



BOARD OF TRUSTEES RULES OF PROCEDURE

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1. AUTHORITY AND PURPOSE:

- 1.1. These Rules of Procedure are intended to supplement those set forth in Article 4 of Chapter 31 of the Colorado Revised Statutes ("C.R.S."). They are to govern the actions of the Board of Trustees in the conduct of its meetings and serve as reference for resolution of procedural matters.

2. MEETINGS OF THE BOARD OF TRUSTEES:

- 2.1. **Regular meeting:** The Board of Trustees ("collectively "Board" or "Trustees" or individually "Trustee") shall hold regular meetings on a designated Wednesday from time to time, as necessary. All regular meetings shall be held at the Police and Municipal Court Building, located at 9900 Park Avenue, Firestone CO 80504, unless otherwise determined by the Board.
- 2.2. **Pre-Meeting:** Prior to the convening of a regular meeting, the Board may meet to review the regular meeting's agenda at a pre-meeting, which will be held at the Police and Municipal Court Building, located at 9900 Park Avenue, Firestone CO 80504, in the Richard E. Hart Training Room.
- 2.3. **Work Session:** The Board shall generally meet in work session on a designated Wednesday from time to time, as necessary. All work sessions shall be held at the Police and Municipal Court Building, located at 9900 Park Avenue, Firestone CO 80504, unless otherwise determined by the Board. The Board may use work sessions to discuss, review and establish upcoming agenda topics for regular meetings or work sessions. Work sessions are for the Board's internal discussion of matters, the public may attend these sessions but public comment shall not be received during work sessions, and no final action shall be taken during a work session.
- 2.4. **Special meetings:** Special meetings, which may be either a regular meeting or work session, are those held on any other date other than the date of the regular meetings or work sessions. Special Meetings may be called by the Mayor, at the request of three (3) Trustees as conveyed to the Mayor, by the Town Manager after notice to the Mayor, or by a motion at a regular meeting approved by a majority of the Board present. Notice of the Special Meeting shall be conveyed by telephone or electronically to the Board by the Town Clerk.

3. ELECTRONIC PARTICIPATION MEETINGS:

- 3.1. **Purpose:** The purpose of this policy is to specify the circumstances under which Trustees may participate in regular work sessions or special meetings by telephone or other electronic means of participation, such as video-conferencing ("Electronic Participation"). Electronic Participation has inherent limitations because Electronic Participation effectively precludes a Trustee from contemporaneously observing documentary information presented during meetings, from fully evaluating a speaker's non-verbal language in assessing veracity or credibility, and from observing nonverbal explanations (pointing at graphs and charts) during a speaker's presentation or testimony. The Board finds that these limitations in Electronic Participation may produce

inefficiencies in meetings and may undermine the decision-making process and thus desires to permit Electronic Participation only under emergency situations.

3.2. Policy: A Trustee may participate by Electronic Participation in a Board meeting only in accordance with this policy.

3.3. Emergency Situations: In the event a quorum is unable to meet in-person at the day, hour, and place fixed by the rules and procedures of the Board because it is not practical or prudent due to an emergency resulting from, for example, an accident, illness, weather condition or other natural disaster, epidemic or pandemic; meetings necessary to conduct Town business may be conducted by Electronic Participation only if all of the following conditions are met:

- i. The Town Manager or the Mayor determines that meeting in person is not practical or prudent, because of an emergency;
- ii. All Trustees can hear each other or otherwise communicate with each other and can hear or read all discussion and testimony in a manner designed to provide maximum participation;
- iii. Members of the public present at the meeting location can hear or read all discussion, testimony and votes, unless not feasible due to the emergency. In the event that the nature of the emergency precludes allowing the physical attendance of the public, appropriate arrangements, if feasible, will be made to allow the public to remotely observe or listen to the meeting and provide comment as permitted in these Rules of Procedure.
- iv. At least one (1) Trustee is present at the meeting location, unless not feasible due to the emergency;
- v. All votes are conducted by roll call;
- vi. Minutes of the regular or special meeting are taken and promptly recorded, and such records are available for public inspection; and
- vii. To the extent possible, full and timely notice is given to the public setting forth the time and format of the meeting, advising that Trustees and the public may participate electronically.

