

TOWN OF LIMESTONE



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BOARD OF SELECTPEOPLE BY-LAWS



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**TOWN OF LIMESTONE, MAINE
BOARD OF SELECTPEOPLE BY LAWS**

SECTION 1.0 PURPOSE AND SCOPE

The purpose of these bylaws are to establish reasonable rules of procedure for Board Meetings and to promote the fair, orderly, and efficient conduct of the Board's proceedings and affairs. These bylaws should govern the Board's practices and procedures except as otherwise provided by law and shall be literally construed to accomplish their purpose.

SECTION 2.0 CHAIRPERSON

2.1 CHAIRPERSON TO BE PRESIDING OFFICER:

The Chairperson shall take the chair at the time of the meeting, call the members to order, confirm the presence of a quorum, and proceed with the order of business.

2.2 PRESERVE ORDER, DECIDE ALL QUESTIONS OF ORDER:

The Chairperson shall preserve decorum and order on motions made and seconded and may speak to points of order in preference to other members and shall decide all questions of order. No other business shall be in order until the point of order or other matter under question is decided.

2.3 DECLARE VOTES:

The Chairperson shall declare all votes, but if a member doubts a vote, the Chairperson shall call a room call vote of the members voting in the affirmative and in the negative without debate.

2.4 VOTING AND SPEAKING:

The Chairperson shall be entitled to speak, and ordinarily shall vote, on all matters.

2.5 DECORUM OF BOARD:

The Chairperson shall preserve decorum and order of the Board. Selectpersons, who do not maintain their composure may be excused from the meeting until such composure is under their control.

2.6 ROBERT'S RULES

The Chairperson, when deciding matters of parliamentary procedure not covered by these bylaws, shall be guided by Robert's rules of Order, latest revised edition. A copy shall be available at each meeting.

2.7 CHAIRPERSON TO APPOINT COMMITTEE(S):

The chairperson shall be able to appoint any committee in the interest of town business.

SECTION 3.0 VICE CHAIRPERSON

3.1 ROLE OF:

The Vice Chairperson shall exercise the powers and duties of the Chairperson in the temporary absence or disability of the Chairperson except to appoint any committee.

3.2 ABSENCE OF BOTH CHAIRPERSON AND VICE PERSON

At any meeting at which a quorum is present but the Chairperson and Vice Chairperson are absent any member of the Board may call the meeting to order to elect a Chairperson Pro-Tempore from among its number who shall exercise all the powers of the Chairperson during the meeting except to appoint any committee.

SECTION 4.0 VOTING

4.1 EXCUSED FROM VOTING:

Every member present when a question is put forth shall give their vote unless the Board for special reasons shall excuse the member.

4.2 CONFLICT OF INTEREST:

No member shall participate in the debate or vote on any matter before the Board in which that member has a conflict of interest. The member shall leave the general area of deliberations until the matter has been discussed or decided.

4.3 NOT TO LEAVE SEAT:

Whenever a matter is put to the vote, no member shall leave the meeting until the vote is taken.

4.4 VOTE DOUBTED:

When a vote is doubted, the Selectpeople for and against the motion shall rise when called upon the Chairperson and remain standing in their places until counted. A call for the yeas and nays shall be in order at the time before such vote is made certain and declared.

4.5 SATISFACTORY WORDING:

The Chairperson shall be satisfied that the item and the amendments thereto are properly worded before the Selectpeople vote upon them.

4.6 QUORUM:

A majority of the Selectpeople shall constitute a quorum for the transaction of the business. Without a quorum, The Board cannot legally take any action, however the Selectpeople who are present may discuss issues informally. When only three Selectpeople are available to vote, the decision shall be binding on the Board only if all three vote unanimously for or against.

SECTION 5.0 MEETINGS

5.1 REGULAR AND SPECIAL MEETINGS:

Regular meetings of the Board shall be held on the first and third Wednesday of the month or as otherwise necessary or required by law.

5.1.1 Special meetings may be called at the discretion of the Chairperson or upon request of a majority of the Board, provided, however, that notice thereof shall be given to each Selectperson at least 3 days in advance and that no business may be conducted other than that specified in the notice.

