

**TOWN OF STOWE
CONSERVATION COMMISSION
Rules of Operation**

Adopted June 7, 2017

Section I. Authorization

The Stowe Conservation Commission shall be governed by all applicable state statutes, local ordinances and these rules. Conservation Commissions are authorized by Title 24 VSA, Chapter 118.

Section II. Powers and Duties of Conservation Commissions As Defined By Title 24 VSA §4505

1. Make an inventory and conduct continuing studies of the natural resources of the municipality including but not limited to:
 - A. Air, surface and ground waters, and pollution thereof;
 - B. Soils and their capabilities;
 - C. Mineral and other earth resources;
 - D. Streams, lakes, ponds, wetlands, and floodplains;
 - E. Unique or fragile biologic sites;
 - F. Scenic and recreational resources;
 - G. Plant and animal life, especially the rare and endangered species;
 - H. Prime agricultural and forest land, and other open lands;
2. Make and maintain an inventory of lands within the municipality which have historic, educational, cultural, scientific, architectural, or archaeological values in which the public has an interest;
3. Recommend to the Stowe Selectboard the purchase or the receipt of gifts of land or rights thereto, or other property, for the purposes of this chapter;
4. Receive appropriations for operating expenses including clerical help by appropriation through the budget of the Selectboard;
5. Receive money, grants or private gifts from any source, for the purposes of this chapter. Grants and gifts received by the trustee of public funds shall be carried in a conservation fund from year to year to be expended only for purposes of this chapter;
6. Receive gifts of land or other property for the purposes of this chapter, by consent of the legislative body or by the affirmative vote of the municipality;

7. Administer the lands, properties and other rights which have been acquired by the municipality for the purposes of this chapter;
8. Assist the Planning Commission or Development Review Board or the District Environmental Commission, by providing advisory environmental evaluations where pertinent to applications made to those bodies, for permits for development;
9. Cooperate with the Selectboard, Planning Commission, Development Review Board, or other municipal or private organizations on matters affecting the local environment or the natural resources of the municipality;
10. Prepare, collect, publish, advertise and distribute relevant books, maps and other documents and maintain communication with similar organizations; and encourage through educational activities the public understanding of local natural resources and conservation needs;
11. Make a brief annual report to the municipality of its finances and transactions for the year just passed, and its plans and prospects for the ensuing year.

Section III. Membership

A. The Conservation Commission shall have seven (7) members. All members may be compensated and reimbursed by the municipality for necessary and reasonable expenses. All members of the Conservation Commission shall be residents of the municipality.

B. Members of the Conservation Commission shall be appointed and any vacancy shall be filled by the Selectboard of the Town of Stowe. The term of each member shall be for three (3) years. Any member may be removed at any time for just cause by vote of the Selectboard for reasons given to him or her in writing and after a public hearing thereon if he or she so requests. Any appointment to fill a vacancy shall be for the unexpired term. Members may be appointed to successive terms without limitations.

Section IV. Meetings

All meetings with the exception of Executive Sessions are open to the public.

A. Annual Meeting: The annual meeting of the Conservation Commission shall be the first regular meeting in the month of May each year. This meeting shall be devoted to the election of officers for the ensuing year; review of these Rules of Operation and such other business as shall be scheduled by the Conservation Commission.

B. Regular Meetings: Regular meetings of the Conservation Commission shall be held at 5:00 p.m. on the first and third Wednesday of the month. At such meetings, the Commission shall consider all matters properly brought before the Commission. A regular meeting may be canceled or rescheduled by the Commission at a prior meeting, or by the Chair with a minimum of 24-hour notification. Commission members should notify Planning Department staff of expected absences.

C. Special Meetings: Special meetings of the Conservation Commission may be called by the Chair or Vice Chair and shall be held at a time and place designated by the officer calling the same. Notice shall be given to all members not less than twenty-four (24) hours in advance and shall be posted in at least two public places.

D. Executive Sessions: During a meeting of the Conservation Commission, a motion which indicates the nature of business to be addressed, can be made to move into "Executive Session". Upon majority vote, such session can be held that is closed to the public. Appropriate topics for Executive Session are referenced in 24 VSA, Title 1, Section 313.

