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**AGENDA
SPECIAL SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
TUESDAY, DECEMBER 9, 2014
5:30 P.M.**

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Discussion regarding Board and Commission members' actions and the repercussions it may have on staff, current and future developers, Council and the Town as a whole. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.1 for the purpose of discussion and possible dismissal of Commissioner Robert Burnside from the Town Planning and Zoning Commission.**
4. **Following the executive session, the Town Council may vote to remove Commissioner Burnside from the Town Planning and Zoning Commission.**
5. **Adjournment**

Posted by:

B. B. B.

Date/Time:

12-4-2014 10:11 AM

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

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Administrative Offices
Town of Camp Verde

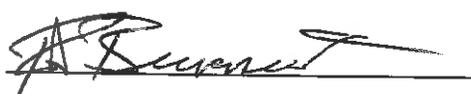
Notice to Appointed Position/Public Officer of Executive Session

Pursuant to ARS §38-431.03.A.1, a public body may vote to go into an executive session for discussions concerning the employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee, or employee of any public body, except that with the exception of salary discussions, an officer, appointee, or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee, or employee with written notice of the executive session as is appropriate, but not less than 24 hours for the officer, appointee, or employee to determine whether the discussion or consideration should occur at a public meeting. **After being given notice of the meeting, the Appointed Position/Public Officer may request that the discussion occur at a public (open) meeting rather than an executive session.**

Since legal action cannot be taken at an executive session, the Town will typically schedule a special session that addresses your appointment as part of the agenda, allow for a vote to go into an executive session, and then re-convene to take any legal action. Other than the Council members, only those persons "whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities may attend the executive session" (ARS §38-431.2). This normally is limited to a recording secretary for the Council (although, the meeting is usually taped). The Council may permit you and your attorney to attend. **Pursuant to ARS §431.03.B, all discussions at an executive session are to be kept confidential, except from 1) members of the public body which met in executive session; 2) officers, appointees, or employees who were the subject of discussion or consideration pursuant to subsection A, paragraph 1 of this section; 3) the auditor general on a request made in connection with an audit authorized as provided by law; and 4) a county attorney or the attorney general when investigating alleged violations of this article.** Any discussion or actions taken at a regular or special session are open to the public.

A Special or Executive Session concerning your appointment with the Town of Camp Verde is now set for **Tuesday, December 9, 2014 at 5:30 p.m. at Town Hall Council Chambers, 473 S. Main Street St. 106.** Please sign and date this notice to acknowledge its receipt, and initial one of the lines below to indicate your preference.

- I prefer the session remain an executive session.
- I request the executive session not be called and the discussion occur at a public meeting.

Signature 

Date 11-27-14

Mayor's suggested Script with additional information for meeting.

No Call to the Public as this is a Council Action related to its appointment of a Commissioner.

Council appointment of Commissioner Burnside date: July 16, 2014

This question focuses on the conduct/behavior of the commissioner, not on diversity of opinion which is encouraged by Council through their appointments and as related to the issues discussed and or approved by the Commission.

Review as necessary with Council highlighted portions of Code of Conduct, Town Policies and Procedures as presented in Council packet.

Informal conversation occurred between Mayor German and Commission Chairperson B. J. Davis after the first couple of Commission meetings involving Commissioner Burnside indicated Chairman Davis had concerns but wasn't particularly worried about Commissioner Burnside's conduct during the meetings at this point. Chairman Davis suggested that rather than speak directly to Commissioner Burnside, Davis would prefer giving it a little more time to see if the behaviors self-corrected. Mayor German did mention his conversation with Chairman Davis to the Manager indicating that perhaps the Manager might wish to speak to Commissioner Burnside, recognizing that they both had over a 3 year opportunity of working together as Manager and Mayor.

Sometime later after more commission meetings: Chairman Davis stated that the behavior/conduct was continuing bringing distractions and disruptions to the meetings. Mayor German then stated that he would go directly to the Manager to ask if he would talk more specifically to Commissioner Burnside. Town Manager Martin stated he would do so. It was reported back to the Mayor that Commissioner Burnside acknowledged his conduct and apparently relayed to the Manager he understood the issue.

Mayor to call Chairman Davis to explain the beginnings of his concerns and his actions leading up to and through the meeting Commissioners' meeting of November 6, 2014.

Questions by Council members.

Mayor German to call the Town Manager to explain his actions and conversations with Commissioner Burnside in an attempt to intervene and mitigate concerns expressed by Chairman Davis.