5.1.2 Emergency or Impromptu Meetings may be called at the discretion of the Board to deal with a specific issue requiring prompt or immediate attention. Whenever the general public could not be expected to anticipate the time and location of any meeting held outside of the regular schedule, some form of public notice is still required,1 MRSA §406 provides specific instructions for emergency meetings.

5.1.2.1. *In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include the time and location, by the same or faster means used to notify the member of the agency conducting the public proceeding.*

5.1.3 No Public Meeting, no matter how hastily convened, may occur without some notification effort being made or, at a minimum, the local press invited. It is also clear that in those cases public notice was inadequate, the Board members should be able to explain why better notice was not provided.

5.2 NOTICED REQUIRED:

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law. No business may be conducted by the Board except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board being present.

5.3 AGENDA:

Each regular meeting shall have an agenda which shall be prepared by the Town Manager with input from the Selectpeople, citizens and others.

The agenda shall be delivered to the Selectpeople on the Thursday evening before the regular scheduled meeting or at least seventy-two hours before the meeting. The agenda shall be posted in at least three conspicuous places within the town at least seventy-two hours before the meeting.

5.4 DEADLINE FOR FILING AGENDA ITEMS:

Selectpeople wishing to request an agenda item should contact the Town manager on or before noon of the Thursday before the regular scheduled meeting. The Town Manager may sponsor items related to routine town administration but other items shall be subject to the pleasure of the Board.

5.5. AGENDA FORMAT:

The order of business at regular scheduled meetings shall be follows:

- 5.1. Call the meeting to order
- 5.2 Pledge of Allegiance & Prayer
- 5.3 Adjustments to Agenda
- 5.4 Approve Minutes
- 5.5 Committee & Board Reports
- 5.6 Managers Reports
- 5.7 Public Comments
- 5.8 Old Business
- 5.9. New Business
- 5.10 Elected Officials Reports & Statements
- 5.11. Other
- 5.12. Approve of Warrants
- 5.13 Executive Session
- 5.14. Adjournment

SECTION 6.0 PARLIAMENTARY PROCEDURE

6.1 SPEAKING BY SELECTPEOPLE:

A selectperson wishing to speak shall respectfully address the Chairperson and shall not proceed until recognized by the Chairperson. The Selectperson shall confine the discussion to the pending question and shall avoid intemperate and abusive language.

6.2 INTERRUPTION OF SPEAKER:

No Selectperson that is speaking should be interrupted by another Selectperson except for the purpose of correcting a mistake, calling for the orders of the day, making a point of order or propounding parliamentary inquiry.

6.3 VIOLATION OF RULES:

When a member may be guilty of a breach of any of the rules of procedure of the Selectpeople, upon motion, they may be required to make satisfaction therefore and shall not be allowed to vote or speak, except by way of excuse, until they have done so.

6.4 AMENDMENT OF BYLAWS:

A proposed amendment to or repeal of any rule shall be submitted in writing, be laid on the table at the meeting to which it is submitted, become the first items of unfinished business at the next meeting, and become effective upon passage.

SECTION 7.0 RULES OF DEBATE

7.1 MOTIONS WITHOUT DEBATE

Motions decided without debate shall be:

- 7.1.1 Motion to adjourn
- 7.1.2 Previous Question
- 7.1.3 Lay on the table
- 7.1.4 Remove from the table

7.2 MOTION TO TABLE TO A TIME CERTAIN:

Debate on a motion to table shall be limited to the time certain.

7.3 MOTION TO RECONSIDER:

A motion to reconsider any item of business shall be in order if moved by a member voting in the majority, or in the negative of a tie vote, at the same meeting or the next regular meeting but not afterwards. Once an item is taken again pursuant to the item shall not be reconsidered. No motion to reconsider a vote passed at a previous meeting shall be in order for reconsideration.

7.4 WITHDRAWAL OF MOTION:

A motion or order may be withdrawn by the mover with the approval of the Selectpeople at any time before a decision or amendment, except a motion to reconsider which shall not be withdrawn by consent of the Selectpeople.

7.5 MOTION TO REFER TO COMMITTEE OR ADMINISTRATIVE OFFICIAL:

A motion for referral to committee or administrative official, until it is decided shall preclude all amendments to the main question.