3.4. Arranging for Electronic Participation: To arrange to participate via Electronic Participation, a Trustee shall:

- i. Contact the Mayor, Town Manager, and Town Clerk before the meeting to determine if an arrangement for Electronic Participation is possible. Trustees shall endeavor to advise the Town Clerk of their intent to participate via Electronic Participation at the earliest possible time and not less than twenty-four (24) hours prior to the requested participation.
- ii. The Town Clerk shall, to the extent feasible, initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk shall attempt to re-initiate the connection.

3.5. Effect of Electronic Participation:

- i. Electronic Participation, except as specifically provided herein, shall only constitute actual attendance for meetings during which no quasi-judicial matters will be heard, considered or decided.
- ii. Electronic Participation except as specifically provided herein shall not be available for executive sessions, as to permit participation in executive sessions may preclude assured compliance with the executive session procedures of the Open Meeting Law.

- 3.6. Limited Applicability of Policy:** This Policy shall, except as otherwise provided herein, apply only to regular meetings, special meetings, pre-meetings and work sessions of the Board.
- 3.7. Reasonable Accommodations:** The Town shall provide reasonable accommodation and may modify this Policy' members of the Board or the public with a hardship to access Board meetings.
- 3.8. Executive Session:** Electronic Participation shall not be available for executive sessions except in the event of a local disaster emergency where the executive session, to the extent feasible, complies with all requirements of the Open Meetings Act and the required notice in addition to setting forth the permitted purpose and statutory cite as set forth in C.R.S. §24-6-402 (4) expressly states the immediate necessity for the executive session. In addition, all persons participating in the executive session shall take all necessary measures to ensure that the confidentiality of the executive session is maintained, and no participant shall permit any non-participant to hear, see or otherwise have access to an executive session or related materials.
- 3.9. Quasi-Judicial Matters:** Electronic Participation may hold quasi-judicial matters in the event of a local disaster emergency subject to the requirements set forth herein. In the event that an application is scheduled for a public hearing that is a quasi-judicial matter and, due to applicable timelines, must be held during the time that a local disaster emergency is in effect, the Town shall notify the applicant of such circumstances and present the applicant with options for proceeding with the application. Upon notice from the Town, the applicant shall authorize the Town, in writing, to proceed with one of the following options:
- i. Conduct the public hearing under this policy with accommodations made for Electronic Participation by the applicant and the public, subject to the applicant waiving, in writing, any legal challenge on the basis that the hearing will be conducted via Electronic Participation; or
 - ii. Suspend any and all review and decision deadlines until such time that the local disaster emergency declaration is terminated and the Board can schedule a meeting at which an in-person quorum will be present.
 - iii. To the extent reasonably possible, the Board shall provide adequate opportunity for the applicant and the public to participate in the quasi-judicial matter in a manner that approximates as closely as possible the opportunity that is routinely provided during in-person meetings, for example, an opportunity for members of the public to comment on the application during the public comment portion of the hearing. Such opportunity shall include, at a minimum, the ability for the public to listen and comment by telephone or electronically during the hearing. Nothing in this policy shall prevent members of the public from submitting written comments in advance of the meeting at which the quasi-judicial matter will be considered. If written comments are received on a quasi-judicial matter being considered at a meeting conducted via Electronic Participation, such comments shall be read into the record by the Town Clerk, the Mayor, or a member of Town staff.
 - iv. Any documents, exhibits, or other materials (collectively, "Materials"), to be presented by the applicant, Town staff, other parties (if any), or members of the public during the public hearing must be clearly marked for identification and must be submitted to the Town Clerk at least five (5) days prior to the hearing date, in addition to any obligation of the applicant, Town staff, or other parties, if any, may have by law to provide such materials to other parties prior to the

hearing. Notice of the public hearing issued by the Town shall include notice of this requirement to submit Materials to the Town Clerk and shall state where, how, and when such Materials must be submitted. The Town Clerk will include the Materials in the Board packet with a cover sheet identifying the name of the party submitting the materials and will make such materials available to the public on the Town's website and or Town Hall if feasible at least 24 hours before the hearing.

