

**TOWN OF HEBRON  
SELECT BOARD RULES OF PROCEDURE**

**SECTION 1. GENERAL PROVISIONS**

SELECT BOARD MEETING LOCATION

All meetings of the Town of Hebron Select Board shall be held at Town Offices on School Street, unless the Select Board adjourns to another location or the meeting is scheduled for another location and is properly noticed.

SELECT BOARD MEETING TIME

Meetings of the Town of Hebron Select Board shall normally be held on the first and third Thursdays of every month. The meetings begin at 2:30 p.m., unless otherwise noticed, or continued to a specific time and date.

SELECT BOARD MEETINGS OPEN TO THE PUBLIC

All meetings of the Town of Hebron Select Board and Committees thereof shall be open to the public, except as provided for by RSA 91-A.

ELECTION OF OFFICERS

Procedures for electing officers are as follows:

- (1) Annually, at the first meeting of the Select Board after Town elections, the members thereof shall choose, from among their number, a Chair and a Vice Chair.
- (2) In addition to the powers conferred upon the Chair and the Vice Chair, he/she shall continue to have all the rights, privileges and immunities of a Board Member.
- (3) The above election shall be by a majority vote of the Select Board.

PRESIDING OFFICER

The Chair of the Select Board shall preside at all meetings of the Select Board, and be recognized as the head of the Town for all ceremonial purposes.

The Chair of the Select Board has no regular administrative or executive duties. In case of the Chair's absence or temporary disability, the Vice Chair shall act as Chair during the continuance of the absence.

The Chair of the Select Board (or the Vice Chair) is referred to as "Presiding Officer" from time to time in these Rules of Procedure.

The Presiding Officer shall preserve order and decorum, may participate in the discussion of any issue before the Select Board, may submit reports and legislation to the Select Board for its consideration which shall require both motion and second by other Select Board, may speak to points of order in preference to other Select Board, and shall decide all questions of order or procedure, subject to appeal to the full Select Board. Unless recused or a conflict of interest is found, the Presiding Officer shall vote on all matters or applications before the Select Board requiring action or a vote by the Board.

#### DUTIES AND PRIVILEGES OF SELECT BOARD MEMBERS

Board Members shall address the Board upon recognition of the Presiding Officer.

Comment and debate shall be confined to the subject matter of the question.

No Board Member shall be interrupted while speaking except for a point of order.

#### QUORUM AND VOTING

Two Selectmen shall constitute a quorum for the conduct of town business.

#### SELECT BOARD MEETING AGENDA

Any Board Member may place a matter upon the agenda.

The Presiding Officer may reserve time upon the agenda for presentations to the Select Board by private individuals or organizations, as he or she may deem appropriate.

The Town Administrator shall arrange a list of matters according to the order of business, and prepare an agenda for the Select Board.

Information to be placed on the agenda must be submitted to the Town Administrator's Office one week prior to the Meeting.

Any comments by the public on topics on the agenda shall be limited to three (3) minutes.

#### ORDER OF BUSINESS

The business of all meetings of the Select Board shall be transacted as follows, provided however that the Presiding Officer may, during a Select Board meeting, rearrange items on the agenda to conduct the business before the Select Board more expeditiously:

- (1) Call to order
- (2) Public Hearings
- (3) Unfinished Business

(4) New Business

(5) Communications to the Select Board

(6) Closing Comments by Select Board members

(7) Non-Public Session (if required)

(8) Approval of Minutes of Previous Meetings

(9) Adjournment

- a) No meeting shall be permitted to continue beyond 10:00 PM without the approval of a majority of the Select Board members who are present and eligible to vote.

#### CLERK OF THE SELECT BOARD

The Town Administrator shall be the Clerk of the Select Board and shall take minutes and perform such further duties as may be required by the Select Board or Presiding Officer.

### **SECTION 2. DUTIES AND PRIVILEGES OF MEMBERS**

#### DISSENTS AND PROTESTS

Any Board Member shall have the right to express dissent from or protest against any ordinance or resolution of the Select Board.

After the Select Board has taken a position on an issue, official correspondence should reflect this position.

When members are requested to speak to groups or are asked the Board's position on an issue, the response should reflect the position of the Board as a whole. A member may clarify their vote on a matter by stating, "While I voted against X, the Select Board voted in support of it." When representing the Town at meetings or other venues, it is important that those in attendance gain an understanding of the Select Board's position as well as that of an individual member.

#### RULES OF ORDER

The Presiding Officer shall resolve all issues of procedure for the Select Board meetings.

By a majority vote, the Selectmen may overrule any procedural decision of the Presiding Officer.

