

KANOSH TOWN PUBLIC BODY MEETING POLICY & PROCEDURES

PURPOSE:

In order to conduct the public's business in an open and efficient manner, the Town Council of Kanosh Town, Utah hereby establishes rules of order and procedures for public meetings of the Town, including, but not limited to, the Town Council, Planning Commission, and other Town Boards. These procedures and policies are to ensure (a) order and procedure; (b) ethical behavior; and (c) civil discourse. (See U.C.A. §10-3-606) Nothing herein is intended to control content, intimidate or silence an individual, but is only intended to provide efficient means of carrying on the public business. Furthermore these procedures and policies do not deny any other alternative means of communication on city matters, including providing documents for public record without redaction on basis of content.

ESTABLISHMENT OF AGENDAS

1. All proposed agenda items from the public must be submitted to the Town Recorder on an agenda application.
2. In order for the information to be included in the meeting packet, the application must be submitted to the Town Recorder by 4:30 p.m. one week prior to the scheduled meeting of which the topic is to be addressed.
3. Upon receiving the agenda application, the Town Recorder will route the application to the Mayor. If more research is needed, Town Staff will state the reason why in writing to the applicant and item may not be identified on the agenda as requested on a specific date.
4. The Mayor, or appropriate staff member will be expected to work with agenda applicants to ensure that the proper information is included in the packet, and that they understand the meeting procedure, proposed action, and other information in order to make the agenda items flow smoothly.
5. As per State law, all open meeting laws will be adhered to. The public has the right to request to be on the agenda no later than 24 hours in advance of the meeting if they wish to be addressed during an agenda topic, otherwise, the public has the option to address the public body during the public input portion of the agenda for non-agenda items, but no action will be taken by the public body as it is not listed on the Agenda.
6. All agendas will comply with the Utah State Open Meetings Act UCA Section 52-4-101 et. seq. for posting requirements.
7. Each agenda shall contain a public comment period which shall be for three (3) minutes per person. Public comment shall be through civil discourse and not in violation of U.C.A. §76-9-103 and §52-4-301. The public may provide additional written input which shall be made a part of the public record. Public Comment may be extended for additional time upon a motion being duly made and seconded and approved by a majority of the public body that it is in the interest of the legislative body to gather additional investigative information for the benefit of the Town.

COUNCIL PACKETS

1. The Town Recorder will coordinate with the Mayor, department staff and public to compile all

documents necessary for the public meeting packets.

2. Each agenda item may include a memorandum on the subject and any recommendations staff has made to the public body.

3. Meeting packets will be delivered to the public body the at least 24 hours prior to the meeting unless extenuating circumstances prevail by email or as otherwise preferred.

OPEN AND CLOSED MEETINGS

1. The regular meetings of public bodies of the Town are hereby established by Ordinance or order of the Town Council and may be amended with a majority vote of the public body establishing the regular meeting schedule. The establishing public body will meet at least once each year to approve its annual meeting schedule, specifying the date, time, and place of such meetings by motion or specifying the body will meet "as needed".

2. All meetings of public bodies of the Town shall be held in compliance with State laws relating to open and public meetings.

3. A closed meeting may be held upon the affirmative vote of two-thirds of the public body members present at an open meeting for which the required notice has been given. Roll call will be expected.

4. No closed meeting is allowed except as to matters exempted by State law from open meeting requirements.

ELECTRONIC TELECOMMUNICATIONS

1. The purpose of electronic telecommunications is to ensure a quorum be present for all public meetings, and to permit full participation of Members who may not be available for the meeting. Members are encouraged to be present whenever possible for public meetings. In special circumstances, a public body Member may request the ability to attend a meeting via electronic means at the proceeding meeting via the approval of the Mayor and/or Chairperson of the public body.

