

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 09-R-2024**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, ADOPTING
UPDATED GENERAL GUIDELINES FOR PUBLIC COMMENT AT OPEN
MEETINGS AND UPDATED GENERAL GUIDELINES FOR THE CONDUCT
OF PUBLIC HEARINGS**

WHEREAS, the Town of Mead is committed to the principles of good governance; and

WHEREAS, the Board of Trustees previously adopted the *GENERAL GUIDELINES FOR PUBLIC COMMENT AT OPEN MEETINGS* ("Public Comment Guidelines") and the *GENERAL GUIDELINES FOR THE CONDUCT OF PUBLIC HEARINGS* ("Public Hearing Guidelines"); and

WHEREAS, specifically, the Public Comment Guidelines and Public Hearing Guidelines were adopted by Resolution No. 23-R-2020 dated February 24, 2020; and

WHEREAS, the Town Attorney has recommended certain updates to the Public Comment Guidelines and Public Hearing Guidelines; and

WHEREAS, the Board of Trustees desires to adopt the updated Public Comment Guidelines in the form attached to this Resolution as **Exhibit 1**; and

WHEREAS, the Board of Trustees desires to adopt the updated Public Hearing Guidelines in the form attached to this Resolution as **Exhibit 2**; and

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The Public Comment Guidelines are hereby adopted in the form attached hereto as **Exhibit 1**.

Section 2. The Public Hearing Guidelines are hereby adopted in the form attached hereto as **Exhibit 2**.

Section 3. The Board reserves the right to amend the Public Comment Guidelines and Public Hearing Guidelines in the future. Amendments to the same, if any, shall be memorialized by resolution of the Board of Trustees.

Section 4. Effective Date. This resolution shall become effective immediately upon adoption.

Section 5. Repealer. All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 6. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 29th DAY OF JANUARY 2024.

ATTEST:

By: Mary E. Strutt
Mary E. Strutt, MMC Town Clerk



TOWN OF MEAD:

By: Colleen G. Whitlow
Colleen G. Whitlow, Mayor

EXHIBIT 1

GENERAL GUIDELINES FOR PUBLIC COMMENT AT OPEN MEETINGS

[See Attached]

EXHIBIT 2

GENERAL GUIDELINES FOR THE CONDUCT OF PUBLIC HEARINGS

[See Attached]



BOARD OF TRUSTEES

GENERAL GUIDELINES FOR PUBLIC COMMENT AT OPEN MEETINGS

Prior to the start of any regular or special meeting, the Mayor, as the chairperson of the meeting, or the Acting chairperson of the meeting, as applicable, may elect to review these general guidelines for public comment at open meetings. At the Mayor's direction, the Town Clerk will make a copy of these guidelines available to all members of the public in attendance at regular or special meetings of the Board of Trustees ("Board").

Participation by members of the public in open meetings of the Board is welcomed and encouraged. Adherence to these guidelines is expected.

PUBLIC COMMENT PERIOD GUIDELINES

- ❖ Speakers must be physically present at Town Hall (or the location of the regular or special meeting) to provide public comment to the Board. Speakers unable to attend in person are encouraged to submit written comments to the Town Clerk for distribution to the Board.
- ❖ There are two (2) public comment periods provided on the agenda of each regular and special meeting of the Board.
 - The first public comment period shall be limited to individuals who wish to address specific agenda items for which there is not a separate public hearing scheduled. The first public comment period shall be noticed on the meeting agenda generally as follows: "**Public comment: 3 minute time limit. Comment is for any item on the agenda unless it is set for public hearing.**"
 - The second public comment period shall be available to individuals who wish to make general announcements, address a topic whether it is on the agenda or not, or who wish to address specific agenda items for which there is not a separate public hearing. The second public comment period shall be noticed on the meeting agenda generally as follows: "**Public comment: 3 minute time limit. Comment is for any item whether it is on the agenda or not unless it is set for public hearing.**"

- ❖ Each public comment period is limited to fifteen (15) minutes. If any individual is unable to address the Board due to the 15-minute time limitation, the individual is encouraged to submit comments in writing to the Town Clerk for distribution to the Board.
- ❖ All individuals who wish to speak during a public comment period on the agenda must sign in using a sheet made available by the Town Clerk. The sign-up sheet shall contain columns for each speaker's name and address.
- ❖ Speakers are requested to keep comments short. Each speaker will be given a maximum of three (3) minutes to address the Board. Individuals representing a group, such as a homeowners' association or property owners' association, shall be given up to five (5) minutes to speak.
- ❖ Speakers shall be heard in the order in which they signed up to do so (on the sign-up sheet).
- ❖ Speakers should come to the podium to speak. Speakers are requested to speak into the microphone; giving their name and address before addressing the Board. All comments shall be addressed to the Board as a whole and not to any individual Board Members.
- ❖ Each individual may speak only once during each public comment period.
- ❖ Written materials that a speaker believes might be appropriate for the Board's consideration should be submitted in advance to the Town Clerk.
- ❖ The Board of Trustees retains the authority to vary these guidelines as may be necessary during the course of any public comment period and retains the authority to deviate from these guidelines as necessary. If the Board varies these guidelines for one speaker (such as waiving or extending the three-minute time limit), the variance shall generally be applied to all speakers, the intent being that all speakers are treated equally.
- ❖ The Mayor may permit public comment during any agenda item provided that such invitation does not hinder the ability of the Board of Trustees to conduct official Town business in an efficient manner. Any public comment permitted during any agenda item shall conform to these guidelines.

Updated January 29, 2024.