## ACTIONS FOR A PUBLIC HEARING

The procedures for a public hearing are as follows:

At the outset of each public hearing the Presiding Officer will announce the purpose of the public hearing and ask the parties wanting to speak to limit their presentations to information within the scope of the matter before the Select Board.

The Presiding Officer may call upon a Select Board member or other person to describe the matter under consideration.

Each speaker, for or against the matter before the Select Board for public hearing, shall identify himself or herself by name and address. Each speaker shall be limited to three (3) minutes. When everyone wanting to speak has had one opportunity to speak, the Presiding officer shall call for anyone wanting to speak for a second time. Second time speakers shall be limited to the time allowed by the Presiding Officer, or as established by a majority vote of the Select Board members.

Once all Town residents wanting to speak for a second time have spoken, the Presiding Officer shall call for any non-residents wanting to speak. These speakers shall be limited to one three-minute statement.

During the hearing any Board Member shall be permitted to ask the speaker questions provided all questions are relevant to the matter before the Select Board for Public Hearing. The Presiding Officer shall retain the right to determine the relevancy of any question.

The Presiding Officer closes the public hearing.

The Presiding Officer shall then inquire if there is a motion by any Board Member. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Board Members. The Presiding officer may call on an individual Board Member during the discussion.

## VOTING

The votes during all meetings of the Select Board shall be transacted as follows:

The Presiding Officer may require any question to be submitted in writing before the vote, and shall state each question before the vote.

Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Board Member, a roll call vote shall be taken by the Clerk.

The order of the roll call vote shall be determined by the Presiding Officer.

In addition, the Presiding Officer may, at his/her sole discretion, require a show of hands to insure the proper resolution of the vote.

Secret ballot votes by Boards, Committees, and Commissions are illegal in New Hampshire.

Every Board Member who is in the Select Board chambers when the question is called shall vote on the question before the Select Board.

A Board Member, prior to the hearing and/or the discussion of any topic, shall announce his/her intention to excuse himself/herself and shall take no part in the debate should he/she feel that to vote would constitute a conflict.

### E-MAIL COMMUNICATIONS

All e-mail communications shall be carbon copied to the Town Administrator for town records. E-mail communications among a quorum of a Select Board's members may be used only for the following purposes:

Scheduling and other routine administrative matters;

Distributing documents that will be discussed at an upcoming meeting, or otherwise be made public.

E-mail communications among a quorum of Select Board members may not be used for any of the following purposes:

Discussing or deliberating on town business;

Making decisions on town business.

E-mails between and among Select Board members and Town personnel are public records. Individual Select Board members (not a quorum) and Town personnel may communicate directly with each other on Town business, but they must recognize that all written communications concerning town business are subject to public records law and may be subject to disclosure upon request.

### COMMITTEES/LIAISONS

#### Special Ad Hoc Citizen Advisory Committees

Special ad hoc citizen advisory committees may be created by the Select Board for a particular purpose.

All committee members shall be appointed by the Select Board.

The committee shall appoint its chair.

These committees shall be established by a written document stating the specific purpose,

mission, and goals/objectives that the committee is to achieve or attain, and declaring that the committee is dissolved when these have been attained or by a specified date.

No business of any committee shall begin until such time as the committee has met and elected a chair person.

No request of staff shall be made without a majority vote of the members of the committee.

Citizen advisory committees shall cease to exist at the end of each fiscal year unless specifically continued by the Select Board thereafter for a specified time period. At such point of time as a committee shall cease to exist, all documents and materials shall be turned over to the Office of the Select Board.

One Board Member, appointed by the Presiding Officer, may be appointed as a member and liaison of a citizen advisory committee.

Citizen advisory committees may make recommendations on proposed programs, services, ordinances, and resolutions within their area of responsibility before action is taken by the Select Board.

The committee chair may present the recommendations of the committee during the discussion of the item of business during a meeting of the Select Board.

Town employees may staff the various committees as directed by the Select Board, but no staff person shall serve as a member of a citizen advisory committee.

Minutes of citizen advisory committee meetings shall be recorded in accordance with RSA 91-A, (the NH Right to Know Law).

#### NOMINATIONS/APPOINTMENTS TO TOWN BOARDS, COMMISSIONS AND COMMITTEES

The procedure for nominating and appointing citizens to Town boards, commissions and committees shall be as follows:

##### Single nomination.

Whenever only one person is nominated to a particular position, the nomination shall be made by a Board Member, and then seconded.

Once seconded, a vote is taken.

Should the person so nominated receive the majority of votes from those Select Board members present, the nomination is confirmed.

If the majority of those Members present vote not to approve the nomination, the nomination

shall be considered rejected and the name removed from further consideration.

