vote of the Town Council from the nominated applicants. When screening applicants, the following should be considered:
  - Recommendations from the Board or Commission regarding incumbents
  - Inclusion of chairperson of subject Board or Commission on interview panel
- C. The length of term for each Board or Commission member shall be designated in the Ordinance or Resolution adopted for that particular Board or Commission by the Town Council,
- D. The term for each Board or Commission member shall be structured in such a way as to provide continuity of program by staggering the length of terms of its members.
- E. Normally, a person shall not be appointed to more than one Board or Commission, except as specified by the Town Council.
- F. Boards or Commission members may be reappointed to a Board or Commission for a second term. Generally, members will not be appointed for more than two complete consecutive terms on the same Board or Commission.
- G. All regular members of Town Boards or Commissions shall be residents of the Town of Rico unless otherwise specified by the Town Council.

**Section 2. Associate Members:** A Board or Commission may invite other persons to be associate members of the full Board or Commission; however, such members shall not have the right to vote. Associate members shall be designated as persons who have certain expertise in matters relevant to the functions of a Board or Commission and who may be requested to become associate members of a Board or Commission on short term or continuous

basis. Such requests for services of an associate member shall have the approval of the Town Council or the Town Manager.

**Section 3. Professional Services:** Although not classified as members, a Board or Commission may from time to time request consultation from persons possessing relevant expertise. Such requests shall have approval of the Town Council or the Town Manager. If compensation is required by a consultant, prior-approval must be obtained from the Town Council.

**Section 4. Ex Officio Members:** Each Board or Commission shall normally have at least one ex officio member who shall represent the Town administration. Said ex officio member shall be designated by title in the enabling ordinance or resolution.

**Section 5. Liability Insurance:** All members of Boards or Commissions are covered under the City's liability insurance program while acting within the scope of their assigned duties.

## ARTICLE VII VOTING

**Section 1. Voting Privileges:** Only regular members of a Board or Commission shall have the privilege of voting on matters or questions before the Board or Commission.

**Section 2. Manner of Voting:** Voting shall be conducted in the following manner:

- A. A majority of the regular members shall constitute a quorum.
- B. Each regular member, except the chairperson, shall have one vote.
- C. When a quorum is present at any meeting, the vote of a majority of members present shall decide any question brought before such a meeting.

## ARTICLE VIII OFFICERS

**Section 1. Method of Selection:** Officers shall be chosen from among the regular membership of a Board or Commission by a majority of the members present at an organizational meeting called for that purpose.

**Section 2. Number of Officers:** Officers shall consist of a chairperson, vice chairperson and secretary with each Board or Commission reserving the right to select additional officers as it deems necessary.

**Section 3. Duties of Officers:** The following duties shall be undertaken by the respective officers with the right to delegate duties to other Board or Commission members being reserved to the chairperson:

A. Chairperson's Duties

1. To preside at Board or Commission meetings.
2. To call special meetings.
3. To make appointments to committees, subcommittee or task force groups.
4. To represent the Board or Commissions in public and to speak and act on behalf of the Board or Commission.
5. To execute reports on behalf of the Board or Commission.
6. To take initial action on directives from the Town Council.
7. To establish the agenda for Board or Commission meetings.
8. To authorize special assignments for Board or Commission members.
9. To inform the Board or Commission of results of all Board or Commission reports or recommendations to the Town Council.

B. Vice Chairperson's Duties

1. In the absence of the Board or Commission chairperson shall assume all duties and responsibilities of the chairperson.
2. To assure adequate staff support is provided the Board or Commission in the conduct of its business.
3. To oversee all matters of attendance by regular members at Board or Commission meetings.

C. Other Officer's Duties

1. Additional officers selected by the Board or Commission shall have their duties delineated by the chairperson before or upon their taking office.

**Section 4. Terms of Office:** Board or Commission officers shall serve for a period of one year unless removed from office or no longer in office due to resignation or illness. Selection of

officers shall be considered by each Board or Commission at the first meeting after the annual date specified in its enabling ordinance or resolution.

**Section 5. Executive Committee:** Boards or Commissions may appoint an executive committee made up of the chairperson, vice-chairperson and any other persons deemed appropriate by the Board or Commission. The duties of the executive committee shall be determined by the membership of the Board or Commission.

