

Bylaws of the Fire Department Organizational Committee of Town of Denmark

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Committee meetings and to promote the fair, orderly and efficient conduct of the Committee's proceedings and affairs. These bylaws shall govern the Committee's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Officers; Duties

Officers of the Committee shall consist of a Chairperson (Chair), Vice Chairperson and Secretary to be chosen annually at the first regular meeting in each year by and from among Committee members unless otherwise provided by law. The Chair shall preside at all Committee meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Committee to perform its duties and conduct its affairs. The chair also shall, together with the Secretary, set the agenda for each meeting. In the absence of the Chair, the Vice-Chairperson shall preside and shall have the same authority as the Chair. The Secretary shall maintain a permanent record of all Committee meetings (i.e. written minutes) and all correspondence of the Committee, which shall be a public record except as otherwise provided by law. This documentation shall be provided to the Town Manager on a monthly basis.

Section 3. Meetings

Regular meetings of the Committee shall be held monthly or as otherwise necessary or required by law. Special meetings or Workshops may be called at the discretion of the Chair or upon the request of a majority of the Committee, provided, however, that notice thereof shall be given to each member and to the general public, as required by law, at least ___ hours in advance and that no business may be conducted other than as specified in said notice.

Notice of all Committee meetings shall be given per the Town of Denmark Charter, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Committee except at a duly called and noticed meeting or without a quorum consisting of a majority of the Committee being present. The order of business at regular meetings shall be as follows:

1. Roll call and determination of a quorum.
2. Minutes of the previous meeting and communications.
3. Old (unfinished) business.
4. New business.

5. Other business.
6. Public comment.
7. Adjournment.

Rules of Public Participation.

1. All comments to and from the Committee shall be made through the Chair. The Chair is responsible for moderating the discussion and comments from the public, in order to allow for appropriate exchange of information in a manner that complies with these bylaws.
2. Public participation during regular meetings is allowed only during the Public Comment portion of the meeting. The public may be allowed to comment on an agenda item at the discretion of the Chair. The Chair may limit time for comments.
3. Any member of the Committee or the public who cannot comply with the ruling of the Chair or the rules of these bylaws during a committee meeting waives the right to participate and shall be asked to leave the meeting.

Rules of Decorum for Public Meetings.

1. All meetings shall be conducted in such a manner as to complete within two (2) hours of commencement. The Committee, by unanimous consent, can decide to extend a meeting but only at the point where the meeting can be concluded within another hour. Any action after that point requires a tabling or postponing order.
2. During Workshops – the attending public may not participate unless the Chair allows or requests such comment.
3. During Regular Meetings – the attending public may speak only in accordance with specific rules set up for the meeting.

Section 4. Hearings

Public hearings of the Committee shall be called as required by law or on such other occasions, as a majority of the Committee may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Committee may receive any oral or documentary evidence but shall exclude irrelevant, immaterial or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. The Chair may impose such reasonable time limits as may be necessary to ensure that all participants have an adequate opportunity to be heard.

Section 5. Participation and Voting

Any action of the Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chairman for good cause shown.

Section 6. Code of Conduct

Member communications outside of duly scheduled meetings.

1. Note-Ex Parte Communications - Is "an oral or written communication not on the public record with respect to which reasonable prior notice to all parties is not given..." and shall be avoided. This shall include any email correspondence between Committee members and media.
2. Communications with media relations shall also be avoided, unless previously discussed with and approved by the Chair.
3. Where communications take place inadvertently, they must be disclosed completely to the Committee in the next scheduled public session.
4. The Chair must disclose all member communications with media relations to the Town Manager.

Section 7. Conflict with Laws

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

Section 8. Waivers; Amendments

These bylaws, or any provision thereof, may be waived on any occasion by the Town of Denmark Select Board unless otherwise provided by law. These bylaws may be amended at any time by the Select Board during a scheduled Board meeting.

Adopted by the Town of Denmark Select Board on August 15, 2024.