7.6 EXECUTIVE SESSIONS:

Executive sessions of the Selectpeople shall be pursuant to the Maine Revised Statutes 1 MRSA section 405. When a vote is taken, following an executive session, and no member of the public is present at the time the motion is made, then the Chairperson or the town clerk shall report the motion and vote no later than noon of the first business day of the town following the vote.

SECTION 8.0 PUBLIC PROCEDURE FOR ADDRESSING THE SELECTPEOPLE:

8.1 RECOGNITION:

Any organized group or person wishing to address the Selectpeople shall signify that desire by rising or raising their hand and when recognized by the Chairperson, request permission to address the Selectpeople, giving name and address from the podium and/or at least by standing.

8.2 AGENDA ITEMS:

Persons to address the Selectpeople on an item which appears on the agenda shall wait until the item is properly introduced, read, and the Chairperson announces the item open for public participation, at which time they may address the Selectpeople on that particular item. Once the Chairperson has closed the public participation on the item the public shall be permitted to address the Selectpeople on that item only at the discretion of the Chairperson or after all the items on the agenda have been completed.

8.3 NON-AGENDA ITEMS:

Persons wishing to address the Selectpeople on an item not appearing on the agenda shall do so only after disposition of all items appearing on the agenda or introduced thereto by Selectpeople.

8.4 PROPER IDENTIFICATION:

When in the opinion of the Chairperson a person's identity has not been adequately established, the Chairperson may request further information before permitting the person to speak.

8.5 DECORUM:

Persons present at a Selectpeople’s meeting are required not to applaud or otherwise express approval of any statements made or any action taken at a meeting.

8.6 INDIVIDUAL TIME LIMIT:

Persons addressing the Selectpeople other than town officials, officers and /or department heads shall be limited to three (3) minutes per item.

8.7 LIMIT OF PUBLIC DEBATE AND PARTICIPATION:

The Chairperson shall have the right to terminate the public right to speak at any time the Chairperson determines such public speaking is not germane to the item at hand, or is disruptive of the proceedings.

SECTION 9.0 ORGANIZATIONAL MEETING:

9.1 At the first regular scheduled meeting after the Annual municipal election in June, the Selectpeople shall hold an organizational meeting for the purpose of electing a Chairperson, Vice Chairperson, appointing Selectpeople to local and regional committees and for discussing usual business.

9.2 Appointing Chairperson and Vice Chairperson will run from June to June. In the event that the Chairperson resigns the Vice Chairperson will take over. In the event that both Chairperson and Vice Chairperson resign a new organizational meeting will be held for the purpose of electing a new Chairperson and Vice Chairperson.

9.3 The Town Manager will call the meeting to order and preside until the election of the Chairperson. The new Chairperson shall preside after being elected. If the Selectpeople are unable to elect a Chairperson, then the clerk shall determine the Chairperson by lot.

SECTION 10.0 CONFLICT WITH LAWS

Any conflict or inconsistency between these Bylaws and any applicable law shall be resolved in favor of the law.

SECTION 11.0 WAIVERS/AMENDMENTS

These bylaws, or any provision thereof, may be waived by majority vote of the Selectpeople unless otherwise provided by law. These bylaws may be amended in accordance with sections 6.4.

SECTION. 12.0

ATTENDANCES OF MEETINGS

At any regular Board of Selectpeople’s Meeting the attendance of the board members is very important. If a member is absent for more than three (3) consecutive meetings (a medical reason is excluded) this will cause a vacancy on the Board and an Election will be called to replace the Board Member, unless the Annual Municipal election is within 90 days from the vacancy.

Reviewed by the board on July/20th/2022

Fred Pelletier

Jesse Philbrick

Jesse Philbrick

Paul Durepo II

Paul Durepo II

Irma Labreck

Irma Labreck

Randall Brooker

Randall Brooker

Adopted _____/_____/2022. Supersedes any & all Prior Board By-Laws-/

Witness

-----/-----/2022
Date

Revision(s):

Revised Section - _____ Meeting Date - ___/___/___
Change - _____

Initials - _____

Revised Section - _____ Meeting Date - ___/___/___
Change - _____

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Revised Section - _____ Meeting Date - ___/___/___
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Revised Section - _____ Meeting Date - ___/___/___
Change - _____

Initials - _____
