

COUNCIL RULES

Amended & Adopted 8.24.2023

I. INTRODUCTION

The administration of all the fiscal, prudential and municipal affairs of the Town of Yarmouth, Maine ("Yarmouth, or the "Town") is vested in the Town Council (the "Council") through the Council-Manager Charter of the Town of Yarmouth (the "Yarmouth Town Charter" or "Town Charter"). In accordance with Article II, Section 8 of the Town Charter, the Town Council shall adopt its own rules and order of business. The Council hereby adopts the following rules, order of business, codes of conduct and policies to govern conduct by the Council and its members ("Town Councilors" or "Councilors").

II. MEETINGS

A. **Schedule.** The Regular Meetings and Workshop Meetings of the Town Council shall be held in the Log Cabin or such other place as the Council may designate at 7:00 P.M. current time, on the first and third Thursday of each calendar month. The meeting on the first Thursday shall be a Workshop Meeting and the meeting on the second Thursday shall be a Regular (voting) Meeting. When said day falls on a holiday or Election Day, the regular meeting shall be held on the following Monday at the same time and place, unless otherwise established by agreement of the Town Council. The date and place of any Regular Meeting may be changed by approval of the Council Chair or by request of four or more members, provided that timely notice is given to all members and to the public.

1. To accommodate the provisions of Article II, Section 5 of the Yarmouth Town Charter, the Regular Meeting of the Town Council shall be held on the Thursday directly following the second Tuesday of June, annually.

B. **Special Meetings.** Special Meetings may be called by the Chair, and in case of the Chair's absence, disability or refusal may be called by three (3) members of the Town Council. Notice of such meeting shall be served in person or left at the residence of each member of the Town Council at least twenty-four (24) hours before the time for holding said Special Meeting unless all members of the Council agree to waive said notice. Notice of such meeting may also be served electronically at the official Town email address of each Councilor and will be deemed effective upon receipt of a "read receipt" or acknowledgement by return email. The call for said Special Meeting shall set forth the matters to be acted upon at said meeting, and nothing else shall be considered at such Special Meeting.

C. **Workshop Meetings**

1. **Purpose.** Workshop Meetings shall be held for the primary purposes of (1) introducing issues and reports, and considering comments from the Council, staff, and public on such issues and reports, via public hearing when appropriate; and (2) to determine issues to be debated and acted upon at the next or subsequent Regular Meetings, and to set the agenda for the next Regular Meeting.

The objective of workshop meetings is to familiarize the Town Council and the public with pending issues, to determine which issues are ready for deliberation and possible action, and to instruct the staff or committees on what research or investigation may be required for the Town Council to develop an appropriate policy position.

2. **Regular Business.** The regular business of a Workshop Meeting may include:
 - (a) hearing reports;
 - (b) conferring with citizens, staff and volunteers of the various municipal departments, boards and committees of the Town, community groups, consultants, officials, and other persons regarding the affairs and interest of the Town;
 - (c) debating, planning and prioritizing the work of the Council;
 - (d) drafting, reviewing and considering projects, plans, and ideas which may be beneficial to the Town; and
 - (e) scheduling and holding public hearings.
 - (f) Voting on appointments to various boards, committees, liaison, and delegate assignments.
3. **Public Comment on Regular Business.** The Council shall provide an opportunity during each Workshop Meeting for the public to speak, present information and ideas, and raise questions or issues related to each agenda item at Workshop Meetings.
4. **Comments on Additional Business.** The Town Council shall provide an opportunity during each Workshop Meeting for Councilors, members of the public, staff, or citizen boards and committees to make reports or comments and introduce additional issues and inquiries not appearing on the agenda.
5. **Public Access.** All Workshop Meetings are deemed official public meetings and are open to the public. Whenever practical and

reasonably convenient, such workshop meetings shall be televised, but in all cases shall be deemed official public meetings.

