

**TOWN OF PALISADE
RESOLUTION NO. 2021-11**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF PALISADE,
COLORADO, ADOPTING PROCEDURES GOVERNING THE CONDUCT OF BOARD
OF TRUSTEE MEETINGS AND WORK SESSIONS.**

WHEREAS, the Town of Palisade (the "Town") Board of Trustees (the "Board") strives to hold efficient and productive meetings to effectively administer the Town's business; and

WHEREAS, the Board has reviewed and discussed the attached Procedures Governing the Conduct of Board of Trustee Meetings and Work Sessions ("Procedures") and has determined that the adoption of the Procedures will provide a systematic, consistent, and standardized method for conducting Board meetings to better serve the Town; and

WHEREAS, the Board desires to adopt the Procedures.

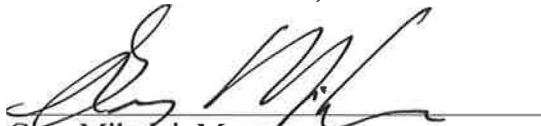
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF PALISADE, COLORADO THAT:**

Section 1. Incorporation of Recitals. The above recitals are hereby incorporated as findings by the Town of Palisade

Section 2. Adoption of Procedure Governing the Conduct of Board of Trustee Meetings and Work sessions. The Board of Trustees of the Town of Palisade hereby adopts the attached Procedures Governing the Conduct of Board of Trustee Meetings and Work Sessions as official policy of the Board. The Procedures are effective immediately and shall continue in effect until revised by subsequent resolution of the Board.

INTRODUCED, PASSED AND APPROVED this 14th day of September 2021.

TOWN OF PALISADE, COLORADO



Greg Mikolai, Mayor

ATTEST:



Keli Frasier, Town Clerk



PROCEDURES GOVERNING THE CONDUCT OF BOARD OF TRUSTEE MEETINGS AND WORK SESSIONS

Order of Business for Regular and Special Board Meetings.

Board business at regular Board meetings shall be conducted in the following order:

1. Call Meeting to Order
 2. Pledge of Allegiance
 3. Roll Call
 4. Agenda Adoption
 5. Announcements
 6. Presentations and Proclamations *
 7. Public Comment
 8. Town Manager Report
 9. Public Hearings*
 10. New Business*
 11. Old Business*
 12. Board Open Discussion
 13. Committee Reports
 14. Executive Session*
 15. Adjournment
- (*As needed)

Board business at special Board meetings shall be conducted in the following order:

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Agenda Adoption
5. Individual Consideration of Items Identified in the Call of Special Meeting
6. Adjournment

Board business at Executive Sessions/Special Meetings shall be conducted in the following order:

1. Call Meeting to Order
2. Individual Consideration of Items Identified in the call of Executive Session/Special Meeting
3. Adjournment

Procedures for conduct of other types of special proceedings by the Board shall be established by the presiding member and shall comply with all applicable legal requirements

Public Comment During Regular and Special Board Meetings.

Citizen comment will be allowed on matters of interest or concern to citizens except the following:

- Items the Board will consider at that night's meeting that include time for citizen comments, such as items discussed during public hearings.
- Matters that are the subject of a board or hearing decision that will be appealable to the Board if a submittal has been made to initiate the decision-making process.

Comment on Agenda Items.

Citizen input will be received regarding:

- Public Hearings or Regular Agenda items (New Business or Old Business) including public comment.
- Such citizen input will be permitted only once per item regardless of the number of motions made during Board's consideration of the item.

Rules of Conduct for Public Comment, Public Hearings and Regular Agenda items.

- A citizen wishing to speak during the Public Comment section of the agenda will sign up on the designated form that indicates the citizen understands the Rules of Conduct and will abide by them.
 - The Town Clerk will manage the sign-up form
 - The sign-up form will determine the order for Public Comment
- Each speaker will be limited to three minutes.
 - The total time limit for the Public Comment section of the agenda is 30 minutes.
 - The presiding member will adjust the individual time limit if more than ten speakers sign up for Public Comment; i.e., fifteen speakers will be allowed two minutes each.
- Comments and testimony are to be directed to the Board.
 - No comments or questions shall be directed to staff, an applicant or presenter, or other members of the public.
- The presiding member may ask those intending to comment on a Public Hearing item or Regular Agenda item to indicate their intention by a show of hands or some other means.
 - Each speaker will be limited to three minutes.
 - No total time limit is in effect for Public Hearing or Regular Agenda items.
- In the case of Public Hearing or Regular Agenda items, comments must relate directly to the topic of the Public Hearing or Regular Agenda item.
 - The presiding member reserves the right to direct the speaker to confine his or her comments to the topic of the Public Hearing or Regular Agenda item.

