

Town of Warner, NH

Select Board Rules of Procedure

Purpose

Pursuant to NH RSA 41:8, RSA 91-A, and other applicable statutes, these Rules of Procedure describe the duties and methods of operation of the Warner Select Board.

Responsibilities and Authority of the Board

The Select Board is the executive, managerial, and administrative body that carries out the votes of the Town Meeting. It has only the authority granted to it by state law or by Town Meeting. In addition to specifically assigned roles and powers, the Board has the broad duty to, “manage the prudential affairs of the Town” (RSA 41:8), and is guided by the town’s master plan.

Responsibilities of Members

Members shall make every effort to attend each meeting, having prepared and read materials in advance. Members are expected to be fully aware of, and compliant with, NH RSA 91-A regarding the public conduct of Town business. Members shall not release or discuss information raised in non-public sessions. The Board may only take action by majority vote during a meeting legally in session. Individual members may take no action or decision, nor speak on behalf of the Board, without the specific authority of the full Board.

Members shall treat each other as professionals, with respect and courtesy. They shall respect the rights and opinions of others in the community. They should expect to be treated the same. Members shall treat employees as professionals, with respect and courtesy. Members shall recognize the administrative chain of command, by directing questions, complaints, discussions, and requests for staff support through the Town Administrator.

Election of Officers

Procedures for electing officers are as follows:

- (A) Annually, at the first meeting of the new Select Board, the members shall choose, a Chair and a Vice Chair.
- (B) The above election shall be by a majority vote of the Select Board present at the first meeting after the close of the Annual Town Meeting.

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Assignments of the Select Board members to Boards & Commissions

The Board shall choose their assignments at the first meeting following the elections. The term of all appointments including the terms of any ex-officio members of the Board of Selectmen serving on local land use boards (i.e. Planning Board, Conservation Commission, Zoning Board) shall be for one year or until the next Town Meeting, whichever is sooner.

Presiding Officer

(A) The Chair of the Select Board shall preside at all meetings of the Select Board and be recognized as the head of the Town for all ceremonial purposes. The Chair has no regular administrative or executive duties. In case of the Chair's absence or temporary disability, the Vice Chair shall act as Chair during the continuance of the absence.

(B) The Presiding Officer shall preserve order and decorum, may participate in the discussion of any issue before the Select Board, may submit reports and legislation to the Select Board for its consideration, which shall require both motion and second by other members of the Select Board, may speak to points of order in preference to other members of the Select Board, and shall decide all questions of order or procedure, subject to appeal to the full Board.

Select Board Meeting – Location and Posting

All meetings of the Town of Warner Select Board (the Board) shall be held at the Warner Town Hall, unless the Board adjourns to another location, or the meeting is scheduled for another location and is properly noticed. In general, meetings of the Board must have at least 24-hour notice (not counting Saturdays, Sundays and Holidays) prior to the meeting (RSA 91-A). Notice must be posted in two prominent public places and on the Town's Website. Other statutes may require longer periods for and/or different types of notice, such as public hearings, depending on the action being considered.

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Select Board Meetings - Open to the Public

All meetings of the Town of Warner Select Board and Committees thereof shall be open to the public, except as provided for by RSA 91-A. Public wanting to present information or documentation to the Select Board:

(A). Shall submit a request to be on the agenda by Tuesday, noon the week prior before the meeting; inclusion of the request on the agenda shall be approved by the Select Board Chair before posting.

(B). Shall provide the information or documentation to be presented to Town Administration at least by noon 7 days ahead of the meeting.

(C). If information or documentation is not provided at least three (3) business days ahead of the meeting, the subject shall be tabled to allow adequate time for the Select Board and/or Town Administration to review information to be discussed.

(D). Shall address the Select Board, not Town Administration, or others in attendance.

Conduct of Meetings

The Chair shall preside over all meetings and may limit discussion to the motion or topic on the table; limit time for each visitor to speak; call for recess; and decide procedural matters. Visitors may be permitted to address the Board on any topic properly on the agenda. No person shall address the meeting without acknowledgement of the Chair, and all visitors shall address the Board through the Chair. Visitors wishing to address the Board will be asked to rise, state their name, place of residence, and purpose for addressing the Board. Select Board meetings are business meetings, as such, it is expected that attendees of Select Board meetings be respectful of one another, Town Administration, and the Select Board. Interruptions, outbursts, foul language, disruptive behavior, and grandstanding at Select Board meetings will not be tolerated.

Select Board Meeting Agenda

The Town Administrator or any member of the Select Board may place a matter upon the agenda. The Select Board's administrative assistant shall arrange a list of such matters according to the order of business and prepare an agenda for review by the Chair of the Select

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Board. Upon approval, a copy of the agenda and supporting materials shall be prepared for all Select Board members. These materials shall be available at the Select Board's Office 7 days preceding a scheduled meeting of the Select Board. Matters submitted by members of the public must be received at the Select Board's office by noon, 7 days before the scheduled meeting in order to be considered for placement on the agenda. Due to scheduling and time constraints, an item submitted by the public is not guaranteed to be placed on the next meeting's agenda.