- v. The public hearing, discussion, and decision participants should identify themselves for the record upon speaking or asking questions. The Mayor will endeavor to ensure the participants in the public hearing clearly identify themselves and any Materials referenced during the hearing for purpose of creating an adequate record.
- vi. A record of the public hearing, including all presentations, testimony, documents, and other materials submitted, discussion, and decision shall be made and kept by the Town, including a full audio recording or, if the meeting is conducted using video, a full audio and video recording.

3.10. Notice: In the event of an Electronic Participation meeting, notice and the procedure for public participation shall be posted at Town Hall and published on the Town's website, www.firestoneco.gov, and such other electronic means as the Town deems appropriate.

4. BOARD MEETING PARTICIPANT DUTIES:

4.1. Mayor: The Mayor shall be considered a member of the governing body and the Board of Trustees and shall preside over meetings of the Board of Trustees. The Mayor shall not be counted for purposes of determining the requisite quorum for any matter of the Board. The Mayor shall not vote on any matter that comes before the Board, except in the case of a tie vote. Any ordinance adopted and any resolutions authorizing the expenditure of money or the entering into of a contract shall be subject to disapproval by the Mayor as provided by state law (C.R.S. 31-16-104). Duties of the Mayor as presiding officer include:

- i. Open the meeting at the appointed time, and call the meeting to order.
- ii. Announce the business coming before the Board in accordance with the agenda.
- iii. Control the proceedings of the meeting and recognize Trustees, staff, and members of the public who are entitled to the floor.
- iv. State or cause to be stated and put to a vote all matters that come before the Board and announce the results of the vote.
- v. Enforce the Board's debate, order, and decorum rules.
- vi. Decide all questions of order.
- vii. Adjourn the meeting.

4.2. Mayor Pro Tem: At the first meeting following each regular election, the Board shall elect from one of the Trustees a Mayor Pro Tem, who shall in the Mayor's absence or inability to act, perform the Mayor's duties.

4.3. Temporary Chair: In the event that both the Mayor and the Mayor Pro Tem are absent or unable to act, the Board shall elect from one of the Trustees a Temporary Chair who shall perform the Mayor's duties.

4.4. Trustees: Trustees are expected to attend and participate in all Board meetings and sessions.

A Trustee who misses, for whatever reason, thirty percent (30%) or more of all meetings and sessions in any one (1) calendar year shall be considered to be in dereliction of duty and shall constitute grounds for possible censure or sanction, up to and including, an oral or written reprimand, a public censure, or removal of a Trustee from such person's appointed position or any other committees, boards, or other special or ex officio appointments.

- 4.5. In the event of illness or absence, Trustee's should notify the Mayor and the Town Clerk as soon as possible prior to the applicable Board meeting or event.
- 4.6. **Executive staff:** The Town Manager and the Town Attorney, or their designees, shall, unless excused, attend all regular and special meetings of the Board. The Town Attorney, upon request of the Board, shall provide either a written or oral opinion on questions of law.
- 4.7. **Town Clerk:** The Town Clerk, or designee, shall attend all meetings of the Board and shall keep the official journal of proceedings, and perform other such duties as may be requested by the Board.

5. AGENDA & NOTICE OF MEETINGS:

- 5.1. The Town Manager, with input from the Mayor, shall prepare a preliminary agenda for each Board meeting or work session. A copy of the preliminary agenda shall be prepared and distributed to Trustees no later than 5:00 p.m., Thursday, three (3) business days prior to a regularly scheduled Wednesday Board meeting or work session. The Town Clerk shall prepare all meeting preliminary agendas upon the direction of the Town Manager.
- 5.2. If the Town Clerk or Town Manager receives a written request from the Mayor to remove any item from the preliminary agenda for any reason by 12:00 p.m. Friday before preliminary agenda publication, then the proposed agenda item shall be removed and the Mayor's request shall be communicated to the Board.
- 5.3. Generally no later than 5:00 p.m., Friday preceding the regular meeting or work session, the Town Clerk will publish on the Town's website a packet including the preliminary agenda for the next meeting showing the order of business and as applicable, related minutes.
- 5.4. Included in the packet will be Agenda Item Memos in addition to supporting documentation such as resolutions or ordinances, and agreements. Trustees are responsible for thoroughly reviewing all packet materials prior to the applicable meeting. If a Trustee has a question for staff, the Trustee should contact the Town Manager a reasonable period of time prior to the meeting so that staff may prepare a response. Any written responses of staff shall be provided to all Trustees.
- 5.5. If the Town Manager or Town Clerk receives input from four or more Trustees to reinstate an agenda item removed from the Mayor as part of the preliminary agenda by 5:00 p.m. Monday preceding the regular meeting, then that item shall be included as part of the preliminary agenda and placed under the agenda approval section of an amended preliminary agenda as a "proposed" agenda item for the Board to consider whether the item shall be made part of an approved agenda at the regular meeting. In such case, the Town Clerk shall publish the amended preliminary agenda and packet in compliance with open meetings law requirements.
 - i. Nothing in in this rule shall be interpreted to allow three (3) or more Trustees to discuss or consider any town business outside of a properly noticed open public meeting.
- 5.6. A notice of meeting shall be posted and published on the Town Website no less than twenty-four