- All comments from the public shall only be made by persons speaking into the microphone after they have identified themselves on the record.
 - The proceedings are recorded and comments made away from the microphone are inaudible and cannot become part of the official record.
- Each speaker shall promptly cease his/her comments and yield the lectern immediately upon the expiration of the time allotted or at the conclusion of questions from the Board.
- No speaker may yield part or all of his/her time to another speaker, and no speaker will be credited with time requested but not used by another.
- Outbursts and interruptions from any person in the hearing room, including shouting, clapping, booing, laughing, or other reactions to the proceedings are prohibited.
- All emails sent to the Town Clerk for public comment on a specific agenda item prior to the day packets are published will be included in the staff report.
 - All emails must include name and address.
- Emails received after the packets are posted will be forwarded to the Board of Trustees.
- Any member of the public who wishes to have a statement or email read into the Minutes is required to appear in person and make said statements to the Board directly.

Code of Conduct for public during Board Meetings.

General Comment, or Expressions of Support or Opposition.

- All persons attending a board meeting are expected to behave in a professional and civil manner, and the presiding member reserves the right to require persons violating the rules of decorum to leave the board room.
- Members of the audience are not entitled to speak except as provided in these Rules of Procedure, or as expressly requested by the presiding member, Town Manager or Town Attorney.
- Meeting attendees shall not engage in expressions of support or opposition, such as whistling, cheering, foot stomping, booing, hissing, speaking out, yelling, or other acts, that disturb, disrupt, or impede the meeting or any recognized speaker.

Signs and Props.

- Except for materials exhibited as part of a presentation to the Board of Trustees, no signs or props are permitted in the Board chambers.

Video and Audio Recording.

- Video and audio recording by the press or other members of the public is permitted in the Board chambers only if the person making the recording is seated, standing in the back of the Board chambers behind all seated persons, or standing in any other area pursuant to the direction of the presiding member in his or her reasonable discretion or designated for that purpose.

Areas Permitted for Seating and Standing.

- No persons shall sit in the Board chambers except in chairs or seats provided by the Town or in wheelchairs or other assistive devices.
- No persons shall stand in the aisles or other locations in the Board chambers except in the back of the Board chambers and only in accordance with other applicable limits for fire and building safety.

Procedural Decisions Subject to Modification by Board.

Decisions by the presiding member regarding procedures and procedural issues, including but not limited to time limits for public comment, may be superseded by a majority vote of the Board.

Board Questions and Debate.

- Board questions and debate regarding an agenda item during a regular or special Board meeting will occur immediately following citizen input and prior to entertaining any main motion related to the item.
- Except when raising a point of order at a regular or special Board meeting, Board members seeking to ask questions or participate in debate or discussion will do so only when recognized by the presiding member.
- The presiding member may limit or curtail questions or debate as he/ she deems necessary for the orderly conduct of business.

Basic Rules of Order for Regular and Special Board Meetings.

- These procedures are based on commonly used rules of order and these procedures will control the conduct of Board of Trustee business at regular and special Board meetings.
- Except as specifically noted, all motions require a second. These procedures are based upon Robert's Rules of Order Newly Revised and have been modified as necessary to conform to existing practices of the Board.
- If a question is not addressed by these procedures, then reference may be made to Robert's Rules of Order for clarification or direction, however, strict adherence to Robert's Rules of Order Newly Revised shall not be mandatory.
- Any Board member and the presiding member may make or second any motion, except as specifically limited by these procedures.

MAIN MOTIONS

Main motions are used to bring business before the Board for consideration and action.

- A main motion can be introduced only if no other business is pending.
- All main motions require a second and may be adopted by majority vote of the members of Board of Trustee present at the meeting.

- A main motion may be made or seconded by any Board member, including the presiding member.
- A main motion is debatable and may be amended.

SUBSIDIARY MOTIONS

These are motions that may be applied to another motion for the purpose of modifying it, delaying action on it, or disposing of it.

Motion to Amend.

