

ORDINANCE NO. 2010-009

AN ORDINANCE AMENDING ORDINANCE 2001-1 (AN ORDINANCE ENACTING PROCEDURES AND RULES OF ORDER MANUAL FOR THE TOWN BOARD OF THE TOWN OF CRESTONE)

WHEREAS, the Board of Trustees adopted Rules of Procedure for the Conduct of Public Meetings through the enactment of Ordinance 2001-1; and

WHEREAS, such rules provide for the manner of recording the proceedings of the Town Board of Trustees as the official record of Town Board Proceedings in accordance with the Colorado Open Meetings Law; and

WHEREAS, the Board of Trustees has observed private citizens videotaping Board Meetings, which is not specifically addressed in such Rules; and

WHEREAS, the adopted Rules of Procedures call for positions on boards and commissions to be filled by secret ballot contradicting the Rules and Procedures of the Planning Commission;

NOW THEREFORE, be it ordained by the Board of Trustees of the Town of Crestone that the Town Board Procedure and Rules of Order as enacted by Ordinance #2001-1 is amended as follows:

§2.2 Mayor-Presiding Officer

~~e. The Mayor shall also have and assume the duties of Town Marshall in accordance with the provisions of C.R.S 31-4-306, but shall not have powers of arrest (other than as a citizen). Nothing contained in this paragraph shall be deemed to require certification or training of the Marshall in accordance with the requirements of C.R.S 20-10-501(b).~~

§3.1 Regular Meetings

The Board of Trustees shall meet in regular session upon the second **Monday** of each month at 1:30 p.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.

3.4 Emergency Meetings a. called by the Mayor, or in his the Mayor's absence....

§3.5 Work Sessions

Board **work** sessions may be held upon the call of the Mayor, 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 as provided by these Procedures and Rules of Order. **While Town Board of Trustees meetings are public meetings and will be conducted in accordance with the Colorado Open Meetings Act, the Town Board will not permit citizens' recording or videotaping of such meetings.**

§3.8 Town Clerk - Minutes

- 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**".

§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) Roll call
- (2) Approval of Agenda
- (3) Approval of Minutes of Previous Meeting(s)
- (4) ¹³ **Planning Commission Report**
- (5) ⁴ **Attorney's Report**
- (6) ⁵ **Treasurer's Report**
- (7) ⁶ **Presentation of Bills**
- (8) ¹⁴ **Correspondence**
- (9) ⁷ **Clerk's Report**
- (10) ⁸ **Manager's Report**
- (11) ¹¹ **Public Works Report**
- (12) ¹² **Code Enforcement Officer Report**
- (13) ¹⁰ **Old Business**
- (14) ⁹ **New Business**
- (15) Citizen's Comment
- (16) Adjourn

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.

§4.5 Motions

a. Motions are used to give direction to the operation of the Town's business.

§5.2 Ordinances

~~f. The Mayor has the power to veto ordinances in the manner provided by the Colorado Revised Statutes.~~

§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.

§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 schedulings. 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.

§7.4 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.

§8.3 Election for Mayor Pro-Tem ~~and Board and Commission Members~~

Elections to fill the position of Mayor Pro-Tem ~~and to fill positions on boards and commissions~~ will be conducted in the same manner as elections to fill a Board vacancy as provided by Section 8.2 hereinabove, except that a majority of the Trustees present shall be sufficient to decide the question. Persons so appointed shall continue to hold office until a successor is appointed.

CLERK'S CERTIFICATION

I, Akia Tanara, duly appointed and acting Town Clerk of the Town of Crestone, Colorado hereby certify that the Town Board Procedures and Rules of Order Manual, attached hereto, was duly amended by Ordinance Number 2010-009 at a regular

meeting of the Board of Trustees of the Town of Crestone, Colorado on December 13, 2010.

Akia Tanara

Akia Tanara, Town Clerk

HEALTH and SAFETY CLAUSE: The Board of Trustees of the Town of Crestone specifically find that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, due to clarification of Ordinance 2001-1 and the necessity to amend, correct or add to existing procedures and rules of order, and shall become effective and shall be enforced upon, from and after this 13th day of December, 2010.

DONE and SIGNED this 13th day of December, 2010.

Ralph Abrams

Ralph Abrams, Mayor

Attest:

Akia Tanara

Akia Tanara, Town Clerk

Approved as to Form:

Eugene L. Farish

Eugene L. Farish, #2557
Crestone Town Attorney

CERTIFICATION

I hereby certify that the within Ordinance was introduced, read in full, approved and adopted at the regular meeting of the Board of Trustees of the Town of Crestone, Colorado on the 13th day of December, 2010, and published by title in the Crestone Eagle, a legal newspaper in the Town of Crestone on January 1st, 2011.

Akia Tanara

Akia Tanara, Town Clerk