#### Multiple nominations.

Whenever there are multiple nominations for one position, each name will be placed in nomination with no requirement for a second, although a nomination may receive a second if a Board member wishes to do so.

When all nominations are closed, each Board Member shall have an opportunity to speak regarding the qualifications of nominees, and then each Board Member shall cast a vote for no more than one name.

The name receiving a majority of the Board members present and voting shall be deemed confirmed.

Should no one nomination receive a majority of the vote and there are more than two nominations for the one position, then the nomination with the least number of votes received shall be removed from the second round of voting.

The Select Board shall then vote a second time on those nominations remaining.

If the second vote fails to confirm an appointment, the Presiding Officer may order a third vote or declare the matter deadlocked and order the nomination be forwarded to the next meeting of the Select Board.

In the case of only two nominations not receiving a majority vote, the Presiding Officer may order a second vote or order the nomination be forwarded to the next meeting of the Select Board.

#### ENACTED ORDINANCES, RESOLUTIONS AND MOTIONS

An *enacted ordinance* is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the municipality. An enacted ordinance continues in effect until repealed.

The *procedure for ordinances* is as follows:

An ordinance shall be introduced at a public meeting of the Select Board.

At that meeting, the Select Board shall determine a future date for a public hearing and second reading of the proposed ordinance.

At the second meeting, the Select Board shall hold a public hearing as previously described and table the proposed ordinance to amend followed by a subsequent public hearing on the amended proposed ordinance, withdraw the ordinance, or act upon the ordinance.

The title of each ordinance shall in all cases be read prior to its passage; provided, should a



majority of the Board members present request that the entire ordinance or certain of its sections be read, such requests shall be granted.

A Board Member may, in open session, request of the Presiding Officer that the Select Board study the wisdom of enacting a particular ordinance.

By affirmative motion, the Select Board may assign the proposed ordinance to a specific committee or the committee of the whole for study and consideration.

The committee shall report its findings to the Select Board.

### *Emergency Ordinances*

The Town Select Board may, without notice or hearing, authorize expenditures or take such actions for a public emergency as defined and authorized by RSA Chapter 21-P:39, and the Town of Hebron Ordinances.

An *enacted resolution* is an internal legislative action that is a formal statement of policy concerning matters of a special or temporary character. Select Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

The *procedure for resolutions* is as follows:

Each resolution may be voted and approved on the same day on which it was introduced.

Resolutions shall be numbered by the fiscal year followed by the chronological numbering of which it was introduced beginning July 1.

An *enacted motion* is a form of action taken by the Select Board to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

## **SECTION 3. CONDUCT WITH OTHER SELECT BOARD MEMBERS AND STAFF**

The Select Board shall treat others with respect and respect the rights and opinions of the community despite differences of opinion. The Select Board expects to be treated the same.

The Select Board when dealing with Town Staff shall:

Recognize the administrative chain of command and refuse to act on complaints as an individual outside the administration.

Treat all staff as professionals and respect the abilities and integrity of each individual.



Never publicly criticize an employee.

The individual members of the Select Board in their relations with fellow members shall:

Recognize that no member by his/her actions alone can bind the Select Board or the Town.

No member, including the chairperson or vice-chairperson, shall conduct any town business outside a regular scheduled meeting without the prior knowledge and approval of the Board at a meeting.

Pursuant to RSA 91-A uphold the intent of non-public session and not release or discuss items raised in non-public session.

Refrain from communicating the position of the town or the Select Board to other entities (i.e. state and federal officials) unless the full board has previously agreed on both the position and the language of the statement.

Treat with respect the rights of all members of the Board despite differences of opinion.

As required by State law, all business of the town shall be handled in public session, with the exception of matters listed under RSA 91 -A.

Any violation of this Code of Conduct shall be reported to the Board within five (5) days of the occurrence.

All actions taken under RSA 91 -A are to be, if appropriate, disclosed before the close of the regular session in a brief statement of the facts. Any discussion held within the closed session shall be considered closed to the public. Any person who reveals details of the closed session to the public, is to be censured for their actions, and held in contempt of RSA 91-A.

Punishment for any violation of this code of conduct shall include, but not limited to, removal from committee assignments or chairmanships. Other punishments shall be handled by state law (RSA 42:1-a).

Date Adopted: August 1, 2013

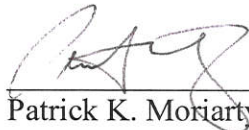
Date Amended and Adopted: June 21, 2018

Date Amended and Adopted: March 3, 2022

Date: Amended and Adopted: August 17, 2023



Paul S. Hazelton  
Chair



Patrick K. Moriarty  
Vice-Chair



Richard A. James  
Selectman