

**AN ORDINANCE RELATING TO THE POWERS, DUTIES AND PROCEDURES OF THE BOARD OF TRUSTEES AND QUALIFICATIONS OF BOARD OF TRUSTEES**

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INNSBROOK, AS FOLLOWS:**

**Section One. Election-Term-Duties and Powers.**

The Board of Trustees, consisting of five (5) members, shall be elected to Village office for two-year terms after expiration of terms of the initial appointments by the Warren County Commission. The corporate powers and duties of the Village shall be vested in the Board of Trustees.

**Section Two. Trustees Qualifications.**

No person shall be Trustee unless he or she is at least twenty-one (21) years of age prior to taking office, a citizen of the United States, a resident of Innsbrook for one year preceding his or her election. Whenever there is a tie in the election of a Trustee, the matter shall be determined by the Board of Trustees.

**Section Three. Oath-Compensation.**

Each Trustee of the Board of Trustees shall take the oath of office prescribed by statute and shall receive no compensation.

**Section Four. Chairman and Clerk.**

At the first regular meeting of the Board of Trustees after the election in each year, which meeting shall occur at the time fixed by ordinance, but shall not be later than twenty (20) days after their appointment or election, the Board of Trustees shall elect one of its members Chairman who shall hold office for the term of one year, and who shall preside at the meetings of the Village; provided that in the absence of the Chairman and the Chairman Pro Tem, the Board of Trustees may select one of its members present to preside at such meetings, who shall be styled "acting Chairman Pro Tem". The Board shall also with the same time allowed above shall elect one of its members as Clerk.

### **Section Five. Regular Meetings.**

The regular meetings of the Board of Trustees shall be on the ~~\_\_\_\_\_~~ and First Tuesday of each month beginning at 9:00 A. m. and no further notice of such regular meetings shall be required provided that if such meeting date should fall on a legal holiday or if there is no quorum present, the meeting shall be held on the following day at 9:00 A. m. The meeting place of the Board of Trustees shall be at the Village Hall unless otherwise ordered by the Board of Trustees.

### **Section Six. Special Meetings.**

Special meetings may be called by the Chairman or by any four (4) members of Board of Trustees upon at least twenty-four (24) hours prior written notice to all members and the Chairman, in accordance with the provisions of the Missouri Sunshine Law, Sections 610.010 – 610.028 R.S.Mo., as may be amended from time to time.

### **Section Seven. Open to Public.**

All meetings of the Board of Trustees, Planning Commission, Board of Adjustment, and all other boards, commissions, committees and agencies of the Village of Innsbrook, and any committee or subcommittee thereof, shall be deemed to be public meetings, open to the public, except when meeting for ministerial or social purposes or as otherwise provided by law.

### **Section Eight. Executive (Closed) Session.**

A closed executive session may be convened on affirmative public vote of a majority of the Trustees present at a meeting of the Board of Trustees. Closed meetings may be called for any reason permitted by the Missouri Sunshine Law, Section 610.021 Revised Missouri Statutes, as may be amended, upon compliance with any mandatory procedures. The Chairman or any four (4) members of the Board of Trustees may cause the Village Clerk to publish appropriate notice of the intent to convene an executive session of any regular or special meeting. Attendance in an executive session shall be limited to such persons as the Board of Trustees may require for advice and information.

### **Section Nine. Quorum.**

Three (3) members of the Board of Trustees shall constitute a quorum to do business, but no action thereof shall be valid unless at least three (3) trustees shall vote in favor of such action.

**Section Ten. Journal and Attendance.** The Board of Trustees shall cause to be kept a journal of its proceedings, and the yeas and nays of the members shall be entered on any question at the desire of any two members. The Board of Trustees may prescribe and enforce such rules as may be necessary to secure the attendance of its members in the expeditious transaction to its business.



## **Section Eleven. Enactment of Ordinances.**

The style of the ordinances of the Village of Innsbrook shall be as follows: "Be it ordained by the Board of Trustees of the Village of Innsbrook as follows:" No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the Board of Trustees shall vote therefor, and the ayes and nays shall be entered on the journal. Every proposed ordinance shall be introduced to the Board of Trustees in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the Board of Trustees. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the Board of Trustees. All ordinances shall be in full force and effect from and after their passage after being duly signed by the Chairman of the Board of Trustees and attested by the Village Clerk.

## **Section Twelve. Order of Business.**

The business of all regular meetings of the Board of Trustees shall be transacted in the following order, unless the Board of Trustees by a majority vote of Trustees present votes to suspend the rules and change the order.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Minutes
6. Public Comments
7. Communications, Petitions, Presentations
8. Public Hearings
9. Chairman/Trustee Announcements/Business and Reports
10. Legislation
11. Adjournment

## **Section Thirteen. Rules of Procedure.**

The following rules of procedure shall govern the conduct of all meetings of the Board of Trustees, although these rules, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Board of Trustees present at any meeting.

Rule 1. The presiding officer shall decide all questions of order.

Rule 2. Any Board of Trustees may appeal to the Board of Trustees from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his reason for the same, and the presiding officer may briefly explain his ruling; but there shall be no debate on the appeal, and no other Member shall participate in the discussion. The presiding officer then shall put the question, "Shall the decision of the

chair be sustained?" If a majority of the Board of Trustees present vote "aye," the ruling of the chair is sustained; otherwise, it is overruled. For purposes of this section, the chair may not vote on the question. A tie vote sustains the chair.