Town Administrator

The Town Administrator, as the chief executive officer, shall attend all meetings of the Select Board, unless excused by the Presiding Officer of the Select Board. The Town Administrator may take part in all Select Board's discussions on all matters on the agenda, and otherwise concerning the welfare of the Town. In the event that the Town Administrator is unable to attend a Select Board meeting, the Town Administrator may appoint another qualified staff member to attend the meeting on behalf of the Town Administrator.

Rules of Order

To the extent these rules and orders are not comprehensive, all questions of order shall be resolved by reference to Robert's Rules of Order, if need be. The Presiding Officer shall rule on all matters raised by this rule. At the annual organizational meeting, the Board shall adopt Robert's Rules of Order or such other written rules it deems appropriate.

Actions for a Public Hearing

The procedures for a public hearing are as follows:

(A) At the outset of each public hearing, the Presiding Officer will announce the purpose of the public hearing and ask the parties wanting to speak to limit their presentations to information within the scope of the matter before the Select Board.

(B) The Presiding Officer may call upon the Town Administrator or other appropriate party to describe the matter under consideration and/or read the public notice for the hearing.

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(C) Each speaker, for and against the matter before the Select Board for public hearing, shall identify himself or herself by name and address. The Presiding Officer may limit the length of time allowed for speakers to address the Board.

(D) During the hearing, any Select Board member shall be permitted to ask the speaker questions provided they are relevant to the matter before the Select Board for Public Hearing. The Presiding Officer shall retain the right to determine the relevancy of any question.

(E) The Presiding Officer closes the public hearing.

(F) The Presiding Officer shall then inquire if there is a motion by any Select Board member. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Select Board members. The Presiding Officer may call on individual Select Board members in the discussion.

Committees/Liaisons

(A) Select Board Representatives: Select Board members may serve as representatives and/or liaisons to various town organizations and committees. These representatives shall be nominated and approved by the Select Board on an annual basis (usually at the first meeting following Town Meeting).

(B) Special Ad Hoc citizen advisory committees or task forces may be created by the Select Board for a particular purpose. The Select Board upon appointment of special ad hoc committees shall define in writing a specific charge and expiration date. All such committee members shall be nominated and approved by the Select Board. One Select Board member, appointed by the Select Board, may serve as a representative to a citizen advisory committee as a voting member.

(C) The Town Administrator may assign Town employees to support various committees, but no staff person shall serve as a voting member of a study committee. This rule shall not preclude the Select Board from directly appointing Town employees to serve on a committee in an "ex-officio" non-voting capacity.

(D) Minutes of committee meetings shall be recorded in accordance with RSA 91-A, the NH Right to Know Law.

Nominations, Appointments & Reappointments

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The procedure for nominating and appointing residents to town boards, commissions and committees shall be determined by the adopted policy by the Select Board. At a minimum, that policy should address:

1. Opportunities to serve on newly formed committees and vacancies on existing boards and commissions under the appointment authority of the Select Board shall be advertised by posting on the Town's website, for at least a two-week period prior to being filled.

2. The Town Administrator shall bring forth all applications received for each position to the Select Board Chair for inclusion on the Board's Agenda. Applicants for open positions, shall first be placed on a Select Board meeting agenda "for consideration", prior to being acted on at the next regular Select Board meeting. At the time a name appears for a second time on an agenda, it shall be referenced on the agenda as "to be voted" and likewise when the name is listed "for consideration".

3. Reappointments to Boards & Commissions shall be done following a submittal of an application for the new term. Existing members seeking reappointment shall submit a new application.

Conduct with other Board Members and Employees

The Select Board shall treat others with respect and respect the rights and opinions of the community despite differences of opinion. The Select Board expects to be treated the same.

1. The Select Board, when dealing with the Town Administrator and Town Employees, shall:

(A) Recognize the administrative chain of command and refuse to act on complaints as an individual outside the administration.

(B) Treat all employees as professionals and respect the abilities and integrity of each individual.

(C) Never publicly criticize an employee. Concerns of employee performance shall be handled with the Town Administrator under RSA 91-A.

(D) Acknowledge that connecting with and communicating with employees and staff is encouraged, especially with the assigned liaison departments. However, when communicating with staff, an issue or matter is discovered and needs additional follow-up, forward that

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information to the applicable department head and Town Administrator for further review and resolution.

(E) Not give orders or direction to officers or employees unless designated by the Select Board. Direct any question that requires additional research or follow-up from the staff to the Town Administrator, or respective Department Head to report back to all members of the Select Board once resolved.

(F) Limit the request for staff support and ensure that all requests go through the Town Administrator's Office.

2. The individual members of the Select Board in their relations with Board members shall:

(A) Recognize that no member by their actions alone can bind the Select Board or the Town.

(B) No member, including the chairperson, shall conduct any town business outside a regularly scheduled meeting without the prior knowledge and approval of the Board at a meeting.

(C) Pursuant to RSA 91-A, uphold the intent of non-public session and not release or discuss items raised in non-public session.

(D) Refrain from communicating the position of the town or the Select Board to other entities (i.e., NH state and federal officials) unless the full Board has previously agreed on both the position, language, and release of the statement.

(E) Treat with respect the rights of all members of the Board despite differences of opinion.

(F) While serving in an ex-officio capacity, act as an individual and not on behalf of the Select Board unless directed to do so by a majority vote of the Board.