- The point of a motion to amend is to modify the wording - and, within certain limits, the meaning - of a pending motion before the pending motion itself is acted upon.
- A motion to amend, once seconded, is debatable and may itself be amended once.
- A "secondary amendment," which is a change to a pending "primary amendment," cannot be amended.
- Once a motion to amend has been seconded and debated, it is decided before the main motion is decided.

Certain motions to amend are improper.

- For example, an amendment must be “germane” to be an order. To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied.
- Also, some motions to amend are improper, for example, a motion that would merely make the adoption of the amended question equivalent to a rejection of the original motion, or one that would make the question as amended identical with, or contrary to, one previously decided by the Board during the same session.
- “Friendly” amendments acceptable to the maker and the seconder of the main motion do not require a second and are permissible at any time before a vote is taken on motions to amend the main motion.

Withdrawal of a Motion.

- After a motion has been seconded and stated by the presiding member it belongs to the Board as a whole and the maker may withdraw his or her motion unless one or more members of the Board objects, in which case the majority of the Board must consent to withdrawal of the motion.

Motion to Postpone to a Certain Time (or Definitely).

- This is the motion by which action on an agenda item or a pending motion can be put off to a definite day, meeting, or hour, or until after a certain event has occurred.
- A motion to postpone can be debated only to the extent necessary to enable the Board to determine whether the main motion should be postponed and, if so, to what date or time.
- Similarly, it is amendable only as to the date or time to which the main motion should be postponed.

Motion to Lay on the Table.

- A motion to table is intended to enable the Board to lay the pending question aside temporarily, but only when something else of immediate urgency has arisen.
- Adoption of a motion to lay on the table immediately halts the consideration of the affected motion, since a motion to table is neither debatable nor amendable.

Motion to Postpone Indefinitely.

- A motion to postpone indefinitely is, in effect, a motion that the Board decline to take a position on an agenda item or main motion.
- Adoption of a motion to postpone indefinitely kills the agenda item or main motion and avoids a direct vote on the item or motion.
- It is useful in disposing of an item or motion that cannot either be adopted or expressly rejected without undesirable consequences.
- A motion to postpone indefinitely is debatable but not amendable.

“Calling the Question”.

- "Calling the question" may sometimes motivate unanimous consent to end debate. If it does not, however, then debate does not automatically end.
- If any member objects to ending the debate, the presiding member should ask if there is a second to the motion and, if so, he must immediately take a vote on whether to end debate.
- A motion to call the question is not debatable or amendable.

INCIDENTAL MOTIONS

These are motions which usually apply to the method of conducting business rather to the business itself.

Point of Order.

- If a Board member thinks that the rules of order are being violated, he or she can make a point of order, thereby calling upon the presiding member for a ruling and an enforcement of the regular rules.
- A “point of order” takes precedence over any pending question out of which it may arise and does not require a second.
- A “point of order” is not amendable.
- Technically, a “point of order” is not debatable; however:
 - With the presiding member's consent, the member raising the point of order may be permitted to explain his or her point.
 - In response to a point of order, the presiding member can either immediately rule, subject to appeal to the Board, or the presiding member can refer the point of order to the judgment of the Board, in which case the point becomes debatable.
 - In making his or her ruling, the presiding member may consult with the Town Attorney and/or members of the Board.
 - When the presiding member has made a ruling, any two Board members can appeal the ruling, one making the appeal and another seconding it.

- When an appeal is taken, the matter is decided by majority vote of the Board.
- A tie vote sustains the decision of the presiding member.
- If a point of order is to be raised, it must be raised promptly at the time the perceived violation of the rules occurs.

Motion to Divide a Question.

- If a motion relating to a single subject contains several parts, each of which is capable of standing as a complete proposition by itself, the parts of the motion can be separated for consideration and voted on as if they were distinct questions by the adoption of a motion for division of the question.
- A motion to divide a question, if seconded, takes precedence over the main motion and is not debatable.
- The motion to divide must clearly state the manner in which the question is to be divided, and while the motion to divide is pending, another member can propose a different division by moving an amendment to the motion to divide, in which case the amended form of the motion, if seconded, would be decided first.
- Often, little formality is involved in dividing a question, and it is arranged by unanimous consent.

Motion to Suspend the Rules.

- When the Board wishes to do something that it cannot do without violating one or more of its regular rules, it can adopt a motion to suspend the rules that interfere with the proposed action.
- A motion to suspend the rules can be made at any time that no question is pending and can be applied to any rule except those that are fundamental principles of the Statute, Town Code or other applicable laws.
- This motion is neither debatable nor amendable.