BOARD OF TRUSTEES

GENERAL GUIDELINES FOR THE CONDUCT OF PUBLIC HEARINGS

Prior to the start of any public hearing, the Mayor, as the chairperson of the meeting, or the Acting chairperson of the meeting, as applicable, shall review these general guidelines for the conduct of public hearings. The Mayor will emphasize that the public hearing is an opportunity for the public to voice positions about a matter that is before the Board of Trustees for action. A public hearing is not a debate and all comments should be directed to the Board of Trustees ("Board").

At the Mayor's direction, the Town Clerk will make a copy of these guidelines available to all members of the public in attendance at the public hearing. Adherence to these guidelines is expected.

PUBLIC HEARING GUIDELINES

- ❖ All individuals who wish to speak must sign in using a sheet made available by the Town Clerk prior to the opening of the public hearing. The sign-up sheet shall contain columns for each speaker's name and address.
- ❖ The Mayor shall formally open the public hearing and request that the appropriate Town staff member(s) generally describe the application or subject that is the subject of the public hearing.
- ❖ At the conclusion of the staff presentation, the Board members may ask questions of staff.
- ❖ The applicant shall then be allowed a period of time to present detailed information about the issue or application. As the applicant bears the burden to establish that his/her/its application should be approved, there is generally no time limit for the applicant's presentation unless otherwise restricted by the Mayor or Board.
- ❖ At the conclusion of the applicant's presentation, the Board members may ask questions of the applicant.

- ❖ When the initial period of Board questioning has ended, the public shall be invited to speak. Speakers shall be heard in the order in which they signed up to do so (on the sign-up sheet).
- ❖ Speakers should come to the podium to speak. Speakers are requested to speak into the microphone; giving their name and address before addressing the issue of the hearing.
 - Generally, all speakers must be physically present at Town Hall (or the location of the regular or special meeting) to participate in the public hearing. Speakers unable to attend in person are encouraged to submit written comments to the Town Clerk for distribution to the Board.
 - In accordance with the Town's Remote Participation and Remote Meeting Policy adopted by the Board on March 13, 2023 ("Remote Meeting Policy"), remote participation by the public may be allowed, subject to available technology and staffing by the Town. As set forth in the Remote Meeting Policy, the Town Clerk has the authority to adopt best practices to ensure orderly participation by the public, including ensuring that only one (1) member of the public may speak at one time and that any inappropriate or profane public comment may be shut down in order to eliminate or substantially reduce any distractions. Additionally, the Town Clerk shall be authorized to shut down any remote participation where the speaker is making comments irrelevant to the topic of the public hearing.
- ❖ Speakers are requested to keep comments short. Each speaker will be given a maximum of three (3) minutes to address the Board. Individuals representing a group, such as a homeowners' association or property owners' association, shall be given up to five (5) minutes to speak.
- ❖ Each individual may speak only once at the public hearing.
- ❖ Each speaker should offer information or arguments not presented by prior speakers. Duplication of information or arguments OR discussion of irrelevant information is discouraged. If the Mayor determines that a speaker is making comments that are repetitious of previous presentations or irrelevant to the application(s) under consideration, the Mayor may halt the presentation prior to the expiration of the three (3) minute or five (5) minute maximum comment period, as applicable.
- ❖ When all speakers who register to speak have spoken, the floor will be opened to anyone who has not signed up but who wishes to address the Board.
- ❖ After everyone who wishes to speak has done so, the applicant will be granted a period of time to respond to what has been said by the public. The applicant will use this time to directly address public comments that have been received on the application or issue

which is the subject of the hearing or Board questions, and to present rebuttal evidence and testimony.

- ❖ At the conclusion of the applicant's rebuttal testimony (if any), the Board members may ask additional questions of the applicant or staff.
- ❖ Following questions from Board members (and responses from staff or the applicant, as applicable), the public comment portion of the hearing will be closed and the matter under consideration will be remanded to the Board so that the Board may deliberate and consider motions for approval, denial, conditional approval, or continuance.
- ❖ Upon the closure of the public comment portion of the hearing, the Board will avoid additional questioning of any hearing participant except as the Mayor finds necessary to clarify a factual question or resolve a factual matter of dispute between members of the Board. No additional, unsolicited testimony shall be entertained or accepted by the Board. The public comment portion of the hearing may be reopened only for good cause shown following a motion duly made, seconded and approved by a majority vote of the quorum present and for the sole purpose of receiving specifically identified and focused testimony. In the event the public comment portion of the hearing is reopened by the Board, all persons in attendance shall be provided an opportunity to provide testimony regarding the specifically identified matter for which the public comment portion of the hearing is reopened.
- ❖ The Board of Trustees retains the authority to vary these guidelines as may be necessary during the course of any public hearing and retains the authority to deviate from these guidelines as necessary. If the Board varies these guidelines for one speaker (such as waiving or extending the three-minute time limit), the variance shall generally be applied to all speakers participating in the public hearing, the intent being that all speakers are treated equally.

GENERAL RULES OF CONDUCT FOR THE HEARING

- ❖ All comments should be directed to the Mayor and the members of the Board of Trustees and not to the applicant or audience.
- ❖ Be considerate of your fellow speakers. There should be no applause, booing or other audible disruption to the proceedings. Through a show of hands, the Mayor may ask for a show of support for comments made by speakers.
- ❖ Speakers should not be interrupted by comments or applause in the audience.
- ❖ The Board of Trustees will **not** tolerate personal attacks by anyone on **any** of the participants in the proceedings.

- ❖ Anyone who violates the guidelines of the public hearing may be asked to leave by the Mayor or by majority vote of Board of Trustees.

We thank you for your participation in this public hearing. It is only through your active participation that the Board of Trustees fully understands the sentiments of the public on matters that come before the Board.

Updated January 29, 2024.