(24) hours prior to the holding of the regular, special meeting, or work session. Notices shall also be posted as set forth herein at the location designated by the Board of Trustees by resolution at the first regular meeting of each calendar year.

5.7. Adding agenda items: Trustees who wish to advance a new policy or legislative idea (“Proposal”) before the Board should do so by the following means:

- i. forward a request in writing to the Town Manager for placement of the Proposal on a Work Session agenda at least 10 business days prior to any such regularly scheduled Work Session; or
- ii. during the “Trustee Reports” portion of the Board meeting, request that the Proposal be placed on a future Work Session agenda for initial consideration by the Board. No motion, second, or vote or other action shall be required of the Board to have the Proposal placed on a future Board Work Session agenda for initial consideration, so long as the Proposal is to be on a Work Session agenda thirty or more days later.

The Town Manager will review the Proposal only to evaluate staff time, competing priorities, and to develop a rough estimate of costs, if applicable. As necessary, the Town Manager will arrange to meet and discuss the proposal with the Trustee advancing the Proposal.

- i. Other than a simple administrative report describing the nature of the Proposal, no work on a Proposal added to a Work Session agenda shall be undertaken by Town staff, including but not limited to, fiscal review, legal review, and policy review for consistency with existing Town policies, until the Board has had the opportunity to have a discussion and provide direction as provided herein.
- ii. However, the Trustee advancing the Proposal shall have the right and privilege of submitting a letter or memorandum (and any other related materials) describing their Proposal and the reasons therefore which shall be included in the Board agenda packet so long as the letter or memorandum (and any other related materials) is submitted to the Town Clerk at least one week prior to the Board meeting.

Initial consideration of the Proposal at a Work Session will allow the Board to discuss the item during an open and public meeting, and determine whether to direct the Town Manager to add the Proposal to a future agenda and provide specific direction.

- i. The Councilor advancing the Proposal, who shall go on record as the person primarily responsible for guiding the Proposal through the legislative process (“Chair”), must be prepared to explain why action is necessary and why this issue is more important than other issues that compete for time, attention, and resources. What is the problem that needs to be solved? What are the implications of not acting? What is at stake? Why is government involvement or action required?

After a brief discussion at the Work Session, the Mayor will call the question. To advance the Proposal to a future agenda, two or more Trustees must approve, otherwise the Proposal is declined. If outside monies are needed for the Proposal, i.e., funds for contract workers, then a motion, second and majority vote of the Board shall be required to advance the Proposal to a future agenda, otherwise the Proposal is declined. A Trustee whose Proposal has been declined may refine the Proposal and again submit a request per the process described

above.

- i. If two or more Trustees support placement of the Proposal on a future agenda, then the Trustee's voting in favor of advancing the Proposal shall decide on the record who will agree to act as the primary supporter to the Chair's Proposal ("Co-Chair") and who will act as the secondary supporter to the Chair's Proposal ("Sponsor").
- ii. The date set for further consideration of the Proposal shall be set in light of legal notice requirements, existing Board priorities, the urgency of the Proposal, and the advice of the Town Manager as to its impact on the timing of existing work and/or projects of the Town, and the amount of time required for Staff to prepare to address the Proposal.