Rule 3. Board of Trustees and other officers shall occupy their respective seats in the Board of Trustees Chamber assigned to them by the Chairman.

Rule 4. A member of the Board of Trustees discussing a question shall address the Chairman and no member of the Board of Trustees has the floor until recognized by the Chairman.

Rule 5. When recognized by the chair, a Trustee shall confine himself to the question under debate, avoid personalities and refrain from impugning the motives of any other member's argument, or vote. No member shall address the chair or demand the floor while any vote is being taken.

Rule 6. Any Trustee shall have the right to express dissent from or protest against any ordinance or resolution of Board of Trustees and have the reason therefore entered upon the minutes. Such dissent or protest must be filed in writing, couched in respectful language, and presented to Board of Trustees not later than the next regular meeting following the date of passage of the ordinance or resolution objected to.

Rule 7. PRECEDENCE OF MOTIONS.

When a question is before the Board of Trustees, no motion shall be entertained except:

1. to adjourn
2. to fix hour of adjournment
3. to lay on table
4. for previous question
5. to postpone to a certain day
6. to refer
7. to amend
8. to postpone indefinitely

These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to a vote without debate.

Rule 8. All motions and amendments shall be reduced to writing at the request of the Chairman or any Trustee and shall be handed to the Village Clerk, who shall read the same to the Board of Trustees. When a motion is made and seconded, it shall be stated by the chair before debate. A motion may not be withdrawn by the mover without the consent of the Trustee seconding it and the approval of Board of Trustees.

Rule 9. The presiding officer may at any time, by a majority vote of the Board of



Trustees, permit a Trustee to introduce an ordinance, resolution or motion out of the regular order.

Rule 10. A motion to adjourn shall be in order at any time, except as follows: a) when repeated without intervening business or discussion; b) when made as an interruption of a Trustee while speaking; c) when the previous question has been ordered; and d) while a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

Rule 11. After the decision on any question, any Trustee who voted with the majority may move a reconsideration of any action at the same or the next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before final execution thereof. A motion to reconsider requires a simple majority for passage. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent.

Rule 12. Any ordinance that shall have had its first reading (and not then read a second time) when presented in the Board of Trustees, shall, if not at the same meeting, be taken up by the Board of Trustees at its next session and shall be read the second time, and thereupon shall be open for debate and amendment. On the close of debate the presiding officer shall entertain a motion to vote on the ordinance for final passage.

Rule 13. No vote or action of the Board of Trustees shall be rescinded at any special meeting unless there be present at such meeting as many members of the Board of Trustees as were present when such vote or action was taken.

Rule 14. Any person in attendance at an executive session shall not to violate the confidentiality of the discussion taking place during the session, except as to any portions thereof which may clearly transgress the Missouri Sunshine Law.

Rule 15. The Chairman shall set the agenda for each regular meeting and each special meeting, and shall make the same known to the Board of Trustees and to the press as far in advance of such meeting as may be practicable. The published agenda may be altered or suspended by vote of the Board of Trustees present and voting.

Rule 16. The general public shall be afforded an opportunity to address the Board of Trustees during the portion of the order of business set aside for public comment. Any person desiring to address the Board of Trustees shall be required to identify himself, stating his home address or place of business, and to address his remarks to the Chairman. Trustees desiring further information or comment from the speaker or from any other person in the audience should request the same through the Chairman. Protracted, repetitive, irrelevant or abusive remarks from the public may be closed off at any time by direction of the Chairman. The Chairman may establish procedures and rules governing public comment, including use of speaker cards and maximum permissible speaking time

duration for each member of the public.

**Section Fourteen. Robert's Rules.**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall be the parliamentary authority and shall govern the conduct of all meetings of the Board of Trustees in all cases where they are not inconsistent with statute or with the Rules of Procedure herein or hereafter adopted.

**Section Fifteen. Disturbance of Meetings.**

It shall be unlawful for any person to disturb any meeting of the Board of Trustees or of any committee thereof. Violation of the provisions of this Section shall be a misdemeanor, punishable by a fine of not less than Five Dollars (\$5.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment for a period not to exceed three (3) months or by both such fine and imprisonment.

**Section Sixteen. Appointment of a Trustee to Fill a Vacancy, Vacancy in Office of Chairman.**

All vacancies in the Board of Trustees shall be filled by the remaining trustees of the Board. In case the office of Chairman becomes vacant, the remaining trustees shall select one of their own number as temporary chairman and then proceed to select some person to fill such vacancy; provided the chairman or temporary chairman shall have no vote except in case of a tie.

**Section Seventeen. Deviation From Board of Trustees Procedure.**

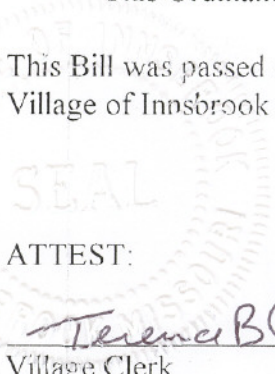
Any deviation or defect in compliance with any procedure for the enactment of ordinances or of any other Board of Trustees procedure or rule shall not affect the validity or enforceability of any enactment finally approved unless necessarily invalidated under the laws of Missouri.

**Section Eighteen.**

This Ordinance shall be in full force and effect from and after its passage and approval.

This Bill was passed and approved this 23 day of July, 1998, by the Board of Trustees of the Village of Innsbrook after having been read by title or in full two times prior to passage.

ATTEST:

  
Terence B. Jarchow  
Village Clerk

St. J. Jarchow  
CHAIRMAN