Questions by Council members.

Once again on Thursday evening November 6, 2014 near the end of the Planning and Zoning Commissioners' regularly scheduled meeting, Commissioner Burnside apparently presented himself near the end of the meeting with behavior toward staff which has been termed as being in violation of the Town's Code of Conduct and unacceptable. His conversation and actions are recorded via video and audio of the meeting.

Mayor German received a subsequent phone call from B.J. Davis and during the conversation Chairman Davis believed that Commissioner Burnside had violated the Code of Conduct for Council, Boards, and Commissions. It was specifically pointed out that behavior exhibited by Commissioner Burnside toward town staff personnel: Jenna Owens and Michael Jenkins was disturbing and extremely less than professional. Mayor German related to Chairman Davis that this would now have to go to the Council in accordance with policy and procedures. On or about Monday, November 10, 2014, Mayor German received a phone call from a Commissioner who was in attendance at the November 6 meeting and witnessed the behavior exhibited by Commissioner Burnside. This Commissioner expressed concern about the behavior/conduct of Commissioner Burnside. He also expressed reluctance, if not refusal of continuing to serve as long as Commissioner Burnside was on the Commission. His objection was not for the diversity of opinion Commissioner Burnside often expressed, but rather Commissioner Burnside's display of behavior and conduct during the Commission meetings especially during the November 6, 2014 meeting.

On or about, Monday morning November 10, 2014, after understanding that both members of staff were extremely upset from the way they were treated by Commissioner Burnside during the Commission meeting, Mayor German went their staff office to check in on them. They both relayed to Mayor German how upset they were at how they were treated. It was during this visit that an e-mail was drawn to the Mayor's attention which had been sent by Commissioner Burnside in reply to Mr. Jenkin's original e-mail relaying the Town Attorney's opinion about the process of how the items for discussion and approval were legal and appropriate. Commissioner Burnside replied to all listed commissioners as well as perhaps others thereby approaching the possibility of a violation of the open meeting law.

On Thursday, morning November 13, 2014, at the request of a third Commissioner, Mayor German met with him and who stated that he was very much concerned about the conduct and behavior exhibited by Commissioner Burnside. He believed that staff members had been dealt with in a very disrespectful and unprofessional manner as well as to fellow commissioners and the developer.

Town Manager Martin relayed to Mayor German that he had reviewed the audio and video and stated that the behavior was unacceptable and that he would have a memo stating his findings and make it available to Council. Mayor German stated that Town Policies and Procedures required that the Mayor bring the issue to the Council. Members of the Board of Commissioners serve at the pleasure of the Council and that the Town Council will not tolerate inappropriate behavior toward members of the Council, Boards, Commissions, and other appointed officials or to Town staff members.

Present Video and Audio of the subject portion of the Commissioners' meeting of November 6, 2014. Present Manager's Memo to Council

Manager to answer questions about his Memo including his observation of the video of the Commissioners' meeting.

Questions by Mayor & Council.

Mayor to call on Commissioner Burnside to address Council concerning the allegations that he violated the Town Code of Conduct, Policies and Procedures through his display of behavior/conduct.

Questions by Mayor & Council to Mr. Burnside

Council discussion/ decision as to whether the Code of Conduct was violated and that if it was violated that Commissioner Burnside subsequently be removed as Commissioner.

Rendering of Decision by Council.

Adjournment.



Camp Verde, Arizona

LETTER OF INTEREST

Name:		Date:	
Home Address:			
Mailing Address, if different:			
Email Address:			
Home Telephone:		Work Telephone:	
Are you a resident of the Town of Camp Verde? <input type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input type="checkbox"/> No	
Length of residency in the Town of Camp Verde:		Do you operate a business in Camp Verde? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name and address of business (if applicable):			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served:			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1.		3.	
2.		4.	
Education and Community Service			
Schools Attended:		Degree:	Year:
Civic Activities-Service Organizations		Office Held:	Year Begun: Year Ended:
Please state why you would like to be appointed to a Town Board, Commission, or Committee: _____			
Have you ever been charged and convicted of a crime? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes please explain.			
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?			
(a)			
(b)			
(c)			

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: _____

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 567-6631, extension 105 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: _____ Date: _____

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual:	
Date Appointed by Council:	
Board or Commission appointed to:	