6. **Informal Workshop Sessions.** In addition to or in lieu of meetings of sub-committees the Town Council may meet either as a Council or as a committee of the whole as necessary in Informal Workshop Sessions to discuss issues, hear reports, and plan workloads and processes. During Informal Workshop Sessions, the Council may address, for example, budget development, project reviews, ordinance and plan discussions, conferring with other town boards or committees and conferring with regional bodies or officials. Unless otherwise specified from time to time, such Informal Workshop Sessions will not be televised, but in all cases shall be deemed official public meetings.
7. **Action by Town Council.** During Workshop Meetings, the Council shall take no binding or formal actions except for procedural matters, referral of matters to committees or others, or instructions to staff, and to act upon appointments to various boards, committees, liaison, and delegate assignments.

This shall not be construed to prohibit voting or polling of the members on pending issues provided such voting or polling decision shall be subject to confirmation voting at the Regular or Special Meeting of the Council. During Workshop Meetings, the Council may take the following actions: issue advisory opinions; vote to approve, amend or revise the proposed Regular Meeting agenda, schedule or procedural considerations (including limitations on public comment); and vote to enter into Executive Session for authorized purposes, and to act upon appointments to various boards, committees, liaison, and delegate assignments .

8. **Executive Session.** The Town Council may hold Executive Sessions as part of any Workshop Meeting provided such Executive Sessions shall be in conformance with the provisions of Title 1 MRSA Section 405.

D. **Regular Meetings**

1. **Purpose.** Regular Meetings shall be for the purposes of holding public hearings and taking final actions on issues appearing on the agenda.
2. **Time.** Regular Meetings shall normally be held on the third Thursday of each month.
3. **Public Comment on Regular Business.** Town Council shall provide an opportunity during each Regular meeting for the public

to speak, present information and ideas, and raise questions or issues related to each agenda item.

4. **Comments on Additional Business.** The Town Council shall provide a time during each Regular Meeting for members of the Town Council, members of the public, staff, or citizen boards and committees to make reports or comments and introduce additional issues and inquiries not appearing on the agenda.
5. **Action by Town Council.** At Regular Meetings, the Town Council shall address any regular business which may be scheduled on the agenda. Such regular business may include, but shall not be limited to: final action on any items such as orders, appointments; action on committee reports and recommendations; appropriations and transfers, bid awards, resolutions, license and permit authorizations, as well as voting on matters considered at prior public hearings.

E. **Public Hearings**

1. **Purpose.** Public Hearings shall be held on all ordinance adoptions, and other matters required by law, ordinance or Town Charter, and on such additional matters as directed by the Town Council to solicit and encourage public knowledge and participation in pending actions and policy matters under consideration.
2. **Action by Town Council.** It is the intent of the Town Council that in most matters requiring a Public Hearing, no formal final action shall be taken on the matter heard at the same meeting at which the public participation is solicited. Provided, however, that shall not preclude the Town Council from making a determination and taking final action on any matter where the public expresses little public concern or interest, or where delay would not appear to cause any objection or serve significant public purpose, or in matters of an emergency nature or where the Town Council determines immediate action is in the best interests of the Town.
3. **Scheduling.** Unless otherwise directed by the Chair or four or more members of the Town Council, Public Hearings shall be scheduled on agendas to appear before regular business or reports. When it has been determined that a Public Hearing is to be held at a future meeting, the Town Manager shall give public notice of such pending Public Hearing at least nine (9) days in advance of the hearing date.

