

**TOWN OF WARREN
PLANNING COMMISSION
RULES OF PROCEDURE**

Adopted December 16, 2002

Section 1. Appointment, Term, and Vacancy

- a. The Town of Warren Planning Commission (the "Commission") shall have not less than three (3) nor more than nine (9) members as determined by the Warren Selectboard. Currently, the Selectboard has authorized the Commission to have seven (7) members. All members shall serve without compensation, but may be reimbursed by the municipality for necessary and reasonable expenses. The Selectboard members are non-voting ex-officio members of the Commission.
- b. Members of the Commission shall be appointed by the Selectboard. The term of each member shall be for four (4) years. When a vacancy occurs for any reason, the vacancy will be posted for public consideration. The existing members will interview candidates and make a recommendation to the Selectboard, which will make a decision on appointment. Any member may be removed at any time by unanimous vote of the Selectboard. Any appointment to fill a vacancy shall be for the unexpired term.

Section 2. Powers and Duties

The Commission may:

1. Prepare the Town Plan and amendments thereof for consideration by the Selectboard and to review any amendments thereof initiated by others.
2. Prepare and present to the Selectboard proposed bylaws (i.e. Land Use and Development Regulations) and make recommendations to the Selectboard on proposed amendments to such bylaws.
3. Undertake studies and make recommendations on matters of land development, urban renewal, transportation, economic and social development, urban beautification and design improvements, and historic and scenic preservation, the conservation of energy and the development of renewable energy resources and wetland protection.
4. If requested by the Selectboard, prepare and present to the Selectboard recommended building, plumbing, fire, electrical, housing, and related codes and enforcement procedures, and construction specifications for streets and related public improvements.
5. If requested by the Selectboard, prepare and present to the Selectboard a recommended annual capital budget and future capital program for a period of not less than five years, as set forth in 24 V SA Section 4426.
6. Hold public meetings.
7. Require from departments and agencies of the Town such available information as relates to the work of the Commission.
8. In the performance of its functions, to enter upon land to make examinations and surveys.
9. Participate in any appropriate regional planning commission or regional planning program.
10. Retain staff and consultant assistance in carrying out its duties and powers.
11. Undertake comprehensive planning, including related preliminary planning and engineering studies.
12. Perform such other acts or functions as it may deem necessary or appropriate, or as requested by the Selectboard, to fulfill the duties and obligations imposed by, and the intent and purposes of Chapter 117, Title 24 V.S.A.

Section 3. Officers

The officers of the Commission shall consist of a Chair, Vice-Chair, and Secretary elected by the Commission at the annual meeting for a term of one year. Any vacancy in an officer position occurring during the year shall be filled by a member elected by the Commission. The position of Secretary may be filled by a non-voting staff member of the Commission. In the event the Secretary shall be absent from any meeting, the officer presiding shall designate an acting Secretary.

Section 4. Duties of Officers

The duties and powers of the officers of the Commission shall be as follows:

a. Chair

1. To preside at all meetings of the Commission and run the meetings in a manner that provides reasonable opportunity for public comment at such meetings.
2. To call special meetings of the Commission in accordance with these Rules.
3. To sign official documents of the Commission.
4. To see that all actions of the Commission are properly taken.
5. To prepare the agenda for all meetings of the Commission.
6. To inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
7. To represent the Commission at all official meetings requiring attendance of a member(s) of the Commission and in the Chair's absence, designate an authorized representative.

b. Vice-Chair

During the absence, disability or disqualification of the Chair, the Vice Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

c. Secretary:

1. To keep the minutes of all meetings of the Commission in an appropriate Minutes Book.
2. To give or serve all notices required by law or by these Rules.
3. To be custodian of Commission records.
4. To assist the Chair and other members in performing their responsibilities, as appropriate.

Section 5. Meetings and Minutes

- a. Open Meeting Law. All meetings of the board shall be held in accordance with the requirements of the Vermont Open Meeting Law, 1 V.S.A. §310, et seq. All meetings and hearings of the Commission shall be open to the public and include reasonable opportunity for public comment.
- b. Annual Meeting. The annual meeting of the Commission shall be the first regular meeting following the Warren Town Meeting each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled by the Commission.