## ARTICLE IX REMOVAL, RESIGNATION AND VACANCIES

**Section 1. Removal:** Any member of a Board or Commission may be removed by the Town Council for the following reasons:

- A. Unexcused absences of three consecutive meetings of the regularly scheduled meeting of the Board or Commission shall be considered as an automatic resignation from the Board or Commissions unless action to the contrary is taken by the Town Council. In addition, a member whose consistent inability to attend meetings and participate in the activities of the Board or Commission impairs the function of the Board or Commission even though such absences may be excused because of health or other reasons, may be removed from the Board or Commission.
- B. Misconduct at meetings to include any act that may seriously interrupt the orderly process of said meetings.
- C. Neglect of duty to include intentionally disregarding duly assigned tasks or deliberately or repeatedly failing to carry out the responsibilities expected of Board or Commission members.
- D. Any member subject to removal shall be provided the opportunity to resign as a first alternation to removal action taken by the Town Council.
- E. Consideration of removal shall be referred to the Town Council by the chairperson of the Board or Commission or by the Town Manager along with the recommendation of the chairperson.

**Section 2. Resignation:** Any member of a Board or Commission may resign his or her post and or membership on the Board or Commission and such resignation shall be subject to acceptance by a simple majority vote of the Board or Commission.

- A. Notification of intent to resign shall be provided in writing to the chairperson who shall be responsible for bringing the matter to the full Board or Commission no later than the next regularly scheduled meeting.

**Section 3. Vacancies:** Notification of occurring vacancies shall be given to the Town Council by the Board or Commission chairperson.

- A. Upon a vacancy occurring in the office of the Board or Commission chairperson, the vice chairperson shall automatically become chairperson for the balance of the unexpired term.
- B. Upon a vacancy occurring in the office of the Board or

Commission vice chairperson, the Board or Commission shall select a vice chairperson from among its member to serve for the balance of the unexpired term.

- C. Vacancies shall be filled in the same manner as initial appointments and shall be for the remainder of the unexpired term.

**Section 4. Expiration of Term:** A member of a Board or Commission whose term has expired may continue to serve until his or her replacement or reappointment is made.

## ARTICLE X MEETINGS

**Section 1. Regular Meetings:** The regular meeting date of each Board or Commission shall be designated in its enabling ordinance or resolution or in its own by-laws.

- A. Notification of regular meeting shall be made by the Board or Commission's chairperson, or the designated person to do this task, at least ten days prior to each regular meeting and such notification shall be in the form of the Board or Commission's agenda following a format provided by the Town Council. (See Exhibit A).
- B. In addition to the notice in the regular Board or Commission calendar, it shall be the responsibility of the chairperson of each Board or Commission to post a copy of each agenda for regular meetings at three locations in town as a means of notifying the public of all Board or Commission meetings.

**Section 2. Special Meeting:** Special meeting may be called by the Board or Commission chairperson or by three members through a letter or a petition signed by the majority of the regular members to be submitted to the chairperson stating the need for a special meeting.

- A. Notice of meetings so called shall be made in writing by the chairperson to all members with the purpose of the meeting so stated.
- B. The calling of special meeting shall allow at least 24 hours notice prior to the meeting date. Meetings of an emergency nature may be called by the chairperson notifying members by phone or in person stating the emergency nature of the special meeting. Such meetings are not subject to a prior notice time requirement.
- C. It shall be the responsibility of the chairperson of each Board or Commission to provide a copy of each agenda for special meetings, or other appropriate notification if there is not time for a printed agenda, as a means of notifying the public of special Board or Commission meetings.

**Section 3. Joint Board and Commission Meetings:** Unless otherwise agreed upon by the Town Council and the Dolores County Commissioners, joint Town/County Boards and Commissions shall follow the standard Town rules and procedures when considering Town business.

**Section 4. Quorum Requirements:** A majority of the regular Board or Commission members (vacancies excluded) shall constitute a quorum for the transaction of official business. The presiding officer may call the meeting to order without a quorum and the

Board or Commission may undertake any business before the Board or Commission, but no formal vote shall be taken.

**Section 5. Attendance at Meetings of Boards or Commissions:** All meetings of Town Boards and Commissions shall be open to the public. When the chairperson determines that a topic requires confidential discussion as defined in C.R.S. 24-6-402, 1973 he or she may declare an executive session for that discussion. No formal action may be taken by the Board or Commission while in such executive session and all decisions shall be made in public.

## ARTICLE XI RULES OF PROCEDURE FOR AGENDA

**Section 1. Procedures:** All Board or Commission meetings shall be conducted in accordance with Robert's Rules of Order except that the presiding officer may, at his or her discretion, dispense with such rules to facilitate the orderly and timely conduct of Board or Commission business.

**Section 2. Agenda:** A typed agenda shall be prepared for each Board or Commission meeting and copies shall be distributed by the chairperson, or his/her designee, to all members of a Board or Commission, the Town Manager's Office, and three locations in town. The agenda shall include at a minimum the following:

- A. Roll Call
- B. Approval of Minutes
- C. Reports of officers, sub-committees and task force groups.
- D. Unfinished Business
- E. New Business
- F. Adjournment

**Section 3. Post Meeting Actions:** All actions and recommendations to the Town Council, Town Administrative units or any other governmental unit by Boards or Commissions shall be communicated to the Town Council through the Town Manager by memorandum, formal report or through summary minutes signed by the Board or Commission chairperson or his/her designated representative.

## ARTICLE XII ADMINISTRATIVE SUPPORT

**Section 1. Administrative Support:** Secretarial and related administrative support a Board or Commission may be a function of the ex officio member. When utilized, the staff secretary to a Board or Commission shall have the following duties and any others as may be prescribed by the officers of the Board or Commission upon approval of the department director whose secretarial staff is being utilized:

- A. To cause the minutes of the Board or Commission meetings to be taken, transcribed and typed in a manner best suited to provide an accurate and complete record.
- B. To give notice of all meetings in accordance with these procedures and the general guidelines of the Board or Commission.
- C. To prepare agendas, reports and correspondence for the Board or Commission under the direction of the chairperson.
- D. To provide a calendar showing the monthly meeting schedule of the Board or Commission to be forwarded to the Town Manager's office. Such calendar to be submitted at the beginning of the calendar year and showing all regular monthly meeting dates for the year.
- E. To forward notices of special meetings of Boards or Commissions to the Town Manager's office.

## ARTICLE XIII ADMINISTRATIVE RESPONSIBILITY

**Section 1. Orientation of New Members:** The Town Manager shall designate Town Staff members who shall provide an orientation session for all new members appointed to Boards or Commissions within thirty days after their formal appointment to a Board or Commission by the Town Council. Such orientation shall include, but not be limited to, a review of the enabling ordinance or resolution establishing the particular Board or Commission and a review of these "Rules and Procedures for Town Boards and Commissions."

**Section 2. Annual Orientation for Board and Commission Officers:** The Town Manager shall provide an annual orientation session for all Board and Commission Officers.

**Section 3. Immediate Orientation:** Upon approval of these "Rules and Procedures for Town Boards and Commissions" by the Town Council, the Town Manager shall provide an orientation session for the officers of all existing Boards and Commissions for the purpose of acquainting said officers with the approved rules and procedures.

**ARTICLE XIV    AMENDMENTS**

Amendments to these Rules and Procedures may be made by resolution of the Town Council.

## EXHIBIT A

### SAMPLE AGENDA

Name of Board or Commission  
Location of Meeting  
Date of Meeting  
Time of Meeting

#### I. PROCEDURES

- A. Roll Call
- B. Approval of Minutes of Previous Meetings (dates)

#### II. REPORTS

- A. Officers of Board or Commission
  - 1. List individual items
  - 2.
  - 3.
- B. Subcommittees and/or task force groups
  - 1.
  - 2.
  - 3. etc.,.

#### III. UNFINISHED BUSINESS

- 1. List Topics
- 2.

#### IV. NEW BUSINESS

- 1. List Topics
- 2.
- 3.

#### V. ADJOURNMENT

EXHIBIT B

Regulatory Boards of Commissions

|  |                                 |
|--|---------------------------------|
| Election Commissions:  | Board of Trustees               |
| Board of Adjustments:<br>Bill Carrell<br>Susan Robertson<br>Mary Owens<br>Jon Kornbluh<br>Ann Drakeley | Chairperson<br>Vice-Chairperson |
| Liquor Licensing Authority:  | Board of Trustees               |
| Planning Commission:<br>Jon Kornbluh<br>Sandra Payne<br>Susan Robertson<br>Robert Small                | Chairperson                     |

Advisory Boards or Commissions

|   |                   |
|---|-------------------|
| Economic Development Commission:  | Board of Trustees |
| Finance Advisory Board:<br>Peter Carter<br>Linda Yellowman<br>Lori Haley  | Advisory          |
| Historic Preservation Board:<br>Rachel Hardwick<br>Peter Carter<br>Joan Folsom<br>Stanely Foster<br>Andrea Gass | Advisory          |
| Parks & Recreation Board:   | Board of Trustees |
| Public Works Committee:<br>Peter Carter<br>Andrea Gass<br>Robert Small<br>Bob Akey                              |                   |
| Senior Center Advisory Commission:  |                   |