Memo

To: Mayor and Town Council

From: Russ Martin, Town Manager

Date: November 12, 2014

Re: Actions from November 7th Planning Commission Meeting

On Friday November 7th I went to see how the previous night's Planning and Zoning Commission meeting went. Upon arrival the Assistant Planner Jenna Owens and Community Development Director Mike Jenkins were in a conference call with the Town's attorney discussing the previous evenings statements made by Commissioner Bob Burnside. It was clear to me then and even more clear to me after review of the video that staff was intentionally embarrassed to make Mr. Burnside's points. Staff then, with the attorney, drafted a response for clarification that was sent to the Planning Commission in an attempt to ensure these volunteers that what they did the night before was legal and alright. This email was then "replied to all" initiating a string of conversation on a topic potentially causing an open meeting violation.

It was after much thought, I felt responsible to report this to the Mayor and Town Council as this action and the potential for future actions by Commissioner Burnside may more than a conversation with the Commissioner and that I must take it to the Town Council to address. I have tried to personally address this with Commissioner Burnside for a while and in fact tried to address some of these concerns relayed to me just the night before. However, it appears I am unable to assist the Town's Staff and now the Town's Planning Commission in reducing or eliminating this type of action. More importantly it concerns me based on the reaction of the staff that morning and then review of the video that this must not happen again and staff cannot be put in this position. Staff is and will remain professional on such obvious outbreaks that question the staff's integrity as well as the Town's ability to handle any development application in the future without negative consequences for the Town. Commissioner Burnside may have legitimate questions or concerns, that I am not concerned with and frankly have welcomed since my arrival here,

however I have addressed it before I have apparently been unable to deter his apparent contempt for staff in this instance.

To this point, I received a forwarded message from the applicant sent at 4 am that next morning because of his' understandable concerns related to the future of development in Camp Verde as well as what he saw as the Town's efforts to establish a better reputation in handling development, especially business related.

I am requesting Town Council consider how the actions taken reflect one on the Town and two the subsequent negative response received by applicant and do what is necessary to keep this type of occurrence from deterring the positive work being accomplished by the Community Development Staff and the Planning Commission.

If you have any questions, comments or concerns regarding this matter, please feel free to contact me.

Virginia Jones

From: Steve Ayers
Sent: Tuesday, November 25, 2014 10:04 AM
To: Virginia Jones
Subject: FW: P & Z Meeting

From: GSSimonton@aol.com [mailto:GSSimonton@aol.com]
Sent: Friday, November 7, 2014 4:21 AM
To: Steve Ayers
Subject: P & Z Meeting

Steve, it is 4:00 in the morning. Can't sleep due to the upsetting meeting last night.

Try and present exactly what the town asks for...Try giving property to accomplish Town goals...Try to bring recognition and acclaim to the Town...Follow procedure exactly as the Town instructs...and you still have to stand and take abuse and leave frustrated. No wonder business has not come to Camp Verde. I have spent most of tonight wondering whether I should just dump my property in Camp Verde and pursue ventures elsewhere.

I feel sorry for you trying to promote Camp Verde as a business friendly place. It is not.

Scott Simonton
310 N. Portland avenue
Gilbert, AZ 85234
Phone 480-218-7575
Cell 480-220-8280

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board / Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 

Town Policies and Procedures

3.8 CONDUCT AND DECORUM

A. Members:

1. Any Member desiring to speak shall address the Presiding Officer and upon recognition by the Presiding Officer, may speak. The Presiding Officer shall not unreasonably withhold such recognition. However, the Presiding Officer may call for a vote as to whether to continue a repetitive discussion or motion.
2. When two or more Members wish to speak, the Presiding Officer shall determine the order of speaking and recognize the first speaker.
3. While a Member is speaking, no other Member shall interrupt except to make a point of order or point of personal privilege. A point of order is raised when a Member raises a question of whether there has been a breach of the procedures. A point of privilege is raised when a disturbance occurs or when anything affecting the rights of the Members occurs and a Member states the problem; the Presiding Officer decides the question.
4. When a motion is made and seconded, the Presiding Officer shall ensure that the debate is confined to the motion.
5. The Town Council will not tolerate harassment, personal attacks, or discrimination against each other or by members of appointed Boards, Commissions, or Committees. **Any Town Council appointee who violates this provision will be subject to removal by a majority vote.** Elected Officials who violate this section may be subject to the provisions of Section 15.11 Sanctions.
6. If a Member acts in violation of these rules, the Presiding Officer shall, or any Member may, call that Member to order. The Member so called shall immediately cease speaking, but may appeal to the Town Council or Board, Commission or Committee, as applicable. Any such appeal shall be decided by a majority vote without debate. See Section 1.3.

