

**TOWN OF CRESTONE BOARD OF TRUSTEES'  
PROCEDURES AND RULES OF ORDER**

**I. AUTHORITY**

These Procedures and Rules of Order are established pursuant to the authority of the Board of Trustees of the Town of Crestone, Colorado and in accordance with the exercise of Municipal powers as set forth in C.R.S. § 31-15-101 *et.seq.*

**II. LEGISLATIVE BODY, OFFICERS AND CUSTOMS OBSERVED**

**2.1 Board of Trustees**

- a. The Board of Trustees is the legislative and governing body of the Town. Each member shall be addressed as "Trustee (last name)."
- b. The first regular meeting of the Board following each regular municipal election shall be the organizational meeting at which oaths of office will be administered and a Mayor Pro-Tem elected.

**2.2 Mayor-Presiding Officer**

- a. The Mayor shall be the Presiding Officer at meetings of the Board and shall be addressed as "Mayor."
- b. The Mayor shall be a full voting member of the Board, and shall be recognized as the head of the Town government for all ceremonial, dignitary, and legal purposes, and shall sign and authenticate all legal instruments requiring signing as such official.

**2.3 Mayor Pro-Tem**

- a. The Board shall elect one of its members to serve as Mayor Pro-Tem by a majority of the members of the Board at each organizational meeting of the Board.

**2.4 Temporary Chairperson**

- a. In the event of the absence or disability of both the Mayor and Mayor Pro-Tem, which prevents them from attending any meeting of the Board, the Town Clerk shall call such meeting to order and call the roll. The Board shall then proceed to elect, by majority vote of those present, a Temporary Chairperson of the meeting.
- b. The Temporary Chairperson shall serve as Presiding Officer until the arrival of the Mayor or Mayor Pro-Tem at which time the Temporary Chairperson shall

relinquish the chair upon conclusion of the business immediately before the Board.

### **III. THE BOARD MEETINGS**

#### **3.1 Regular Meetings**

The Board of Trustees shall meet in regular session upon the second Monday of each month at 9:30 a.m. in the Town Hall. When a regular meeting date falls upon a holiday or on a day of special observance which is officially recognized by the Town, such regular meeting shall be held on the following day at the same hour and place, or at such other time as may be designated in the preceding regular meeting.

#### **3.2 Special Meetings**

- a. Special meetings of the Board shall be called by the Town Clerk on the request of the Mayor or the written request of any four (4) members of the Board. At least twenty-four (24) hours advance written notice of any special meeting shall be given to each member of the Board. Such advance written notice shall set forth the date, hour, place, and purpose of such meeting, shall be mailed, personal telephone contact made, or served personally to each member of the Board or left at the Trustee's usual place of residence or place of business, and shall be posted outside the Crestone Town Hall. The Town Clerk shall prepare such written notice and shall cause same to be delivered and posted as provided for herein. A special meeting may be held on shorter notice if all members of the Board are present or have waived notice thereof in writing.
- b. A special meeting may also be called and notice thereof given by the Mayor or by the Board at any regular meeting of the Board subject to the time and notice requirements set forth in 3.2a, hereinabove; provided, however, that further written notice of such special meeting will not be necessary for those Trustees present.
- c. No Business shall be conducted at a special meeting of the Board unless the same has been stated in the notice of such meeting, except that any business which may lawfully come before a regular meeting of the Board may be transacted at a special meeting if a majority of members of the Board present consent thereto.
- d. Special meetings of the Board shall be held in the Town Hall, unless otherwise specified in the call and notice of a special meeting.

#### **3.3 Quorum**

A majority of the members of the Board in office at the time shall be a quorum for the transaction of business at all Board meetings. In the absence of a quorum a lesser number may adjourn any meeting to a later date or time. In the absence of any members, the Town Clerk may adjourn any meeting for not longer than one week. In the event any

meeting is adjourned to a later date, the Clerk shall prepare and cause to be delivered to each member of the Board timely written notice setting forth the date and hour to which such meeting has been adjourned.