2. The Town Council chambers where the public body would normally meet if it was not holding an electronic meeting, currently located at 55 North Main Street, Kanosh, Utah, shall be the anchor location for all electronic meetings, unless otherwise publicly noticed and the Council finds that such chambers provided space and facilities so that interested persons and the public may attend and monitor the open portions of the meeting, whether such meeting is a public hearing or otherwise.

3. To call an electronic meeting, Kanosh Town shall comply with all electronic notification requirements and procedures as required by the State of Utah.

MINUTES OF TOWN MEETINGS

1. The public bodies of the Town shall keep minutes of their proceedings as required by State Law. The books, records, accounts and documents of each municipality shall be kept at the office of the Town Recorder and draft and approved copies shall be open and available to the public during regular business hours for examination and copying. (Utah Code Section 10-3-603)

2. Minutes are the history of the community and should contain as much information as

necessary for clarity. Minutes should be circulated to the members of the public body and made available within "a reasonable time after the meeting" and must be marked as "DRAFT" before approval by the public body.

3. Approval of the Written Minutes: the minutes of the current meeting should reflect that those minutes were "approved as presented," or if the draft minutes have corrections within the minutes, the minutes of the current meeting should reflect that those minutes were "approved as corrected or amended." Grammatical or typos which do not change the substance of the text are not identified as corrected minutes and the Town Recorder will make minor corrections to the minutes.

MEETING PROCEDURE AND DECORUM GENERAL RULES

1. The purpose is to ensure fairness and common courtesy to all members and the public attending the meeting. These procedures and policies are to ensure (a) order and procedure; (b) ethical behavior; and (c) civil discourse.

2. Any member of the public body or staff member that is expected to attend the meeting, and will be absent or tardy should inform the Mayor/Chairperson, Mayor, or Town Recorder prior to the meeting so as not to delay the start of the meeting.

3. The Town encourages citizen input during public meetings. The Mayor or chair of the public body will invite the public to share their comments at the appropriate time during Public Hearings, Public Input, or Public Comments for a period of three (3) minutes. The Mayor or chair of the public body may also permit citizens to speak during individual agenda items at his/her discretion when they feel that the comments will be pertinent to the topic. The Mayor shall have the right to limit the time for comments to expedite the meeting process and keep matters on track with the agenda.

4. Members of the public body shall not talk over one another, interrupt, or speak in a condescending manner to one another. Taking turns speaking, deferring to someone who intends to speak, and in general, maintaining civil rules of conduct toward one another, the staff, and public are expected.

5. When person(s) are addressing the public body, the person(s) should only speak on the merits of the topic immediately at hand and limit comments to relevant information. Prolonged speeches are not appropriate, but documents may be submitted by any person to be included in the public record in accordance with the procedures herein.

6. Printed materials should be distributed to the public body prior to the meeting. If the public wishes to distribute printed materials to the public body during a meeting, they may do so prior to the meeting, but must have additional copies for the Town Recorder for the official record.

7. No public body of the Town will tolerate disorderly conduct which includes insulting language or behavior by any person, including members of the audience, the public body itself, or Staff. No name calling, shouting or booing is allowed during a meeting. Speech should not be presented in such a manner as to disrupt, disturb or otherwise impeded the orderly conduct of the meeting. The Mayor or chair of the public body may call the person to order or excuse them from the meeting if they violate U.C.A. §76-9-103 and §52-4-301. The Town reserves the right to have a public safety officer in attendance at a meeting to maintain public order.

MAYOR OR CHAIR RESPONSIBILITIES

1. The Mayor is the chair of the Council Meetings. A chair shall be designated for all other public bodies. The Mayor or chair, as applicable, will lead the meeting with, attention to process and rules of conduct and facilitate closure, summarization of main discussion point and request motions be formulated.
2. The Mayor or chair, as applicable, at his/her discretion, will recognize person(s) wishing to make comments or address the public body and request them to address the public body at the podium, stating their name and address for the official record. All comments should be directed to the public body and not to others in attendance. Person(s) wishing to speak should not request recognition while someone else is speaking.

MAYOR OR CHAIR PRO-TEM RESPONSIBILITIES

1. The Mayor or chair Pro-tem will be established by Ordinance or motion by a majority vote of the Town Council or public body.
2. The Mayor or chair Pro-tem will chair the meetings in the absence of the Mayor or chair and will conduct in accordance with meeting procedures.

MEMBER RESPONSIBILITIES

1. It is the duty of the voting members of a public body to consider the interest of the municipality in its entirety.
2. To prepare for the meetings by reviewing the agenda, supporting materials and asking questions in advance.
3. To communicate needs to Staff and other members about personal learning style, physical or mental limitations, and other accommodations required as permitted under the Americans with Disabilities Act and respect the accommodation needs of other Members.
4. To respect the public process and decisions.
5. The Members of a public body may expel any public body Members for disorderly conduct on a two-thirds vote of the members.
6. To maintain confidential information and discussion that is shared in closed sessions per the Open Public Meeting laws.

QUORUM

1. The majority of a public body constitutes a quorum for the public body and all motions of a public body shall be approved by a majority of the public body (not just a majority of the quorum in attendance).
2. If a position is vacant, a quorum is the majority of the remaining members of the public body.
3. Abstention does not impact a quorum.
4. There must be a minimum of a majority of the entire public body of affirmative votes for adoption of a motion.

RECORDED VOTE

1. Each Member of the public body has one vote each time a vote is held.
2. The requirement for a recorded vote must include the vote of each member and reason for abstention.

ABSTENTION FROM VOTING

1. A member may decide not to vote either in favor of or against a motion.
2. Abstention may occur if a member has been absent and/or feels insufficient information has been received on an issue.
3. Abstention is not to be confused with voting against a matter.

RECUSING

1. If a public body Member should choose to recuse themselves from an agenda item, they shall so state on the record but are not mandatorily required to remain silent if they have relevant information. The Member should not attempt to sway the vote.

CONFLICTS OF INTEREST / DISCLOSURE STATEMENTS

1. All public body Members will complete a written disclosure statement annually or when there is a change in the nature of the conflict and file it with the Town Clerk/Recorder. All disclosure statements will adhere to the Utah Municipal Officers and Employees Ethics Act (UCA §10-3-1301 *et. seq.*)
2. All disclosure statements are public information and may be inspected by the public during normal business hours.
3. A conflict of interest must be made orally in an open meeting to the members of the body of which there are a member at the time designated on the agenda when the Mayor or chair conducting the meeting asks the members if they have a conflict of interest and immediately before the discussion of the topic involved in the conflict of interest as per the Municipal Officers and Employees Ethics Act (UCA §10-3-1301).

MOTIONS

Roberts Rules of Order shall be relaxed and some of the formality that is necessary in a large assembly would hinder business. Therefore, Roberts Rules for small boards are modified as follows:

1. The Mayor or chair may recommend language to the Council for a motion.
2. Motions should begin with "I move to" or "I make a motion to".
3. Before a motion can be discussed it must be seconded.
4. Agenda items identified as discussion items only may not require a motion.
5. Amending a motion requires recognition by the Mayor or chair; the Member must state the change clearly and specifically and requires a second. It is debatable at this point before a

majority vote to pass.

6. The motion must be made at the appropriate time in the order of business.

7. Agenda items needing more attention/investigation and/or discussion may be referred to a committee or Staff for further review. A motion should be made which identifies specifics of the committee or staff on when and how they are to report on the matter.

8. A motion to recess the meeting for a break must be made and should state for how long or a time to reconvene the meeting. This motion requires a second and is not debatable.

9. If a public body Member requests to withdraw a motion, the Mayor or chair will ask for any objections to the motion being withdrawn, if no objection, the motion is immediately withdrawn. If there is an objection, the request to withdraw becomes a motion, which must be seconded and is not debatable and requires a simple majority to pass.

10. A majority approval or yea vote is necessary to pass any motion, and if only three members are present, then unanimous approval is required.