E. Quorum: At any meeting of the Conservation Commission, a quorum shall consist of four (4) voting members of the Commission. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

F. Voting: At all meetings of the Conservation Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice or hand. In the event that any members shall have a personal interest of any kind in the matter then before the Commission, he/she shall disclose his/her interest and be disqualified from voting upon the matter and the clerk shall so record in the minutes that no vote was cast by such member. The affirmative vote of at least four (4) members shall be necessary for the adoption of any resolution or other voting matter. A motion can be approved only if a majority of the Commission agrees to approve.

G. Conflict of Interest: In the event that any member shall have a conflict of interest of any kind in the matter before the Commission, he/she shall disclose his/her interest. A member shall recuse himself / herself from all participation in any matter before the Commission in which there is a conflict of interest. The member recusing himself / herself shall then have all the rights of a private citizen, non-member. Circumstances under which this provision shall be exercised, include, but are not limited to the following:

1. If the member has direct or indirect financial interest in the outcome of the matter at issue and member cannot reasonably be expected to exercise sound judgment in the public interest, or;
2. If the matter at issue involves the member's own official conduct, or;

3. If participation in the matter might violate the letter or spirit of a member's code of professional responsibility, or;
4. In the event a citizen asserts that a member has a conflict of interest, the Chair may request the commissioner to recuse himself/herself.
5. If a member has such close personal ties to a particular issue or action that the member cannot reasonably be expected to exercise sound and impartial judgment in the public interest.

I. Proceedings: At any regular meeting of the Conservation Commission, the following items may be covered:

1. Minutes of the preceding meeting
2. Reports, updates and communications
3. Public meeting
 - a. Overview by chair or Director
 - b. Review of issues identified by staff
 - c. Commissioners questions and discussion
 - d. Public questions and discussions
 - e. Motion for action (vote/recess, etc.)
4. Old and new business
5. Conservation related issues
6. Adjournment

Each formal action of the Conservation Commission required by law, Town Charter, rule or regulations shall be embodied in a formal resolution duly entered in full upon the minutes after a vote.

J. Scheduling: Agendas will be prepared by the Director of Planning in consultation with the Chair or Vice Chair. The Commission is under no obligation, requirement or statute to reach a decision at the same meeting of which a public issue is heard. Agendas are to be finalized in advance and published in the *Stowe Reporter* and posted on *Front Porch Forum* the Thursday prior to the Commission meeting. The agenda shall also be posted on the Town's website and in 3 public places at least 48 hours in advance of the meeting. The agenda times will be subject to revision as the meeting progresses.

K. Rules of Procedure: All meetings of the Conservation Commission shall be conducted in accordance with Roberts Rules of Order for small boards / commissions.

L. Minutes: The Commission meeting minutes, by law shall include the names of the Commission members present, all active participants in the meetings, all motions, proposals and resolutions made, offered and considered and an indication of how the motions were resolved and the results of any votes, with the record of the individual vote of each member and whether members were absent

or not voting. The minutes should be at a level of completeness so that the decisions made in the present can be clearly understood in the future. The minutes of a meeting shall be available to the public and posted on the Town's website within five (5) days after the meeting.

Section V. Officers/Subcommittees

The officers of the Conservation Commission shall consist of a Chair, Vice Chair and Secretary elected for a term of one year by the Commission at the annual meeting, which shall be the first regular meeting in May. Officers may be elected to successive terms; however, the Commission is encouraged to share leadership responsibilities among its members.

Duties of Officers: The duties and powers of the officers of the Conservation Commission shall be as follows:

A. Chair:

1. To preside at all meetings of the Commission;
2. To call special meetings of the Commission in accordance with these Rules;
3. Coordinate meeting agendas with the Director of Planning
4. To sign official documents of the Commission;
5. To see that all actions of the Commission are properly taken;
6. To represent the Commission at all official meetings requiring attendance of a member(s) of the Conservation Commission and to serve as official spokesperson for the Commission. In his/her absence the Chair will designate an authorized representative.

B. Vice Chair:

During the absence, disability or disqualification of the Chair, the Vice Chair shall exercise or perform all duties and be subject to all the responsibilities of the Chair.

C. Secretary

The Secretary shall be responsible for all meeting minutes and correspondence on behalf of the Commission.

D. Subcommittees:

The Chair of the Conservation Commission may appoint subcommittees to assist in the work of the Commission. Subcommittees shall report to the full Commission of their work.