III. **CONDUCT OF MEETINGS**

A. **Council**

1. **Chair.** Pursuant to Article II, Section 9 of the Town Charter, the Chair shall take the chair at the time appointed for the meeting, call the members to order, cause the roll to be called, and, a quorum being present, cause the minutes of the preceding meeting to be acted upon and proceed to business. Minutes shall be kept for Regular and Special meetings but not for Workshop meetings as no final policy actions shall be determined at Workshop Meetings.
2. **Absence or disability of Chair.** In the absence or disability of the Chair, the Vice Chair is hereby designated as Chair Pro Tempore.
3. **Quorum.** According to Article II, Section 10 of the Town Charter, a majority of the Town Council (that is, 4 of 7 Councilors) shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time or may compel attendance of absent members. At least twenty-four hours' notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which adjournment was taken.
4. **Voting.** The Chair shall declare all votes, but if any member doubts a vote, the Chair shall cause a recount of the members voting in the affirmative and in the negative without debate. A record of all votes will be kept by the Clerk of the Council pursuant to Article II, Section 12 of the Town Charter.
5. **Order of Motions.** When a question is under debate, the Chair shall receive motions which shall have preference in the order in which they stand arranged:
 - a. to adjourn (to end the meeting)
 - b. for the previous question (to close debate and move the question to an immediate vote)
 - c. to lay on the table (to suspend debate and set aside a pending motion without establishing a time to resume discussion of it)
 - d. to postpone to a day certain (to suspend debate and set aside a pending motion until a specified later time in the meeting or at another meeting)
 - e. to refer to a committee or some administrative official
 - f. to amend (to amend a pending motion)
 - g. to take from the table (to resume debate on a previously tabled motion)
 - h. to postpone indefinitely (to postpone consideration of a motion indefinitely)

6. Rules Concerning Motions

- a. Every motion shall be reduced to writing, if the Chair shall so direct.
- b. The Chair shall consider a motion to adjourn as always in order except on immediate repetition; and that motion shall be decided without debate.
- c. A motion to lay on the table shall be decided without debate as to the merits of the underlying and pending main or subsidiary motions, but the matter of whether or not to lay on the table (and to the specific later time or date, if any, until the proposed action shall remain laid on the table) shall itself be subject to debate or discussion prior to the vote on the motion to lay on the table.
- d. When the previous question is moved and seconded, there shall be no further amendment or debate; but pending amendments shall be put in their order before the main question. If a motion for the previous question fails, the main question and any pending amendments remain open for debate.

No debate shall be allowed on a motion for the previous question. Neither is it susceptible to amendment. All questions of order arising incidentally thereon must be decided without discussion whether appeal be had from the Chair or not.

- e. When a vote is passed, it shall be in order for any member who either voted in the majority or voted in the negative on a tie vote, to move reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered.
- f. Application to be excused from a vote must be voted upon by the Council before discussion of the question. Other than this, all members present must vote on every question.
- g. Any member may require the division of a question when the sense will admit it.
- h. A motion for referral to a committee or administrative official, until it is decided, shall preclude all amendments of the main question.

- i. All questions relating to priority of business to be acted upon shall be decided with debate.

7. Decorum and Order

The Chair shall preserve decorum and decide all questions of order and procedure, subject to appeal to the Council. When a member is about to speak, the member shall respectfully address the Chair, confine their comments to the question under debate, and avoid personalities. No member speaking shall be interrupted by another, but by a call to order or to correct a mistake. If a Councilor is called to order while the Councilor is speaking, the Councilor shall cease speaking immediately until the question of order is determined. If ruled to be in order, the Councilor shall be permitted to proceed. If ruled to be not in order, the Councilor shall remain silent or shall alter their remarks so as to comply with rules of the Council.

B. Public Participation in Regular and Special Meetings, Public Hearings and final policy actions and decisions

1. **Regular business.** Persons wishing to address the Council on an item which appears on the agenda shall wait until the Chair announces the consideration of such item, at which time they may address the Council on that particular item. Any person desiring to address the Council shall be recognized by the Chair, shall state their name and address in an audible tone, and shall limit their remarks to the question under discussion. All remarks and questions shall be addressed to the Council as a whole and not to any individual member thereof. All remarks and questions addressed to the administration of the Town shall be addressed to the Town Manager and not to any individual Town employee. No person other than members of the Council and the person having the floor shall enter into any discussion either directly or through a member of the Council without the permission of the Chair. Once the Council has begun its deliberation on an item, no person shall be permitted to address the Council on such item, and any person desiring to further address the Council on such item must wait to do so until all items on the agenda have been completed.
2. **Comments on Additional Business.** Persons wishing to address the Council on any item not appearing on the agenda may do so at the time designated by the Town Council for receiving public comments on issues not appearing on the agenda.
3. The Chair, with the consent of the Council, may allow for additional public comment and participation or to impose time limits and special rules for recognition when, in the opinion of the Chair, such action will advance the efforts of the Council in the conduct of its

affairs and promote citizen participation in the conduct of the Council affairs.