- c. Regular Meetings. Meetings of the Commission shall be held as needed on a regularly scheduled basis, to be agreed upon by all members at the annual meeting. Agendas for regular meetings shall be provided to all members, posted at the Municipal Building, and provided upon request to others at least 24 hours before the meetings. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting or at the discretion of the Chair.
- d. Special Meetings. A special meeting of the Commission may be called by the Chair provided that at least 24 hours notice of the time, place, and business of such meeting is given to each member of the Commission. In addition, the Commission Secretary shall post a notice of the special meeting in the Town Clerk's office and in at least two other public places in town at least 24 hours before the meeting.
- e. Minutes. The Secretary of the Commission shall keep minutes of every regular or special meeting of the Commission. Minutes shall include at minimum the names of all Commission members present; all other active participants in the meeting; all motions, proposals, and resolutions made, offered and considered, and what disposition is made; and the results of any votes, with a record of the individual vote of each member if a roll call is taken. Minutes shall be matters of public record, and shall be made available for public inspection at the Municipal Building during normal working hours.

Section 6. Quorum and Voting

- a. Quorum. For the conduct of any meeting and the taking of any action a quorum must be present, which shall be not less than a majority of the members of the entire Commission. A member of the Commission may participate electronically, for example, by telephone or videoconference.
- b. Majority Vote. The taking of any action by the Commission shall require the concurrence of a majority if the members of the entire Commission, regardless of any unfilled vacancies or disqualifications.

Section 7. Conflict of Interest

- a. Avoidance. In order to secure, protect and preserve the highest level of public trust in the deliberations and decisions of the Commission, it is incumbent upon each member not only to avoid any act which constitutes a conflict of interest established in law and these rules, but also to avoid any act which gives the appearance of an undue special privilege or a conflict of interest.
- b. Definition. Conflict of interest shall mean that the Commission member, his or her spouse, relative by blood or marriage (parent, child, sibling, grandparent or grandchild), business associate, employer or employee, has a direct personal or pecuniary interest in the outcome of any matter pending before the Commission. A conflict of interest will not arise in the case of votes or decisions on matters in which the Commission member has a personal or pecuniary interest in the outcome no greater than that of other persons generally affected by the decision.
- c. Disqualification. No member shall participate in matters before the Commission in which he or she has a conflict of interest, nor appear for nor negotiate on behalf of any person or organization in proceedings before the Commission in which the member is participating. If a conflict of interest exists, the Commission member shall withdraw from all participation with the Commission regarding the matter. When a member has withdrawn he or she shall not sit with the Commission at any time when the board is considering the matter.
- d. Questions. In the event that a Commission member with a conflict of interest refuses to withdraw from related Commission proceedings, a complaint may be filed with the Commission by another member of the Commission or a member of the public at a meeting or in writing. The Commission shall have the authority to order the member to withdraw from the matter by a vote as set forth in Section 6 (b).

Section 8. Member Participation Guidelines.

Attached hereto as Appendix A are some groundrules for each member's participation on the Commission and conduct at meetings.

Section 9. Amending Rules.

These Rules and Appendix A may be amended at any meeting of the Commission provided that said proposed amendment is provided to each member in writing at least five days prior to said meeting.

APPROVED on this ____ day of December 2002.

WARREN PLANNING COMMISSION

Clayton Cormier, Chair

John Donaldson

John Goss

Donald La Haye

Lisa Miserendino

Matt Sargent

APPENDIX A

MEMBER PARTICIPATION GUIDELINES

1. Devote the time necessary to fulfill the responsibilities of the position, including meeting attendance. Be on time for meetings and come prepared with your copy of meeting materials, having completed necessary reading and study.
2. Every reasonable attempt should be made to stick to the allotted time for each agenda item and to end the meeting on time.
3. Inform staff in advance if you cannot attend a meeting. If you miss a meeting it is your responsibility to get yourself updated with what you missed so future meetings will be more productive.
4. Contribute to and encourage open, respectful and thorough discussions by the Commission. Be honest, helpful, diligent, and respectful in your dealings with the Commission, other members and staff. Members should conduct only one discussion at a time during meetings. Respect and listen to other members' points of view. Be courteous and speak in turn. Do not interrupt.
5. Be a team player and agree to abide by the majority action of the Commission, even if it is not your own personal opinion. Represent the agreed-upon position of the Commission, rather than your own, when you speak for the Commission to the general public.
6. Do your best to represent the interests of the Town and the general public rather than your own interests. Disclose any personal or organizational conflict of interest that you may have and refrain from voting in any related matter.