RESTORATIVE MOTIONS

These are motions that bring a question again before the Board for its consideration.

Motion to Take from the Table.

- The object of this motion is to take from the table and make pending again before the Board a motion or series of adhering motions that previously had been laid on the table.
- A motion to take an item from the table is neither debatable nor amendable.
- When a question is taken from the table, it is before the Board with everything adhering to it, exactly as it was when laid on the table.

Motion to Reconsider.

- This motion enables a majority of the Board to bring back for further consideration a motion which has already been voted on.
- A motion to reconsider is in order only if made on the same date that the vote to be reconsidered was taken and can be made only by a member who voted with the prevailing side of the vote to be reconsidered.

- The purpose of reconsidering a vote is to permit the correction of hasty, ill-advised, or erroneous action, or to consider added information or a changed situation that has developed since the taking of a vote.
- When a member who cannot make a motion for reconsideration believes that there are valid reasons for one, he or she can try, if there is time or opportunity, to persuade someone who voted with the prevailing side to make such a motion.
- A motion to reconsider is debatable whenever the motion proposed to be reconsidered was debatable. And, when debatable, opens to debate the merits of the question to be reconsidered.
- A motion to reconsider is not amendable.
- The effect of the adoption of a motion to reconsider is that the question on which the vote was reconsidered is immediately placed before the Board in the exact position it occupied the moment before it was voted on originally.

Motion to Rescind or Amend Something Previously Adopted.

- By means of the motions to rescind or to amend something previously adopted, the Board can change an action previously taken or ordered.
- A motion to rescind or amend something previously adopted is debatable and amendable.
- In contrast to a motion to reconsider, there is no time limit on making a motion to rescind or a motion to amend something previously adopted (provided that no action has been taken by anyone in the interim that cannot be undone), and these motions can be moved by any member of the Board, regardless of how he or she voted on the original question.
- The effect of passage of this motion is not to place the matter back before the assembly as it was just prior to a vote being taken.
- Instead, it either entirely nullifies the previous action or modifies it, depending upon which motion is used.
- For that reason, adoption of a motion to rescind or amend something previously adopted should be carefully considered if third parties may have relied to their detriment on the previous action.
- In order to modify an adopted ordinance, Board must adopt a new ordinance making the desired modification, in compliance with all formalities applicable to adoption of an ordinance.

PRIVILEGED MOTIONS

These motions are of such urgency or importance that they are entitled to immediate consideration, even when another motion is pending. This is because these motions do not relate to the pending business but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else.

Motion to Adjourn.

- Generally, the presiding member adjourns the meeting at his or her discretion at the completion of the agenda. However, any Board member may move to adjourn the meeting at any time.
- A motion to adjourn requires a second.
- A motion to adjourn is always a privileged motion except when the motion is conditioned in some way, as in the case of a motion to adjourn at, or to, a future time.

- Such a conditional motion is not privileged and is treated just as any other main motion.
- A conditional motion to adjourn at or to a future time is always out of order while business is pending.
- An unconditional, privileged motion to adjourn takes precedence over most other motions.
- The privileged motion to adjourn is neither debatable nor amendable, while a conditioned motion to adjourn is debatable and may be amended.

Motion to Recess.

- A motion to recess is essentially a motion to take a break during the course of a Board meeting.
- A motion to recess must be seconded.
- A motion to recess that is made when no question is pending is a main motion and should be treated as any other main motion.
- A motion to recess is said to be privileged if it is made when another question is pending, in which case it takes precedence over all subsidiary and incidental motions and most other privileged motions. It is not debatable and is amendable only as to the length of the recess.
- After a recess, the meeting resumes when the presiding member has called the meeting back to order.

Voting Procedure.

Casting a vote.

- A roll call vote will be taken for items that require a Public Hearing, listed under New Business or Old Business, or a motion to go into Executive Session.
- The Town Clerk will call each Board member's name individually and the results shall be recorded in the official minutes.
- For non-roll call agenda items, the Presiding member will call for a voice vote whereby the response will either be in the affirmative "Aye" or negative "Nay."

TOWN OF PALISADE, COLORADO

RULES FOR PUBLIC COMMENT DURING REGULAR AND SPECIAL BOARD OF TRUSTEE MEETINGS

Adopted by Resolution No. 2021-11

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