C. Public Participation in Workshop Meetings

1. Unless public comment is limited by a simple majority vote of the Town Council in Workshop Meetings, the Chair shall open discussion of pending issues and considerations for public comment and question to allow remarks to be addressed to individual members of the Council or other participants in the discussion in respectful exchange of ideas and questions. The Chair may impose the rules of public participation as provided for Regular and Special Meetings and public hearings of the Town Council, whenever the Chair determines such rules are necessary for the efficient conduct of the Council's affairs and promotes full, fair and respectful citizen participation in the conduct of the Council affairs. The Chair may impose time limits on public comment, subject to the consent of the Town Council.

IV. ENACTMENTS – PRESENTATION AND ACTION

- A. The Town Council shall act only by ordinance, order or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title.
- B. All by-laws passed by the Town Council shall be termed "ordinances" and the enacting style shall be: "Be it ordained by the Town Council of the Town of Yarmouth, Maine, in Town Council assembled."
- C. In all votes of command, the form of expression shall be "ordered"; and of opinions, principles, facts or purposes, the form shall be "resolved". All orders or resolves shall take effect after passage.
- D. Every ordinance shall be presented to the Council for consideration prior to public release. The Council shall then set a date for public hearing and final consideration in accordance with Article II, Section 11 of the Town Charter.
- E. The votes for and against the passage of all ordinances, orders, resolves or amendments thereto shall be taken and entered upon the record of the proceedings of the Town Council by the Clerk, or in the absence of the Town Clerk, by the Town Manager. Every final ordinance, order, resolve or amendment thereto shall require the affirmative vote of four (4) members of the Town Council.
- F. The Town Council may, by vote of five (5) of its members, pass emergency ordinances, to take effect at the time indicated therein. Such emergency ordinances shall contain a section in which the emergency is

set forth and defined; provided, however, that the declaration of such emergency by the Town Council shall be conclusive.

G. Second readings

Notwithstanding the provisions of Section IV.C certain actions of the Town Council shall be valid and in effect upon presentation and enactment in two sequential votes separated in time by not less than three weeks nor more than twenty-six weeks. Votes shall be presented in the normal order and procedure for enactment as provided by the Council Rules except that at the first such enactment the order shall provide that “this order [resolve or ordinance] shall be effective upon a second reading and enactment.

This second reading requirement shall be in effect in the following circumstances:

1. Whenever the Town Council is considering the sale transfer or disposal of any Town-owned real estate, but not including:
 - a. release of tax liens, mortgages, or similar security interests, or for issuance of quit claim deeds for the same purposes;
 - b. boundary line adjustments between abutting properties or street lines;
 - c. vacation, discontinuance, or alteration of roadways and easements;
 - d. encumbrance of properties for conservation or development restrictions or covenants; and
 - e. title clearance concerns.

V. CONDUCT OF COUNCIL MEMBERS

- A. **Unbiased conduct.** Town Councilors shall conduct themselves in a manner that does not discriminate unlawfully against any person because of physical or mental disability, race, color, creed, age, sex, sexual orientation, gender identity or expression, religion, ancestry, immigration status or national origin. All persons, irrespective of personal characteristics or other distinctions, including but not limited to physical or mental disability, race, color, creed, age, sex, sexual orientation, gender identity or expression, religion, ancestry, immigration status or national origin shall be treated in the same basic manner under the same or similar circumstances.
- B. **Nonpartisanship.** Councilors and their appointees shall conduct Town business in a non-partisan manner, without favoring or taking direction from a political party.