Once a Proposal has been placed on a future agenda for discussion, Staff time in preparing for such item is limited to eight hours or less, unless direction is given by a majority of the Board at the Work Session to expend further staff time and resources. The Town Manager, working in consultation with the Chair and Co-Chair, shall prepare a full staff analysis of the Proposal thereafter for consideration by the Board at the Board meeting, unless otherwise directed by the Board. As necessary, the Town Manager will meet with the Chair and Co-Chair to prioritize staff work time on the Proposal in light of other ongoing work, priorities, and initiatives.

Until the Proposal is completed or returns to the Board agenda for final resolution, the Town Manager will provide a status summary of approved Proposals in the "Staff Reports" portion of the Board meeting to the Board.

- 5.8. Proclamations:** The purpose and procedure for placing a proclamation on an agenda is as follows:

Purpose:

- i. Ceremonial for recognition for a special event or activity.
- ii. Honor persons or groups service to or for the Town.
- iii. Nationally recognized events or activities of local interest.

Procedure:

- i. Trustee's may request proclamations for the above purposes and staff will assist Trustees as needed.
- ii. When applicable, a representative of the subject entity should be present to accept the proclamation.

- 6. MEETING PROCEDURES:** The order of business shall be as follows (unless amended by a majority of the quorum present):

- i. **Call to Order & Roll Call** (by presiding officer)
- ii. **Pledge of Allegiance**
- iii. **Approval of Agenda** The Town Manager may subject to the requirements of the Open Meetings Law request the Board amend the agenda. Amendments to the agenda must be approved by a majority of the Trustees present.
- iv. **Consent Agenda** Includes items that may be approved without discussion or debate though Trustees may request removal of any item from the Consent Agenda allowing for questions and

discussion of the item.

- v. **Public Comment** Opportunity for the public to comment on any item not scheduled for public hearing. The Board of Trustees shall not engage in dialogue or answer questions posed during public comment. Trustees may request that staff prepare a response to any inquiry brought forward during public comment.
- vi. **Proclamations**
- vii. **Presentations** may be made as part of an agenda item.
- viii. **Land Development** Action items and public hearings pertaining to land use.
- ix. **Discussion/Action** Ordinances and resolutions for which the Town Clerk will assign a number prior to the meeting.
- x. **Public Comment** Second opportunity for the public to give public comment.
- xi. **Staff Reports** Includes information from staff that is advisory or may require Board action at a later meeting.
- xii. **Mayor & Trustees Reports** Trustees have the opportunity to report on their activities as they relate to the Town and bring forth matters for future consideration by the Board.
- xiii. **Executive Session** (on an as-needed basis only). The placement of the Executive Session within the agenda may be changed as determined to be appropriate by the Board.
- xiv. **Adjournment.**

6.1. Public Comment: Persons seeking to speak at public comment shall first sign a public comment sheet listing their name, address, and if they are speaking on a specific item on the agenda. The Town Clerk will prepare public comment sheets, and separate sheets will be available for public comment and for Public Hearings.

- i. The Town Clerk will deliver the public comment sheets to the Mayor, who will read the name aloud of the person(s) who desire to speak in the order they signed up.
- ii. Prior to making comments, each person shall, for the record, state their name and address. If any person neglects to do this, the Mayor will ask for this information.
- iii. Public comment is limited to thirty (30) minutes per meeting. Public comment is limited to three (3) minutes per person, and no person may convey any of their allotted time to another person nor speak on behalf of any other person. each speaker's time will be monitored, and the Town

Clerk will advise the Mayor when a person's three (3) minute time period has expired or the 30-minute time period has expired. At such times the Mayor shall, as appropriate, advise the person that their time has expired or close public comment

iv. The Board of Trustees shall not respond to public comments in session.

6.2. Public Hearings: if required by law, shall be conducted as follows:

- i. The presiding officer shall read the title of the ordinance or resolution into the record and open the public hearing;
- ii. Staff presentation
- iii. Applicant/petitioner presentation
- iv. Public comment
- v. Presiding officer closes the public comment portion of the public hearing
- vi. Applicant/ petitioner or staff has the opportunity to respond to public comments and questions
- vii. Board questions (questions may be asked of the applicant/ presenter, their representative, or staff)
- viii. Presiding officer closes the public hearing
- ix. Board comments and discussion
- x. Board motion and action

6.3. All persons, excluding Town staff, who desire to provide evidence or testimony at a public hearing shall first state their name and the general area of Town where such person lives (if such person resides in the Town), the city or town of such person's place of residence (if such person lives outside of Town), or group affiliation (if acting as a representative of an entity, organization, or group) prior to giving such evidence or testimony.

7. VOTING:

- 7.1.** Votes may be taken by voice vote or roll call vote. A voice vote is achieved by asking those in favor of an item to indicate such as a group and then by asking those in opposition to an item to likewise indicate such as a group. A roll call vote is achieved by having each Trustee individually indicate their vote in favor of or in opposition to the item. The Mayor announces the results of all votes.
- 7.2.** Roll call votes are recorded in the minutes and indicate the names of the Trustees who voted in favor or in opposition. Any Trustees may call for a roll call vote at any time.
- 7.3.** All ordinances, resolutions, and orders for the appropriation of funds require an affirmative vote of a majority of the entire Board. (C.R.S. § 31-16-103). A majority of the quorum present may approve all other actions. No votes may be taken unless a quorum meaning four (4) Trustees excluding the Mayor are present.
- 7.4.** All ordinances and resolutions that require the appropriation of funds or by which the Board enters into a contract shall be voted on by a roll call vote.

7.5. No Trustee shall be permitted to abstain from voting, except if such Trustee has a personal or private interest (conflict of interest) in the matter, as set forth in C.R.S. § 24-18-109 and Code of Conduct, Chapter 2.05 of the Firestone Municipal Code. If a conflict exists, the Trustee shall disclose such interest to the Board and shall not vote thereon and refrain from attempting to influence the decisions of other members of the Board, and leave the chambers during the discussion and vote concerning the matter.

8. MOTIONS:

8.1. All matters before the Board shall be introduced by motion. A motion refers to a formal proposal by a Trustee seeking specific action by the Board generally preceded by the statement "I move that...". However, if the motion is lengthy or complex, it should be put in writing. Motions shall be put in writing if requested by two Trustees.

8.2. All motions must be seconded in order for discussion and a vote to occur.

8.3. The following steps shall be taken for the presentation and disposition of motions:

- i. The presiding officer recognizes a Trustee.
- ii. The Trustee proposes a motion.
- iii. Another Trustee seconds the motion. If a second is not made by a Trustee the motion fails.
- iv. The presiding officer may cause the motion to be restated.
- v. The Board debates/discusses the motion (amendments to the motion or other substitute motions may be made during the debate/ discussion).
- vi. Vote is taken and the presiding officer announces the results of the vote.

8.4. **The following Motions are the most commonly used:**

- vii. **Motion to Amend:** A motion to amend is only applicable to the main motion before the Board. It may take the form of inserting, striking out or amending words, sentences, numbers or paragraphs. The motion is debatable and a majority of the quorum present is required for approval. It is proper to make a motion to amend an amendment. Motions shall be discussed in the reverse order from which they were proposed.
- viii. **Motion to Continue Matter to a Date Certain:** A motion to continue has the effect of moving an item to a future agenda. The motion shall include the date to which the item is being continued.
- ix. **Motion to Lay on the Table:** This motion is used to set aside an item currently under discussion for a more pressing matter. It is not used to "kill" an item. Once the more pressing matter has been disposed with, a motion to take from the table is in order. This motion shall be made at the same meeting.
- x. **Motion to Postpone Indefinitely:** Approval of this motion effectively "kills" the item as it removes the item from the Board's consideration without discussion or a vote on the item. If the motion fails, a discussion on the motion, and a vote, can be had.
- xi. **Motion to Call the Question:** This motion is used to cut off debate and to bring an immediate vote on the pending motion. A motion to call the question requires a two-thirds vote of the quorum present to prevail. This motion cannot be made while a Board member has the floor. A vote is first taken on the motion; if successful, the debate is halted and a vote on the main

motion is made. If the vote on the motion to call the question fails, debate on the main motion may continue.

- xii. **Motion to Reconsider:** A motion to reconsider must be made at the same meeting at which the action occurred, or at the next following regular meeting. The motion must be made by a Trustee who voted on the prevailing side and the Trustee shall so state that in their motion. The second need not be a Trustee from the prevailing side. Debate is limited to discussion of the reasons for reconsideration. A vote is then taken on the motion to reconsider. Passage requires two-thirds of the quorum present. The passage of a motion to reconsider suspends all action on the original motion. The original matter is then placed before the Board in the exact form it was in when initially acted upon by the Board though the Board may set the vote for a later regular meeting. No further reconsideration can be granted once the vote is taken and the results are determined.
- xiii. **Motion for Executive Session:** Executive sessions which allow the Board to discuss matters in a closed setting are expressly permitted by the Colorado Open Meetings Law C.R.S. Part 4 Title 26, for specified topics and require the announcement of the topic of discussion including the specific statutory citation which authorizes an executive session. Executive sessions require the affirmative vote of two-thirds of the quorum present. Executive Sessions including all comments and documents disclosed therein are confidential and may not be disclosed to any party not a participant in the Executive Session.

8.5. Any Trustee may withdraw their seconded motion prior to a vote on that motion.

8.6. When a main motion is before the Board, no other business or motion may be brought before the Board except for a secondary or subsidiary motion as follows: motion to amend, motion to continue, motion to lay on the table, motion to postpone indefinitely, or motion to call the question, These subsidiary motions shall have precedence in the order indicated.

9. MISCELLANEOUS:

9.1. **Point of Order:** When a Trustee believes that the Rules of Procedure are being violated the Trustee may make a Point of Order calling upon the presiding officer for a ruling and enforcement of the Rule of Procedure. It does not require a second and is not debatable but with the presiding officer's consent, the requesting Trustee may explain the matter.

10. ORDINANCES & RESOLUTIONS:

10.1. All ordinances and resolutions, except those appropriating funds, require an affirmative vote of the majority of the quorum in order to be adopted. Ordinances or resolutions for the purpose of appropriating funds require an affirmative vote of the majority of the Board.

10.2. Ordinances adopting Codes by reference shall adhere to the requirements set forth in C.R.S. Part 2, Article 16, Title 31. Resolutions are effective upon passage.

10.3. The Town Clerk is responsible for maintaining a public record of all ordinances and resolutions.

11. GENERAL RULES:

- 11.1. Trustees should not engage in conversation or commit any other act which may distract the attention of any other Trustee from the business at hand.
- 11.2. Trustees shall, when speaking, confine their remarks to the matter under discussion.
- 11.3. Any Trustee may protest any action of the Board and upon acknowledgment by the presiding officer, state the reasons therefore and have such entered into the record.
- 11.4. The Chief of Police, or their designee, shall be charged with maintaining the peace at all meetings of the Board.
- 11.5. The presiding officer may call a recess during a meeting setting forth the approximate time of the recess to provide for a temporary break for the convenience of all present, to quell a disturbance, or at the request of a majority of the Board. The call for a recess should occur between items of business.
- 11.6. The presiding officer shall recognize each board member before speaking.
- 11.7. The Town Clerk shall maintain an account of all proceedings of the Board, which shall constitute the official record of the Board. All public records shall be kept in accordance with the Colorado Open Records Act C.R.S. § 24-72-200.1 et seq.
- 11.8. The Town Clerk shall prepare all minutes, which shall be a record of the actions taken at the meeting, but not a verbatim transcript of what was stated by the Board and any participants. The minutes shall contain a separate paragraph for each item or subject matter. They should reflect each item considered and the disposition of each motion or matter on which action is taken. Comments by Trustees or other participants may be summarized.
- 11.9. The minutes may be corrected or amended by a motion of a Trustee. If the correction is minimal or insubstantial (“Scrivener’s error”), Trustees should contact the Town Clerk prior to the meeting. A corrected copy of the minutes shall then be prepared for approval by the Board at the next regular meeting.

12. AMENDMENTS/ SUSPENSION:

- 12.1. These Rules of Procedure may be amended by the Board by a majority vote of the entire Board. Any amendments shall be submitted to the Board in writing preceding formal discussion and action.
- 12.2. Any provision of these Rules of Procedure not governed by state statute or the municipal code may be temporarily suspended at any regular or special meeting by a majority vote of the quorum present. The vote shall be entered into the record of the meeting, and when making a motion to suspend, the Trustee must specifically state the rule being suspended and the purpose for the suspension.