### 3.4 Emergency Meetings

- a. Emergency meetings of the Board may be called by the Mayor, or in the Mayor's absence or disability by the Mayor Pro-Tem, or by any three (3) members of the Board in the event of a serious emergency, which threatens the life, health, and safety of the community.
- b. At least one hour's notice of an emergency meeting shall be given by the most expedient means, and a quorum shall be a majority of the Trustees physically present in the Town. No Business shall be transacted at an emergency meeting except that pertaining to the emergency which necessitated the meeting.

### 3.5 Work Sessions

Board work sessions may be held upon the call of the Mayor or (3) Board Members, and the Mayor shall cause the Town Clerk to make a diligent effort to give reasonable advance notice to each member of the Board, either in person, by telephone, or otherwise, of the date, hour, place and purpose of such session.

### 3.6 Meetings to be Public

All regular or special meetings of the Board shall be open to the public, and citizens shall have a reasonable opportunity to be heard by these Procedures and Rules of Order.

### 3.7 Executive Sessions

- a. Members of the Town Board, upon the affirmative vote of two-thirds of the quorum present, may hold an executive session only at a regular or special meeting, except that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action shall occur at any executive session which is not open to the public.
- b. The Town Board may only hold an executive session to discuss:
  - (1) C.R.S. § 24-6-402(4)(a) Real, personal or other property transactions (unless the meeting is being held for the purpose of concealing the fact that a member of the Town Board has a personal interest in such a transaction).
  - (2) C.R.S. § 24-6-402(4)(b) Specific legal advice from an attorney.
  - (3) C.R.S. § 24-6-402(4)(c) Matters required to be kept confidential by federal or state law.
  - (4) C.R.S. § 24-6-402(4)(d) specialized details of security arrangements or investigations.

(5) C.R.S. § 24-6-402(4)(e) Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

(6) C.R.S. § 24-6-402(4)(f) Personnel matters (unless the employee or employees who are subject of the meeting request that the meeting be open).

(7) C.R.S. § 24-6-402(4)(g) Documents protected by the mandatory nondisclosure provisions of the Open Records Act.

### **3.8 Town Clerk – Minutes**

- a. The Town Clerk, or the Clerk’s designated representative, shall attend and shall keep the minutes of each regular or special meeting of the Board and of any executive session in accordance with provision of HB 01-1359.
- b. The minutes of each such meeting shall record in full all motions, resolutions, and ordinances. Otherwise (with the exception of public hearings), the minutes of meetings shall record what was done rather than what was said.
- c. A Trustee shall have the privilege of having his or her statement on any subject then under consideration by the Board entered into the minutes. Such request shall be made before the Presiding Officer puts the question to a vote.
- d. On or before the Friday preceding each regular meeting of the Board, the Town Clerk shall cause to be delivered to each member of the Board a copy of the minutes of the preceding regular meeting, together with the meeting agenda and trustee binder.
- e. The Town Clerk shall have the minutes of a special Board meeting prepared and delivered to each member of the Board on or before the Friday preceding the regular meeting at which such minutes are to be approved.
- f. Minutes will not be read provided each member of the Board has been submitted a copy of the minutes of the previous meeting in advance of the meeting at which they are to be approved. The minutes will then be approved “as presented” or approved “as amended”.
- g. Minutes shall be signed by the Presiding Officer and by the Clerk of the meeting at which the minutes are approved.

### **3.9 Attendance**

In the event any member of the Board is unable to attend any meeting of the Board, such member shall make a reasonable effort to so advise the Mayor or Town Clerk in advance of the meeting.

### 3.10 Agenda – Order of Business

- a. Regular meetings of the Board will have an established order of business generally according to the following guidelines:
  - 1) Call to Order
  - 2) Roll Call-vision statement
  - 3) Approval of Agenda
  - 4) Approval of Minutes of Previous Meeting(s)
  - 5) Citizens' Comments
  - 6) Financial Report/Presentation of Bills
  - 7) Mayor's Report
  - 8) Clerk's Report
  - 9) Water Manager's Report
  - 10) New Business
  - 11) Old Business
  - 12) Planning Commission
  - 13) Correspondence
  - 14) Attorney's Report
  - 15) Adjourn
- b. In order to expedite matters of general importance or for the convenience of the public, the Presiding Officer may, by general consent, vary from the established order of business at any regular meeting if other members of the Board do not object. If any such objection is made, a majority vote of those Trustees present will be necessary to change the order of business.
- c. On the Thursday preceding each regular meeting of Board, the Town Clerk shall cause to be prepared a written Agenda showing the order of business for the succeeding regular meeting to be posted outside the Town Hall a minimum of 24 hours before the meeting.
- d. Only the Mayor, members of the Board and Staff may introduce new business which is not listed on the printed Agenda.