- C. **Respecting Fellow Councilors.** Councilors shall conduct themselves in a respectful manner when publicly discussing Town matters, speaking freely on the issues and their merits without engaging in personal attacks on fellow Councilors and shall exercise due care in summarizing, characterizing, or otherwise describing the views or positions of other Councilors.
- D. **Council Speaks as a Body.** Except as specifically provided in Article II Section 9 of the Yarmouth Town Charter or otherwise by these Rules, no member of the Town Council shall represent to anyone or knowingly allow anyone to infer that the Councilor speaks or is acting on behalf of the Town Council unless, by Order of the Council, a Councilor has been officially designated as its Representative to another organization, committee or board.
- E. **Social Media.** Councilor statements or similar postings made on a Town platform or a platform purporting to be the official Town-related platform of a Councilor shall adhere to the highest ethical standards, shall be viewable by the public; shall treat all comments equally (if the platform or Councilor allows comments) unless such public comments are abusive, threatening, obscene, or libelous; and shall avoid disparaging remarks about any fellow Councilor. Councilor statements made on personal webpages or similar social media platforms concerning Town issues pending or foreseeably pending before the Council shall follow the conduct rule above (Section IV.C) and, in order to comply with 1 MRSA § 400 *et. seq.* (Freedom of Access), shall be preserved once posted. In order to comply with the provisions of 1 MRSA § 403 (public meeting), no other Councilor shall comment on or engage in deliberation or inter-Councilor discussion that should be properly confined to public meetings. Given the foregoing limitations on a Councilor's ability to comment on, deliberate or discuss another Councilor's social media communication(s), when communicating via social media regarding Town matters a Councilor shall use due care if summarizing, characterizing, or otherwise describing the views or positions of other Councilors.
- F. **Conflicts of Interest**
1. **Purpose and Application.** It is the policy of the Town Council that the proper operation of democratic government requires that public officials be independent, impartial and responsible to citizens; that public service not be used for personal gain; and that the public has confidence in the integrity of its municipal government. The purpose and intent of this Conflict of Interest Policy is to promote improved transparency and public trust and to protect the integrity of Town government against actual or reasonably perceived conflicts of interest without creating unnecessary barriers to public service.

This Policy applies to all members of the Town Council. This Policy shall not prevent the Town Council from adopting additional

procedures and standards intended to prevent the exercise or appearance of improper influence or bias in the conduct of Town business. This Policy is intended to supplement, but not replace, any Maine or federal law governing conflicts of interest.

2. **Potential Conflicts of Interest**

A conflict of interest may arise when specific circumstances exist such that a Town Councilor may reasonably be presumed to be motivated by a personal interest and/or direct financial interest rather than the public interest. Although not intended as an exhaustive list, this Policy addresses, by example, three circumstances where a conflict of interest may arise, and where Town Councilors are encouraged to exercise caution before determining that their participation in decision making on a particular agenda item is in compliance with this Policy:

- a. When a matter before the Council could have a direct personal and/or direct financial benefit or detriment to the Councilor or the Councilor's immediate family members;
- b. When a matter before the Council could have a direct personal and/or direct financial benefit or detriment to the Councilor's employer or immediate family's employer(s); or
- c. When a matter before the Council could have a direct personal and/or direct financial benefit or detriment to any outside organization for whom the Councilor holds an official leadership position.

3. **Definitions.** "Immediate family" is defined under this Policy to mean the Councilor's spouse, child, (natural or adopted), parent, brother or sister, and any other person with whom a Councilor shares living quarters under circumstances that closely resemble a marital relationship or who is financially dependent on the Councilor. "Step" relations shall be deemed the same as natural relations.

4. **Avoidance of appearance of conflict.** Town Councilors should avoid the appearance of a conflict of interest, bias or improper influence by disclosure and/or abstention.

5. **Disclosure; Abstention; Vote to Excuse.** Councilors are required under this Policy to disclose any potential conflict of interest they may have in any agenda item before the Council. Upon disclosing a potential conflict of interest, the Councilor shall state the Councilor's position on whether abstention from the decision-making process (including any discussion, deliberation and/or vote) regarding that agenda item is either appropriate or unnecessary. The Council,

excluding the disclosing Councilor, shall then vote to excuse or not excuse such Councilor from participating in the deliberation or vote.

6. **Abstention not required.** It is not the intent of this Policy to prevent Councilors from voting on matters while acting in a legislative capacity even if their actions may be based upon strongly held personal views, so long as there is no private interest in the outcome of the decision.