11.9 TERM, VACANCIES, AND REMOVAL

A. All members of the Town's Boards, Commissions, and Committees **shall serve at the pleasure of the Council** and any Board, Commission, or Committee member **may be removed by the Town Council.**

B. A vacancy on a Board, Commission, or Committee shall be deemed to have occurred upon the following:

1. Death or resignation of a member of a Board, Commission, or Committee.
2. A member ceasing to be a Town of Camp Verde resident.
3. Three consecutive unexcused absences by a member from Board, Commission, or Committee meetings. Unexcused absences are those in which a member has failed to provide sufficient notice to the Department Head (at least three days if not an emergency). Such notice allows staff to determine if a quorum will be present.
4. Failure to attend mandatory meetings as set by Council (i.e. work sessions, Quarterly Report meetings, or the Annual Training meeting for all Boards and Commissions).

C. If a Member is no longer eligible to serve and does not resign voluntarily, the Department Head shall notify the Town Manager that a vacancy has occurred. The Manager shall place the matter on the next available agenda for Council consideration.

13.5 COUNCIL CONDUCT WITH TOWN STAFF

Governance of a Town relies on the cooperative efforts of elected officials, who set policy, and Town staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

A. Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Inappropriate behavior towards staff is not acceptable.

B. Limit contact to specific Town staff

Consequently, remember Town staff is accountable to their supervisors. Tasks performed by staff that come from outside the normal chain of supervision could cause staff confusion, inadequate work product and inefficient performance. Questions of Town staff and/or requests for additional background information should be directed through the Town Manager, Town Clerk or Department Heads, or the Department Head's designee. The Town Manager should be copied on any request. In accordance with Town Code Section 3-2-1-E, no Council Member shall give orders or instructions to any subordinate of the Town Manager other than instructions for the purpose of inquiry without the consent of the Town Manager.

J. Other Town Public Officials

The foregoing guidelines concerning "Conduct with Town Staff" shall be followed not only by Council Members but also by other Town Public Officials.

When in doubt about what staff contact is appropriate, Council Members should ask the Town Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

C. Do not disrupt Town staff from their jobs

Council Members should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

D. Never publicly criticize an individual employee

Council should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Misdirected comments could violate the Town's personnel rules and limit the Town's ability to deal fairly and efficiently with personnel matters. Comments about staff performance should only be made to the Town Manager through private correspondence or conversation.

15.8 COUNCIL CONDUCT WITH BOARDS AND COMMISSIONS

The Town has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

A. If attending a Board or Commission meeting, be careful to only express personal opinions

Council Members may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation - especially if it is on behalf of an individual, business or developer - could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.

B. Limit contact with Board and Commission members to questions of clarification

It is inappropriate for a Council member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

C. Remember that Boards and Commissions serve the community, not individual Council Members

The Town Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

D. Be respectful of diverse opinions

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair and respectful of all citizens serving on Boards and Commissions.

E. Keep political support away from public forums

Board and Commission members may offer political support to a Council member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Town Council Member.

F. Inappropriate behavior can lead to removal

Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council.

15.10 ENFORCEMENT OF THE ETHICS POLICY

A. Complaints

1. Public Officials themselves have the primary responsibility to assure compliance with this Code of Conduct.
2. The Chairs of commissions, boards, and committees and the Mayor have the additional responsibility to intervene when actions of the Public Officials appear to be in violation of this Code of Conduct.
3. If the Mayor or the chair of the applicable board, commission or committee fails to intervene, two members of the Council, board, commission may request the Mayor or the chair of the applicable public body to intervene. If the complaint arises out of actions or inactions of the Mayor or the chair, the matter shall be directed to the vice-mayor or vice-chair. If the Mayor, chair, vice-mayor or vice-chair fails to intervene, then the matter shall be referred to the Town Attorney.
4. The Town Attorney shall review the complaint and shall simultaneously notify in writing the Town official subject to the complaint of such review.
5. Within 30 days, the Town Attorney shall submit the results of his or her review to the complainant, to the official who is the subject of the complaint, and to the Mayor or chair of the public body on which the official who is the subject of the complaint sits. If the matter cannot be resolved within ten days, the matter shall be referred to the Town Council. The Town Council shall consider the Town Attorney's report at a public meeting. If the Town Council finds an ethical violation by a person serving on a commission, board or committee, then the Town Council may remove the member from the Town board, commission, or committee. In resolving a complaint, the totality of the

circumstances shall be taken into consideration, including the intent of the person accused of the wrongdoing.