### 3.11 No Smoking at the Board Meetings

There shall be no smoking in the Town Hall at any time.

## IV. **PARLIAMENTARY PROCEDURE**

### 4.1 Parliamentary Authority

Robert's Rules of Order, Revised shall be the parliamentary authority for all meetings of the Board and the rules contained therein shall govern the procedures utilized at such meetings in all cases where applicable and where not inconsistent with the Colorado Revised Statutes, or these Procedures and Rules of Order, as amended.

#### **4.2 Presiding Officer**

The Presiding Officer shall be responsible for conducting the meetings of the Board in an orderly manner, shall state every question coming before the Board, shall announce the decisions of the Board on all subjects, and shall decide all questions of order subject to appeal by the Board.

#### **4.3 Right to the Floor**

- a. Trustees who wish to speak and obtain the floor shall indicate their wish by raising their hands. Such procedure shall be addressed to the Presiding Officer and shall constitute a Trustee's request to be assigned the floor.
- b. To assign the floor, the Presiding Officer shall recognize the Trustee by stating the member's name – e.g. "Trustee (last name)." The Presiding Officer will recognize the Trustee who first requests the floor after it has been relinquished.
- c. A Trustee shall not speak while another member has the floor, except as may be permitted by Robert's Rules of Order, Revised.

#### **4.4 Right of Appeal**

Any Trustee may appeal to the Board at large from a ruling of the Presiding Officer. If the appeal is seconded, the member making the appeal may briefly state his or her reason for same, and the Presiding Officer may briefly explain his or her ruling; but there shall be no debate on the appeal. The Presiding Officer shall then put the question: "Shall the decision of the Chair be sustained?" If a majority of the Trustees present vote "Yes", the ruling of the Chair is sustained; otherwise, it is overruled.

#### **4.5 Motions**

- a. Motions are used to give direction to the operation of the Town's business.
- b. Motions are generally introduced by voice. However, if long or involved, the motion should be in writing and, in any event, any two members of the Board may ask that a motion be put in writing.
- c. Some discussion may be held on reports, bids, and proposals without a motion being presented.
- d. Main motions must have a second and have been stated by the Presiding Officer before debate or discussion.
- e. Secondary motions are motions that propose to do something regarding the main motion, such as to amend, limit, table, postpone discussion, or refer the matter to a committee.

- f. Privileged motions may be brought up at any time and must be decided before returning to other business. Such motions are to adjourn, recess, keep to agreed order of business and motions on questions of privilege or rights.
- g. The withdrawal of a main motion automatically cancels all of the secondary motions regarding the main motion.
- h. A motion may be withdrawn before it has been stated by the Presiding Officer. After a motion has been so stated, such motion may not be withdrawn without a majority vote of the Trustees present.
- i. Motions shall be acted upon after they are introduced, seconded (when required), and stated by the Presiding Officer.
- j. The Mayor may not veto a motion.

#### 4.6 Debate – Decorum

- a. When recognized by the Presiding Officer, a Trustee shall confine his or her remarks to the question then under discussion and shall avoid personalities.
- b. Debate on each subject or debatable motion shall not exceed five minutes by any one member of the Board, unless such member is given consent by the Board.

#### 4.7 Voting

- a. Every Trustee present, when a question is put, shall vote either “yes” or “no”, unless previously excused by the Board. Application to be excused from voting shall be made before the question is put to a vote by the Presiding Officer. The Trustee requesting to be excused from voting will briefly state the reasons for such request and such reasons will be entered into the minutes. The Board’s decision will be made without debate.
- b. The minutes shall record how each Trustee voted on each question, except that where the vote was unanimous it shall only be necessary for the minutes to so state.
- c. All roll call votes shall be taken in alphabetical order in a rotating manner, as follows: On the first roll call vote, the Clerk will begin with the first name on the list; on the second vote, the Clerk will begin with the second name on the list and end with the first, and continue to rotate the order in this manner. Such rotation will continue without interruption from meeting to meeting.
- d. A Trustee has the right to change his or her vote up to the time but before the vote is announced by the Presiding Officer; after that, a Trustee may change his or her vote only by permission of the Board, which can be given by general

consent, or by the adoption of a motion to grant permission, which motion is undebatable.

- e. No Trustee shall be permitted to explain his or her vote during voting.

#### 4.8 Votes Required for Passage of Ordinances, Resolutions, and Motions

- a. All ordinances, resolutions, orders for the appropriation of money and entry into contracts shall require the affirmative vote of the majority of the Trustees in office for passage.
- b. All other actions of the Town Board shall require the affirmative vote of a majority of the quorum of Board members present. A majority of the Trustees in office shall constitute a quorum.

#### 4.9 Reconsideration

- a. After the decision on any question, any Trustee who voted with the prevailing side may move a reconsideration of any action at the same or at the next succeeding regular meeting; provided however, that an action of the Board authorizing or relating to any contract may be reconsidered at any time prior to the final execution thereof. A motion to reconsider may be seconded by any member of the Board and shall require a majority vote of the Trustees in office for adoption. After a motion to reconsider has been once voted on and lost, it shall not be introduced again except by unanimous consent of the Board.

#### 4.10 Excusal During Meeting

No member of the Board, after roll call, may leave the Town Hall during a regular or special meeting of the Board without permission of the Presiding Officer.

#### 4.11 Recess – During Meeting

The Presiding Officer may, at any point in the Agenda, declare a recess for a specified time.

#### 4.12 Adjourning to a Later Date

Any session of the Board may be continued or adjourned from day to day, or for more than one day, but no adjournment shall extend beyond the next regular meeting date. The first order of business at an adjourned meeting shall be the business not concluded at the preceding session of that adjourned meeting. Such adjournment from a regular meeting to a later date shall be by general consent or otherwise by a majority vote of the Trustees present.

## **V. RESOLUTIONS AND ORDINANCES**

### **5.1 Resolutions**

- a. Resolutions are acts of a relatively permanent nature and will remain in effect until rescinded or amended by the Board.
- b. Resolutions may be used on formal statements of policy which are not required to be adopted by ordinance, on matters involving lengthy or complex questions, on administrative or executive matters, and for other such purposes as the Board may determine.
- c. All resolutions must be introduced in written form and filed with the Town Clerk at least four (4) days prior to a regular Board meeting at which they are to be introduced, except as provided in 5.1.d herein below.
- d. Any member of the Board who wishes to introduce, at a meeting of the Board, a written resolution, which has not been filed as provided by 5.1.c. hereinabove, may do so if such request is approved by a majority vote of the Trustees present at such meeting. Upon submitting such a request, the Presiding Officer shall put the question, "Shall Trustee (last name) be permitted to introduce a resolution regarding (subject matter)?"
- e. A resolution shall refer to only one subject and shall carry a title stating the subject.
- f. Resolutions shall be numbered chronologically in the order introduced within each calendar year.
- g. A resolution shall be signed by the Presiding Officer and the Clerk of the meeting at which the resolution was adopted.
- h. The Mayor may not veto a resolution.

### **5.2 Ordinances**

- a. An ordinance is considered the most authoritative form of action the Board can take. An adopted ordinance becomes an established rule or law of the Town and remains in effect until otherwise rescinded or amended by the Board.
- b. Procedure for passage of ordinances shall be as is set forth in the Colorado Revised Statutes.
- c. An ordinance shall be introduced in written printed form and shall carry a title stating the subject of the ordinance.

- d. Ordinances shall be numbered in the order in which they were introduced upon reading.

### 5.3 Reading of Resolutions and Ordinances

Every resolution or ordinance shall be read in full at the Board meeting at which same is considered; provided in cases where copies of the resolution or ordinance are available to the Board and to those persons in attendance at the Board meeting such resolution or ordinance may be read by title only.