Moreover, given the relatively small size of the Yarmouth community, Councilors may be faced from time to time with making decisions that affect their personal interests in a manner substantially similar to the interests of other Yarmouth residents. For example, Town Councilors are not automatically disqualified from voting on a Town-wide zoning change merely because they own land that will be affected by the zoning decision, especially if the private benefits to the Councilor involved in the legislative action are speculative, indirect and/or insubstantial.

VI. COUNCIL COMMITTEES

- A. At the commencement of the municipal year, there shall be chosen the following committees; each committee to consist of such members of the Council as the Town Council may designate:
 1. Trust Fund Advisory Committee (3 members)
 2. Nominating Committee (3 members)
 3. Operations Committee – which shall be a committee of the whole Council – (7 members)
 4. Such other Committees, Subcommittees or Task Forces as the Town Council may, from time to time, establish.
- B. The members of the Council to serve on the above committees shall be chosen by the Council by a majority vote, and the Chair shall be an ex-officio member of such standing committees.
- C. Prior to appointment of these standing committees, there shall be an informal meeting (caucus) of the Council to discuss their makeup.
- D. The Town Council may appoint members of the Council and/or citizens of the Town to committees by a majority vote. No committee shall have the power of executive action unless specifically authorized and shall report back to the Council for action on its recommendations or proposals.

VII. VOLUNTEER COMMITTEES

- A. Volunteer Committees play an important role in the management of the Town's affairs. Over the years, Committees have formed to serve as a resource on a variety of subjects and projects. Some Committees form for a single purpose and have a limited life span; others serve as an ongoing resource on matters that require the Town's ongoing stewardship.
- B. **Purpose.** The purpose of volunteer committees is to assist the Town Council in the management of the Town's affairs. Ideally, these Committees will serve to inform, educate and advise the Town Council on variety of subject matters.

C. **Existing Committees** (as of June 15, 2023)

There are hereby established the following volunteer committees:

1. Affordable Housing Committee
2. Bike & Pedestrian Committee
3. Board of Assessment Review
4. Climate Action Task Force
5. Committee for Energy Efficiency & Sustainability (CEES)
6. Comprehensive Plan Steering Committee
7. Economic Development Advisory Board (EDAB)
8. General Board of Appeals
9. Harbor & Waterfront Committee
10. Historic Preservation Committee
11. Investment Advisory Committee
12. Library Board of Trustees
13. Parks and Lands Committee
14. Planning Board
15. Police Services Advisory Committee
16. Program Advisory Committee
17. Recycling Committee
18. Shellfish Conservation Committee
19. Tree Advisory Committee

- D. **Committee Membership, Voting and Attendance.** Committee membership requires formal appointment by the Town Council. Once formally appointed, all members are entitled to fully participate in, and vote on any matters before the Committee. It is recommended that each

Committee appoint a Chairperson to preside over the meetings. Committee members are expected to attend a majority of the Committee meetings. Any member may resign at any time. Any member who misses three (3) consecutive meetings [unless excused] may be presumed to have resigned.

- E. **Role of Town Council Liaison.** Each Committee shall be assigned a member of the Town Council as a Liaison. The Liaison serves as a conduit between the Committee and the Council. In this role, the Liaison will share information and updates between the Committee and the Council, advise the Council on any specific needs of the Committee, and coordinate formal presentations before the Council. The Liaison will also serve as a resource and mentor for the Committee when appropriate. The Liaison is not a voting member of the Committee.

- F. **Meetings, Agendas and Records.** Frequency of meetings, including dates, times and locations as well as meeting agendas should be posted to the Town web site in a timely manner prior to a proposed meeting. Meeting minutes are encouraged to be taken and posted to the Town website.

- G. **Annual Work Plan and Annual Report.** With the goal of keeping the various Committees and the Council focused and engaged, the Council requests that each volunteer Committee prepare an annual work plan, and present that plan to the Town Council for approval on an annual basis. The work plan may include items that the Council requests the Committee work on in the coming year, or it may include matters that the Committee would like to address and present to the Council for consideration. Any budget requests should be included in this work plan. Volunteer Committees should also prepare an annual report on their work during the prior year for inclusion in the Town's annual report.

