



Policy on Town Committee Procedures

Enacted 10/07/19

Policy on Town Committee Procedures

- I. Purpose – the purpose of this policy is to provide guidance and direction regarding:
 - A. The general work of the committees and common procedures
 - B. The roles and relationship of committees with the Board of Selectmen
 - C. The roles and relationship of committees with staff
- II. Definitions
 - A. Town Committee – this term refers to any appointed body created and confirmed by the Board of Selectmen.
 - Regulatory/Statutory – Planning Board and Board of Appeals
These are boards that are independent only because they are governed by a statute or an ordinance (voted on by the town) to perform a certain function or grant permits and approvals. Because the Board of Appeals is quasi-judicial, they have even greater segregation. Their independence is not influenced by their creation or appointment, but is provided because of their duty.
 - Standing Committees
These are committees, usually appointed by the Board of Selectmen but can be staff- generated, as well (e.g. Employee Safety Committee), that provide specific support, research and/or recommendations to either the Board of Selectmen or staff. By their name, they are standing; by their appointment, however, they are in support of the work of others. These can also be referred to as Advisory Committees.
 - Task Forces
These are committees, usually appointed by the Board of Selectmen but can be staff- generated as well that provide service on a specific project. The committee is appointed to provide a document for the Board of Selectmen to review and edit. Once the document has been received and fully acted upon (or the project is completed), the task force is sincerely commended and dispersed.
 - B. Staff – an employee of the town under the management and responsibility, whether directly or indirectly, of the Town Administrator or the Board of Selectmen.
- III. Formation of Committees
 - A. Creation of Committee Charge
 1. Prior to appointment, there shall be a Board of Selectmen approved committee charge containing the following:
 - Mission or objective statement for standing committees
 - Goal or purpose statement for task forces
 2. The charge shall also have procedures for:
 - Members (not names, but types, e.g. professional background)
 - Minimum number of meetings per year

- Staff coordination and support
3. Charges may be reviewed periodically; any charge updates or amendments shall be agreed to by the Board of Selectmen.
- B. The appointing authority shall be the Board of Selectmen. Each committee will be given a charge statement which will state the reason for the committee's formation, its composition, objectives and time limitations. The Board of Selectmen may review the official charge at any time or upon request of the committee members, and will ask current members for their input before making any changes to a charge. Committees may request additional volunteer(s) from within or outside the Town of West Bath, however such person(s) are not considered voting members of the committee.
 - C. A committee that has been inactive for a period of six (6) consecutive months may be disbanded by the Board of Selectmen. Any committee that believes to have fulfilled their charge may ask the Board of Selectmen, through the Town Administrator, to be disbanded or to have its charge adjusted to continue its work.
 - D. Applications – all persons wishing to serve on a committee shall submit an application to the Town Clerk.
 - E. Appointments – The goal of the appointing authority is to appoint qualified and interested West Bath residents who are broadly representative of the Town. The Board of Selectmen may, at its discretion, defer its authority to appoint to the Town Administrator or a department head when selecting members of a Task Force if, in the opinion of the Board of Selectmen, the time and task assigned to the committee warrant such authority. Selections are based upon current committee composition, qualifications, experience, recommendations, available space and attendance record and/or previous performance, if applicable. Generally, an individual should serve on no more than two (2) standing committees at a time. All appointees receive written notification of appointment and all standing committee appointees must be sworn in by the Town Clerk before taking action at a committee meeting. Staff shall provide a copy of this document and applicable and pertinent state statutes upon appointment. The appointing authority may interview any resident that applies for appointment to any committee.
 - F. The Town Administrator appoints staff members to serve as liaisons, consultants and for administrative support. Actual assignment of staff by the Town Administrator is based upon the committee charge and how the staff member(s) can best maximize the committee's efforts.
 - G. The Board of Selectmen may assign one of its members to serve as a liaison to each committee they appoint.

H. Committee members shall adhere to the Town's Human Resource Policy Manual, as well as any statutes governing public records, communication and access to information.

IV. Reappointment

The appointing authority shall evaluate and consider re-appointments by request of a committee member. In most cases, those wishing to remain on a committee beyond the initial appointment should notify the Town Clerk prior to the Annual Town Budget Meeting. The Town Clerk will then forward a list of current members who wish to remain for the following fiscal year for reappointment to the Town Administrator. Terms may vary by committee; the committee charge will confirm terms. A committee member is under no obligation to accept reappointment nor is the appointing authority obligated to offer reappointment.

V. Resignation

A committee member who is no longer able to serve should resign promptly so the vacancy may be filled. This allows for a replacement to continue the work of the committee. A written resignation must be submitted to the appointing authority through the Town Administrator, and to the Chair of the committee.

VI. Other Terminations

The appointing authority may ask for a member's resignation or, if necessary, revoke the appointment of any committee member if the authority feels it is in the Town's best interest. Additionally, the appointment of a committee member who fails to attend three consecutive meetings unexcused or consistently fails to attend meetings without prior 72-hour notification may be terminated.

Written notification to the committee member from the Board of Selectmen will be given in the event of any such action. Before any action is taken, the committee Chair should alert the Chair of the Board of Selectmen of noted circumstances; the Chair of the Board of Selectmen will make a reasonable attempt to contact the member to see if the problem can be corrected.

VII. Charge and Plan of Action

The committee should review its charge at the first meeting of the committee and conduct an annual self-evaluation. The committee, with advice from staff and the appointing authority, shall develop a plan of action to accomplish the objectives set forth by the Board of Selectmen. The plan should include reporting milestones so the committee and the appointing authority can monitor progress, assign resources as requested and approved, adjust objectives if necessary, and for general communication and coordination.

VIII. Reporting

A. Reporting at previously noted milestones shall occur at meetings of the Board of Selectmen. The Chair or designee(s) is responsible to deliver written reports or actions taken at a meeting to the Town Administrator at least four (4) business

days prior to a Board of Selectmen meeting. Reports may also be submitted through the committee's staff liaison. These reports shall be received by the Board of Selectmen at their meeting and acted upon.

Action by the Board of Selectmen may include:

- Accept under advisement with no action taken
- Accept under advisement with action taken
- Return to committee and/or staff for specified additional work
- Accept and place on a specified future Board of Selectmen meeting for presentation, discussion and hearing
- Take other action

- B. Verbal reports and specific requests may also be made at a meeting of the Board of Selectmen as part of the committee updates; however, if the report needs discussion or action by the Board of Selectmen, the topic may be placed on a specified future Board of Selectmen meeting agenda. This can be done by submitting physical documentation to the Town Administrator or sent via email to the Town Administrator on or before the Thursday prior to a scheduled meeting of the Board of Selectmen. The documentation can also be submitted through the committee's staff person.
- C. Additionally, an annual report of activities may be submitted or coordinated with the Town Clerk for inclusion in the Annual Town Report.

IX. Committee Officers

A. Elections

Committees shall elect their own Chair, Vice-Chair and a Secretary annually, upon reappointment or appointment. It is the responsibility of the Chair or committee staff to notify the Town Clerk of the Committee's officers.

B. Chair

1. It is the Chair's primary responsibility to fairly facilitate committee meetings. The Chair presides at all meetings, decides questions of order, and calls special meetings and signs appropriate documents and reports. The Chair may make motions, may second motions, as well as discuss questions and vote thereon. In discussion, the Chair will allow for full range of opinions from the committee and the public.
2. The Chair is also responsible for communication with staff and the Board of Selectmen for reporting, requests for resources, and delivering recommendations from the committee.
3. Other duties include:
 - a. Notifying appointing authority of requested resources and actions when appropriate

- b. Submit reports at milestones
- c. Submit requests for placing committee issues on the Board of Selectmen agenda to the Town Administrator.
- d. Attend meetings of the Board of Selectmen to present, or assign to his/her designee
- e. Act as the contact point with staff and Board of Selectmen liaison
- f. Forward concerns of committee members about procedural issues, rumors, or public comments, which may seem in contradiction of the committee's charge, to the Town Administrator and report back to the membership the outcome of said inquiries.

C. Vice-Chair

The Vice Chair assumes the Chair's responsibilities in the Chair's absence or as requested by the Chair. If the recorder is absent from a meeting, the Vice-Chair takes the minutes of the meeting.

D. Secretary

The Secretary, in conjunction with the staff liaison, prepares minutes of the meeting and distributes them to staff, as well as to members of the Board of Selectmen following approval by the committee. If the Secretary is absent from a meeting, the Vice-Chair takes the minutes of the meeting. If determined by the Committee, the staff liaison may assume the responsibility of the Secretary, but draft minutes shall be approved by the Secretary before final approval by the committee.

X. Staff

The Town Administrator shall assign a staff member to committees appointed by the Board of Selectmen. The staff liaison is assigned to perform the following duties:

- A. Assist the Chair (or Vice-Chair) in carrying out his/her duties
- B. Assist the Secretary in posting of minutes to the Town's website and distributing to interested parties
- C. Preparation of agendas
- D. Establish a proposed meeting calendar annually for committee approval
- E. Provide committee members pertinent research and background materials to support the objective of the committee
- F. Provide guidance on committee activities
- G. Accompany the Chair or his/her designee to meetings of the Board of Selectmen for milestone reporting.
- H. Assist in the preparation of reports to the Board of Selectmen
- I. Other duties as assigned by the Town Administrator or the Board of Selectmen liaison in consultation with the Town Administrator
- J. Facilitate public workshops, as assigned, to allow committee members to fully participate in dialogue with the public

XI. Board of Selectmen Liaison

The Board of Selectmen may assign one of its members to serve as a liaison to each committee they appoint. They receive all documents, reports, agendas and minutes along with committee members. Their work with the committee includes:

- A. Attendance at committee meetings
- B. Participation in discussions on motions on the floor (but not vote)
- C. Provide guidance on committee activities
- D. Support milestone reporting, other recommendations and requests coming from the committee.
- E. Promote and maintain positive communication between the Board of Selectmen and the respective committee.

XII. Meetings

- A. Quorum – A quorum is necessary to conduct committee business, including opening the meeting. A quorum at a posted meeting exists when more than 50% of the appointed and sworn in membership is present. A loss of a committee member due to a conflict of interest does not affect quorum. No discussion of committee business shall occur at a posted meeting where no quorum is present, in deference to the members not present.
- B. For the purpose of posting a meeting and regarding deliberations on committee business, a meeting exists at any time there are more than 50% of members present.
- C. Chance interactions between members do not constitute a meeting. However, committee members should respect the members not present and the public process by not conducting deliberations that may lead directly to committee action.
- D. Communication on committee business, by committee members, whether by phone or electronic means should not occur with more than 50% of committee members except in cases of:
 - 1. Coordinating meetings, canceling a meeting, or establishing quorum
 - 2. Requests for placement of a topic on an agenda with no discussion
- E. Forwarding documents, reports, motions or requests, in which case all committee members, staff and the Board of Selectmen liaison will be copied and no discussion on said forward shall occur.

In rare circumstances, the Board of Selectmen may allow the committee to deliberate and take action on recommendations when no quorum is present.

F. Agendas

The agenda, at a minimum, should contain the following elements: Call to Order, Amendments to the Agenda, Approval of the Minutes, Old Business, New Business, Public Comments, Follow- up items, Set the next agenda with meeting date, time and place, Adjournment.

G. Record keeping

Committees shall provide a set of minutes for their record. These are the minutes for the meeting that will be posted in the Town Clerk's files and on the website. Any changes to the minutes at the following meeting are noted in the following meeting's minutes. Staff will assist with auditory and/or visual recording of the meeting on request of the Chair. The Board of Selectmen may require meetings to be video recorded.

Minutes shall contain the following information:

1. Date, time and location of meeting
2. Members present and absent
3. Members of the public and staff present
4. Summary of discussions on each agenda item
5. Attached documents or exhibits from the meeting
6. Motions passed and by whom, including a record of the vote
7. Date, time, and follow up and agenda items for the next meeting
8. Name of Secretary (recorder) of minutes
9. Time of adjournment

H. Meetings of committees shall occur as needed to carry out the objective and to accommodate the membership's scheduling needs. A calendar of regular meetings shall be created by staff for committee approval in May for the following fiscal year.

I. Committees may enact rules of order for the conduct of their meetings.

J. Committees may develop by-laws for their committees. Such by-laws must be approved by the Board of Selectmen to be enacted. The Board of Selectmen may approve amendments to recommended by-laws, adopt as presented, or not adopt as they deem appropriate.

K. Meetings open to the public

All committee meetings are open to the public. Any public member can speak at the allotted time on the agenda, and/or after being recognized by the Chair. All members of the public should be welcomed at all meetings.

L. Executive Session

Executive sessions for committee work should be kept to a minimum. Prior to the scheduling of an executive session, the Chair shall consult with the Town Administrator and committee staff to determine if the subject matter falls under Maine statutes for eligibility.

XIII. Communication Between Committees

It is recognized that many committee efforts require coordination, assistance, and opinions from other committees. This policy does not seek to inhibit this communication but is meant to ensure a fair and open dialogue. If a committee wishes to coordinate with another committee, it will be carried out as a public

workshop with said committee. The purpose of the meeting should be clearly articulated so all parties know in advance what will be discussed. Prior to scheduling said workshop, the committee Chair or his/her designee shall report the intention to the Town Administrator.

This level of workshop and communication is not necessary for minor coordination or questions. These should be carried out through the Chairs and/or committee staff and communicated back to their respective committees. The Chairs are encouraged to have an annual open to the public workshop to discuss their projects for opinions and coordination.¹

XIV. Communication with Legal Counsel

Committee members may speak directly with the Town attorney regarding matters directly related to the committee's charge. The Town Administrator shall make the initial contact with the Town Attorney, and must be made aware of any additional contact by any member of the committee.

XV. Staff Created Committees

Notwithstanding the above policies, the Town Administrator and/or department heads may create task forces to assist on a special research or other type of staff-led project. Such projects are not otherwise part of an existing standing committee or existing task force. This ability is supported as a useful way for staff to work in teams internally and allows staff to work in concert with citizens with specific skills or backgrounds that may be beneficial to a specified endeavor. These committees should be task or project oriented and be disbanded upon completion of the work or upon reporting final documents or products to the Board of Selectmen.

XVI. Amendments to this Policy

This policy may be amended at any time by the Board of Selectmen.

¹ *This is placed in here to establish a "good faith practice" that committees should definitely be encouraged to coordinate and discuss amongst each other (the more public input the better); but to know when the coordination/discussion is encompassing enough, or involves asking a committee to conduct a project of their own, that the committees should coordinate with the select board. Remember, the work of the committee and the reporting mechanisms and the open communication isn't just for the committees or even the select board, it's also so the public knows what's happening and has ample opportunity to weigh in with their opinions.*