### 5.4 Resolutions and Ordinances: Numbering

Ordinances of the Town shall be numbered sequentially within the year of passage. Resolutions shall be numbered sequentially within the year of passage. Substantive ordinances may be codified by the Town Board upon the passage of an appropriate codification ordinance.

## **VI. PUBLIC HEARINGS - PROCEDURES**

6.1 Public hearings will be conducted in accordance with the following guideline procedures:

- a. The Hearing Officer will either conduct the hearing or designate an appropriate official, such as the Town Attorney or Town Magistrate as Hearing Officer.
- b. The Hearing Officer, in the order indicated, will:
  - 1) Declare the public hearing open;
  - 2) Announce the public hearing procedures;
  - 3) Establish, when determined to be necessary, reasonable time limits for the hearing and reasonable time allocations to be established therein, with consent of the Board.
  - 4) Swear in witnesses testifying at the hearing;
  - 5) Ask for an introductory presentation by the Town Administrator, if appropriate;
  - 6) Ask for the petitioner's presentation, if appropriate;
  - 7) Ask for the presentation of those who are opposed to the matter.
- c. Each side of an issue will be given an opportunity to be heard and to present their case.
- d. At any point in the hearing, either side may question any witnesses who have made presentations, but the time for such questions shall be included within the original time allotted for each side. Any person desiring to question any witness must first be appropriately recognized by the Hearing Officer before proceeding to ask his or her questions. The Hearing Officer may require questioning of a witness to be done by a designated representative of a number of persons on the

opposing side of an issue. The Hearing Officer may likewise limit repetitive, irrelevant or harassing questions or testimony.

- e. Following the presentations of those in favor and those opposed, opportunity will be given for rebuttal.
- f. Any person speaking or presenting any information at the hearing may be questioned by the Board of Trustees and/or by the Town Administration.
- g. Following rebuttal, the Hearing Officer will ask if any member of the Board has any questions of or desires any additional information from anyone who has spoken or has presented information during the hearing. If such is the case, a member of the Board may direct the question and/or request through the Hearing Officer to such individual and the response will be limited to the answer of the question, as stated.
- h. Following questions from the Board, the Hearing Officer will declare the public hearing closed and the matter will be remanded to the Board for consideration.

## **VII. ADDRESSING THE BOARD**

### **7.1 Recognition**

At any regular or special meeting of the Board, any person desiring to address the Board shall first secure the permission of and be recognized by the Presiding Officer.

### **7.2 Place on Agenda - Scheduled Appearances**

Any person who desires to appear before and address the Board may be scheduled to appear by advising the Mayor or the Town Clerk of such request not later than 1:00 pm on the sixth day preceding a regular Board meeting unless good cause, in the discretion of the Mayor or Town Clerk, is shown for reducing the time for scheduling. The request shall outline the subject matter desired to be presented, and shall show the name, address and phone number of the person submitting the request. When this procedure is followed, the person's name and subject matter desired to be discussed will be listed on the Agenda,

### **7.3 Citizens' Comments**

Residents and non-resident taxpayers of the Town may address the Board at any regular meeting, by written and oral communications, on any matter concerning the Town's business or any matter over which the Board may have control, and may do so under the Citizens' Comments section of the Agenda; provided, however, that time preference will be given to those persons who may have notified the Town Clerk in advance of their desire to speak in order that they may appear on the Agenda. Citizens shall limit their comments to three minutes per person and total comments shall not exceed fifteen minutes.

#### 7.4 Participation

On debatable questions and open hearings, any interested person may address the Board by written or oral communications regarding any matter then under discussion at a Board meeting.

#### 7.5 Delegations

When delegations attend Board meetings, such delegations shall designate to the Presiding Officer which persons are to speak for them.

#### 7.6 Anonymous Communications

Unsigned communications will not be introduced to the Board.

#### 7.7 Manner of Addressing – Time Limit

- a. Each person addressing the Board shall give his or her name and address for the record, shall state the subject he or she wishes to address, and shall limit the address to a reasonable time. All comments shall be addressed to the Presiding Officer and to the Board as a body and not to any particular member thereof.
- b. In consideration of the number of business items that normally come before the Board meeting, the Presiding Officer may specifically set the allotted time for and limit any and all addresses with the general consent of the Board.

### **VIII. NOMINATIONS AND ELECTIONS**

#### 8.1 Nominations for Mayor Pro-Tem, To Fill a Vacancy on the Board, and for Members of Boards and Commissions

Nominations for Mayor Pro-Tem, for an appointment to fill a vacancy on the Board, and for members to serve on boards and commissions may be made “from the floor” by any Trustee who wishes to propose a name for such position. Any person so nominated can, at this time, withdraw his or her name from nomination.

#### 8.2 Election to Fill Vacancy on the Board

Elections to fill a vacancy on the Board will be held by secret ballot. After the votes are cast, the Town Clerk will collect and count the votes. The Mayor will then announce the results. If any of the nominees receives a vote of the majority of the remaining Trustees present on the first ballot, he or she shall be declared elected. If none of the nominees receives such a majority vote at the end of the first balloting, the candidate receiving the fewest number of votes will be dropped as a candidate unless the elimination of such name (or names in cases of a tie vote) would leave only one candidate for the office. This process will continue until one candidate receives the majority vote of the remaining Board members in office.

**8.3 Election for a Mayor Pro-Tem**

Elections to fill the position of Mayor Pro-Tem will be conducted in the same manner as elections to fill a Board vacancy as provided by Section 8.2 hereinabove. Persons so appointed shall continue to hold office until a successor is appointed.

**8.4 When Balloting Unnecessary**

If nominations are closed with no more candidates being nominated than there are positions to be filled, the candidate(s) so nominated shall thereby be appointed and no balloting shall be required.

**IX. BOARDS AND COMMISSIONS**

Standing commissions and advisory boards, comprised of citizens of the community, may be established by the Board. The Board shall be provided with copies of the minutes of all board and commission meetings.

**X. ADHERENCE TO AND SUSPENSION OF RULES**

**10.1 Adherence to Procedures**

These Procedures and Rules of Order are intended to govern the organization and meetings of the Board of Trustees, to govern the actions of the Board in the conduct of its business, and to serve as a reference in handling parliamentary questions. In handling routine business the Board may, by general consent, use a more informal procedure than set forth in these Procedures and Rules of Order.

**10.2 Suspension of Rules**

Any provision of these Procedures and Rules of Order may be temporarily suspended at any meeting of the Board by a majority vote of the Trustees in office or may be temporarily suspended by general consent if a temporary suspension is presented by the Presiding Officer and if there are no objections from any member of the Board.

**XI. AMENDMENTS**

These Procedures and Rules of Order may be amended by a majority vote of the Trustees in office. Any proposed amendments shall be submitted in writing.

## TOWN OF CRESTONE Personnel Handbook

The following policies and procedures are hereby adopted by the Town of Crestone Board of Trustees, and they will be in effect until such time as they are repealed.

**Approved Date: September 2018 updated Mayor: Kairina Danforth 09/17/2018**

This policy is not a contract, only an overview of various Town of Crestone policies and procedures and employee benefits to assist the employee, staff and board conducting business in and for the Town of Crestone. The policies and procedures are not intended to be contractual commitments of the Town and will not be construed as such by any employee.

The Board of Trustees of the Town of Crestone has the right to change, supplement or revoke the policies and procedures at any time without notice. No policy or procedure is intended as a guarantee of continuity of benefits or rights. An employee may be provided all or some of the benefits described in this policy. No permanent employment for any term is intended or should be implied from any statements contained in this policy.

**Employment “At-Will”** Except for Appointed Officers of the Town (Judge, Attorney, Treasurer, and Clerk) The Town of Crestone is an “at-will” employer. Any non-appointed employee may be terminated with or without cause, a statement of reasons or hearing. Any employee may resign at any time for any reason. Nothing in these policies and procedures is intended to modify the Town’s at-will employment policy.

It is the desire of the Board of Trustees to provide a safe, enjoyable and rewarding work environment for its employees in order to receive high quality work from its employees. The Board of Trustees’ desire is to provide adequate work tools and compensation which provides employees affordable and satisfying lifestyles, motivation for successful work performance and motivation for long-term employment.