- H. **Presentations to the Council.** With respect to matters formally presented to the Town Council, the Council requests that any presentations include, at a minimum, the following:
 - 1. What is/are the issue(s), or subject matter before the Council?
 - 2. What is the purpose of the report/presentation? Is it informational, action requested, or both?
 - 3. What are the Town's options in addressing/acting upon the issues or subject matter? What are the pros/cons or costs/benefits for each option?
 - 4. What are the Committee's conclusions/recommendations? Are they the best options and why are they in the best interest of the Citizens of Yarmouth?

The Council's goal is to be informed, educated and advised so the Council can make informed decisions on behalf of the Citizens of Yarmouth.

- I. **Conflicts of Interest.** Volunteer Committee members are subject to Conflict of Interest Policy adopted by the Town Council.

VIII. ADOPTION AND AMENDMENTS

- A. In accordance with Article II, Section 8 of the Town Charter, the Council shall adopt rules and order of business. These rules shall be adopted at the first Regular Meeting following the annual organizational meeting.
- B. The rules may be suspended temporarily only with the consent of five (5) of the members of the Council.
- C. No rule or order shall be amended or repealed without notice to all members of the Town Council, in writing, being given at least ten (10) days in advance of such proposed vote to amend or repeal.

Amended:

11/17/94, 05/26/99, 07/18/00, 06/17/02, 06/12/03, 08/21/03, 06/10/04, 06/15/06,
06/19/07, 08/06/09, 07/01/10, 06/16/11, 02/15/18, 6/20/19, 6/16/22, 6/15/23

Attachments to the Council Rules for Reference:

Town Council Committees

Trust Fund Advisory Committee:

A. Description

This Committee shall be empowered to take all necessary and prudent actions related to the investment, management, and beneficiary distributions of the various trust accounts, and shall report on the summary of its activities to the Town Council annually. To the extent permissible by law, the work of the committee shall be deemed confidential to protect the privacy interests of beneficiaries and applicants for distributions.

Nominating Committee:

A. Guidelines

1. Turnover

- a. It is the intent of the Appointments Committee to encourage turnover in citizen committees.
- b. Existing members whose terms are expiring and who have served four or fewer consecutive years may be nominated for reappointment provided:
 - i. The member seeks and is qualified for reappointment; and
 - ii. The member has demonstrated a sufficient level of interest and ability as demonstrated through attendance and participation; and
 - iii. The member's reappointment is considered to be in the interest of the Town of Yarmouth.
- c. Existing members who have served five or more consecutive years may be nominated for appointment to complete a remaining unexpired term of another position on the same board/committee under the same criteria as A. above and such member may be nominated for reappointment to a full term only if other qualified candidates are determined to be unavailable after completion of the Appointments Committee recruitment process.
- d. If existing members are unavailable or not qualified for reappointments under Sections A or B above, then the

Appointments Committee may cause a list of the vacancy(ies) to be published in the NOTES with a request for applications or expressions of interest. The Town Clerk shall maintain a list of all applicants and shall maintain the list for a two-year running period, updated at least annually.

2. Interviews

- a. The Appointments Committee may, on its own discretion, and on a case-by-case basis, determine if applicants should be interviewed and how many.

Operations Committee

A. Description

The Council shall function as a whole (seven members) for purposes of developing the annual operating and capital budget, and for significant financial concerns including, but not limited to: debt structuring, investment and reserve fund policy, audit review, major capital projects, employee compensation and benefits plans, risk management, accounting systems and technology applications, fixed asset and infrastructure accounting and capitalization policies, and contingent debts and liability concerns. The Operations Committee may establish various subcommittees to investigate or oversee any number of concerns or issues, and may delegate some or all of its responsibilities to another standing committee. In addition, the Operations Committee shall meet regularly to review and discuss operations of the municipal departments, committees and advisory boards, to consider long range planning and land use issues, and to investigate all other public concerns and interest effecting the community and municipal services.