6. In addition, the Town Council may impose sanctions on Public Officials whose conduct does not comply with this Code of Conduct, such as reprimand, censure, loss of seniority or committee assignment, or official travel restrictions.

Town Code Provisions

ARTICLE 4-1

MEMBERSHIP (2000-A164) (2003-A260) (2003-A261)

A. Membership and Organization. Each board and commission shall be made up of seven members appointed by the Council in accordance with the procedures contained in subsection B of this Article. The organization of boards and commissions shall include a chairperson, and vice-chairperson who are elected from the membership in accordance with Article 4-2.

B. Selection of New Members. (2000-A164) (2002-A231) (2003-A261) August 2014. Prior to the expiration of terms for board and commission members, the Town Clerk shall call for letters of interest from the general public. Such letters shall be filed with the Town Clerk in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate resolution or ordinance that created the board or commission. The Council may establish any other requirements at the time such appointments are sought for the purpose of aiding the Council in completing the selection process. Any member of a board or commission appointed by the Council shall reside within the corporate limits of the Town. However, Council may waive the residency requirement with good cause, except for appointments to the Planning and Zoning Commission, Board of Appeals and Board of Adjustments. If a member holding a position relocates outside of the Town limits, other than within 90 days from the end of the appointed term, he or she shall resign from the board or commission.

(Rev. 2004 by Ord 2003-A261)

C. Terms of Members. (2000-A164) (2003-A260)

All members are appointed to boards and commissions to three (3) year terms that begin on January 1 of the year such appointment is made. Members may be re-appointed to additional terms. Such terms are to be staggered so that the terms of no more than three members shall expire in any given year.

D. Removal. Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled

meetings in any municipal year, or **improper conduct as determined by the Mayor and Council.**

†5.5 COUNCIL CONDUCT WITH TOWN STAFF

Governance of a Town relies on the cooperative efforts of elected officials, who set policy, and Town staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

A. Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Inappropriate behavior towards staff is not acceptable.

B. Limit contact to specific Town staff

Consequently, remember Town staff is accountable to their supervisors. Tasks performed by staff that come from outside the normal chain of supervision could cause staff confusion, inadequate work product and inefficient performance. Questions of Town staff and/or requests for additional background information should be directed through the Town Manager, Town Clerk or Department Heads, or the Department Head's designee. The Town Manager should be copied on any request. In accordance with Town Code Section 3-2-1-E, no Council Member shall give orders or instructions to any subordinate of the Town Manager other than instructions for the purpose of inquiry without the consent of the Town Manager.

Prior to the expiration of terms for board and commission members, the Town Clerk shall call for letters of interest from the general public. Such letters shall be filed with the Town Clerk in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate resolution or ordinance that created the board or commission. The Council may establish any other requirements at the time such appointments are sought for the purpose of aiding the Council in completing the selection process. Any member of a board or commission appointed by the Council shall reside within the corporate limits of the Town. However, Council may waive the residency requirement with good cause, except for appointments to the Planning and Zoning Commission, Board of Appeals and Board of Adjustments. If a member holding a position relocates outside of the Town limits, other than within 90 days from the end of the appointed term, he or she shall resign from the board or commission. (Rev. 2004 by Ord 2003-A261)

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D. Removal. Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

ARTICLE 4-2

ORGANIZATION (2008-A355) (2008-A360)

A. First Meeting. Each board and commission, during its first meeting of the month of January of each calendar year, shall:

1. Elect a Chairperson. The board or commission shall accept nominations from its membership for a chairperson. Such nominations shall be made, and seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board or commission.
2. Elect a Vice-Chairperson. The board or commission shall accept nominations from its membership for a vice-chairperson. Such nominations shall be made, and seconded, and selection of one vice-chairperson shall result upon a majority vote of the full membership of the board or commission.
3. Set the Regular Meeting Schedule. The Council shall establish regular meeting dates and times and regular meeting place by resolution in January of each year. Commissions may schedule special meetings and work sessions subject to approval of the Town Manager.

B. Duties of Officers/Members. (2008-A355)

The duties and powers of the various officers and members of the boards and commissions are as follows: