

CITY OF BARRE, VERMONT
CITY COUNCIL POLICY ON
MUNICIPAL BODIES & APPOINTMENTS

I. PURPOSES

- a. Pursuant to section 307 of the Barre City Charter, the Council establishes this policy to: standardize procedures for the establishment, elimination, and appointments to Commissions, Boards, Committees, and Task Forces in order to allow people an equal and inclusive opportunity to be considered for appointment and provide for consistent administration.

II. PERSONS AFFECTED

- a. City Manager & Staff
- b. City Clerk/Treasurer
- c. City Council
- d. Applicable Boards, Committees and Commissions
- e. Applicants and appointees to municipal bodies

III. APPLICATION

- a. **Effective date.** This policy becomes effective upon adoption.
- b. **Applicability.** This policy shall apply to:
 - i. Committees of inquiry to conduct investigations into the conduct of officers and departments relating to the welfare of the City pursuant to Section 304 of the Charter;
 - ii. Offices and commissions under Section 301 of the Charter;
 - iii. Vacancies to elected offices under Section 206(a) of the Charter,;
 - iv. The Planning Commission;
 - v. The Development Review Board;
 - vi. Board of Health;
 - vii. All Council-created committees;
 - viii. All Council-created commissions;
 - ix. All Council-created boards; and
 - x. Unelected appointees and alternates to regional bodies, not otherwise appointed by the regional entity, including but not limited to:
 - 1. Central Vermont Regional Planning Commission
 - 2. Central Vermont Solid Waste Management District; and the
 - 3. Central Vermont Internet Board and Commission.
- c. **Non-Applicability/ Exemptions.** This policy shall not apply to the following:
 - i. City Council, City Council liaison positions to bodies of outside organizations, *ex officio* positions of the Council, and subcommittees thereof, for which members of Council should be given equal opportunity to be nominated and considered for appointment.
 - ii. Other elected bodies or appointees thereof;
 - iii. Officers of the City, including but not limited to, the:
 - 1. City Manager, Assistant City Manager or Acting Manager;

2. Zoning Administrator;
 3. City Attorney;
 4. Library Liaison;
 5. Collectors of Taxes;
 6. Health Officer; and
 7. Appointments made by the City Manager under Section 407 of the Charter not otherwise delegated to the City Council;
- iv. State committees, boards, and commissions; and
 - v. Any part of this policy that is in conflict with a municipal charter (including a charter for a regional authority) or general law.

IV. POLICY & PROCEDURE

a. Establishment, Combination, or Abolition of a Municipal Body

- i. All bodies created, combined, or abolished under this policy shall occur by approval of the Council. The action to create a municipal body shall be presented in writing and include all items listed in paragraphs b-e of this section.

b. Classification of a Municipal Body

- i. Bodies shall be classified as standing bodies or finite *ad hoc* bodies. Standing bodies are encouraged to be named in accordance with the classifications established in the Council's Rules of Procedure for Public Bodies Policy. Council action establishing finite *ad hoc* bodies shall define a time certain at which point the body will dissolve, such as the completion of a report or project, a date certain, or a vote of the committee.

c. Powers, Duties, and Charge of a Body

- i. The powers, duties and charge of all bodies not otherwise defined by charter or general law (such as the Planning Commission pursuant to 24 VSA 4325) shall be defined.

d. Membership of a Body

- i. The maximum number of seats on any municipal body shall be defined.
- ii. To further the interests of diverse, expert, and representative membership, the membership of a body may include specific requirements, including but not limited to:
 1. A particular expertise or skill; or
 2. A member representing an important interest group;
 3. Any City body may include a youth advisory member. The Council may extend voting privileges to youth members appointed to established voting seats of a body if doing is not in conflict with a City ordinance, municipal charter, or general law. Existing committee officers are encouraged to serve as mentors to youth advisory members.
- iii. Residency shall not be required for membership on a City body, provided however that in instances where two or more otherwise qualified non-

incumbent individuals applied for an insufficient number of open seats, preference shall be given to the qualified City resident(s).

e. Membership Terms

- i. The duration of terms shall be two-years.

f. Meeting Days, Times & Frequency

- i. The intended days, times and frequency of meetings shall be set by the respective public body, provided however that public bodies shall retain traditional meeting days and times to the extent practicable, and shall consult with the City Manager if they wish to change meeting dates and times to avoid meeting room constraints or for other reasons.

g. City Staffing

- i. Staff support shall be allocated by the City Manager.

h. Appointments to a Municipal Body

i. Term Expirations

1. Unless otherwise specified or applicable, all terms expire June 30th.
2. Appointees with expiring terms shall be notified by the City Manager, or designee, prior to the application deadline to be reappointed. The communication shall thank appointees for their service and explain the appointment process.

ii. Vacancies/Open Seats

1. Appointees may resign by contacting the City Manager, or designee, in writing.
2. If an appointee does not attend more than 3 consecutive regular meetings and does not reply to an inquiry from the Chair, City Manager, or City Manager's designee, to confirm their interest in continued appointment, the appointee shall be deemed to have resigned and the seat shall be considered vacant.
3. If an appointee is removed from office by the appointing authority, the seat shall be considered vacant.

iii. Posting of Open Seats

1. All seats with expiring terms, vacant seats, and openings on newly established municipal bodies shall be considered open seats and shall be posted on the City website.
2. Open seats shall be advertised prior to the application deadline on the City's volunteer opportunities webpage, in a newspaper of general circulation, and active social media accounts in use by the City, unless immediate appointment is necessary to establish a quorum for an urgent matter.
3. All open seats may be appointed on a rolling basis until filled.
4. Postings should list the municipal body, open seat term length, deadline to apply, where to find the application form, staff contact for more information, encouragement to attend a meeting of existing municipal bodies or speak to the chair, date(s) for appointment, a link to the volunteer opportunities page, and a

statement of commitment and affirmation to applicants from historically discriminated and under-represented populations.

5. The City of Barre provides equal opportunities (EEO) to all volunteers and applicants for volunteering without regard to race, religion, sex (including sexual orientation, pregnancy or gender identity), national origin, age (40 and older), disability and genetic information (including family medical history). In addition to those federally protected categories the State of Vermont under the Fair Employment Protection Act (FEPA) has also identified ancestry, HIV+ status, place of birth, association with a member of a legally protected category listed above, crime victim status and health insurance coverage status. The City of Barre has added protection for financial class. The City will provide reasonable accommodation for applicants.

iv. Application Form

1. The City Manager, or designee, shall maintain a standard application form for appointments to municipal bodies periodically reviewed by the Council.
2. The form shall collect contact information from applicants (which may be redacted in the Council's packet in the interest of privacy), and ask why the applicant is motivated to serve.

v. Council Interviews & Appointments

1. All appointments and reappointments to open seats will be made by majority vote of the City Council.
2. Candidates for all open seats will be invited to an informal interview with the City Council prior to appointment and/or reappointment, provided however that the Council interview will not be required prior to a City Council vote if the following conditions are met:
 - a. The candidate is an incumbent seeking reappointment; and
 - b. The Chair, or Vice-Chair in the case of the Chair's pending appointment, provides a letter in support of reappointment.
3. The City Council reserves the right to enter executive session, as allowed by Vermont law (1 VSA 313), to deliberate on the appointment of any members of municipal bodies serving as public officers, if there are more applications than open seats available, or to consider removal of an appointee. This policy considers municipal appointees public officers with official duties.

i. Orientation for Appointees

- i. The City Manager, or designee, shall provide for the following training materials to all appointees and re-appointees:
 1. Rules of Procedures
 2. Basic Roberts Rules of Order
 3. Ethics & Conflicts of Interest
 4. Open Meeting Law

5. Public Records Laws

j. Administration of Appointments

- i.** To track the status of and support consistent administration of all municipal body appointments, the City Manager, or designee, shall maintain a listing of all municipal body appointees by body, seat, term, term expiration, address, phone, and email.

k. Public Information of a Body

- i.** All municipal bodies shall have a city webpage and the City Manager, or designee, shall maintain a current webpage in accordance with existing Rules of Procedures and Social Media policies to include at least one form of contact information for all appointees, except that the contact information of members of quasi-judicial bodies (for which *ex parte* communication outside of a hearing does not allow constitutional due process) shall not be listed; communication to quasi-judicial bodies shall occur through a staff contact and be presented at an open hearing.
- ii.** If a municipal body has adopted independent bylaws, the bylaws shall be made available on the body's municipal webpage.
- iii.** All meetings shall be accessible to the public and recorded if the meeting is held in a hybrid format via a platform with a recording feature. Recordings will be posted by the City and shall be retained for one-year. Committees holding in-person only or outdoor meetings shall not be required to record proceedings. Members of the public shall be allowed to record meetings regardless of the meeting format, except for deliberative and executive sessions. The committee chairperson or a committee member assigned by the chairperson shall be responsible for recording meetings as required under this section.

V. DEFINITIONS

- a.** As used in this policy, the following have these meanings.
 - i.** Will, must, shall means a mandatory action
 - ii.** May, should, encouraged means optional

VI. REFERENCE

- a.** Adopted by City Council on November 30, 2021
- b.** Amended by City Council on March 29, 2022
- c.** Amended by City Council on October 10, 2023
- d.** Amended by City Council on October 8, 2024.

As certified by the City Clerk

Cheryl Metivier