



Town Council
Organization of Council (Special Meeting)
May 12, 2025, 6:00 PM

Agenda

1. Call to Order

1.1. Call to Order

Attendees, please use meeting courtesy. Virtual attendees are asked to mute microphones when joining the meeting. Participants may be muted by the Town Clerk and meetings will be recorded.

In accordance with the Open Meetings Act, the public has the right to view/listen to the discussion only. At their discretion, the Town Council may allow participants to voice questions or provide comments on the topics under discussion. Written comments may be submitted via email to Legislative@townoflaplata.org. Individuals wishing to address the Town Council may sign up in advance on the Town's website (Public Communications) or on the meeting sign-up sheet.

Join on your computer, mobile app, or room device.

[Join the meeting now](#)

Meeting ID: 240 806 147 692

Passcode: 2T5Bm6FQ

1.2. Roll Call

1.3. Pledge of Allegiance

1.4. Approval of the Meeting Agenda

2. Approval of Minutes

2.1. Approval of minutes from Regular Meeting on April 22, 2025.

3. Disclosure of Closed Session

3.1. Disclosure of Closed Session on April 22, 2025.

4. Items of Council Discussion

4.1. Adoption of Rules of Procedure

4.2. Appointments to Boards and Commissions

5. Adjourn

5.1. Adjournment

PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT") UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)

This Certification Must Be Completed Before a Closed Session May Be Held

Date: 04/22/2025 Time: 07:30PM Location: La Plata Town Hall at this meeting, a motion was made by David Winkler and seconded by Matthew Trollinger to conduct a closed session of the Council of the Town of La Plata.

Recorded vote to close the meeting:

<u>Members</u>	<u>IN FAVOR</u>	<u>OPPOSED</u>	<u>ABSTAINING</u>	<u>ABSENT</u>
Mayor Jeannine E. James	☒	☐	☐	☐
Councilman David Winkler	☒	☐	☐	☐
Councilman Matthew D. Trollinger	☒	☐	☐	☐
Councilwoman Evalyne L. Bryant-Ward	☐	☐	☐	☒
Councilman David M. Jenkins	☒	☐	☐	☐

(Note: If any member of the public objects to conducting the closed session, a copy of this certification must be sent to the Maryland Open Meetings Law Compliance Board.)

STATUTORY AUTHORITY TO CLOSE SESSION, State Government Article §3-305(b) (check all that apply):

- ☐ (1) To discuss:
- ☐ (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or
 - ☐ (ii) any other personnel matter that affects one or more specific individuals;
- ☐ (2) protect the privacy or reputation of an individual with respect to a matter that is not related to public business;
- ☐ (3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition;
- ☐ (4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- ☐ (5) consider the investment of public funds;
- ☐ (6) consider the marketing of public securities;
- ☒ (7) consult with counsel to obtain legal advice;
- ☐ (8) consult with staff, consultants, or other individuals about pending or potential litigation;
- ☐ (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- ☐ (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
- ☐ (i) the deployment of fire and police services and staff; and
 - ☐ (ii) the development and implementation of emergency plans;
- ☐ (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- ☐ (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- ☐ (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- ☐ (14) discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process; or
- ☐ (15) discuss cybersecurity, if the public body determines that public discussion would constitute a risk to:
- ☐ (i) security assessments or deployments relating to information resources technology;
 - ☐ (ii) network security information, including information that is:
 - ☐ 1. related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity;
 - ☐ 2. collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or
 - ☐ 3. related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity; or
 - ☐ (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT") UNDER THE
OPEN MEETINGS ACT (General Provisions Article § 3-305)**
This Certification Must Be Completed Before a Closed Session May Be Held

For each citation checked the reasons for closing and topics to be discussed:

- (1) Magnolia Gardens
- (2) Waste Water Treatment Plant/ Maryland Department of the Environment
- (3) _____

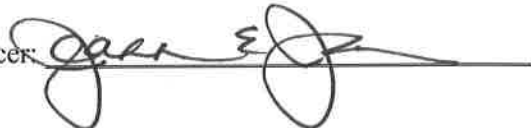
Persons attending closed session:

<u>Jeannine James, Mayor</u>	<u>Michelle Miner, Assistant Town Manager</u>	<u>Lawrence J. Jones, Jr. Town Clerk</u>
<u>David Winkler, Councilman</u>	<u>Jay Gullo, Town Attorney</u>	_____
<u>Matthew Trollinger, Councilman</u>	<u>Kelly Phipps, Director of Legislative Services</u>	_____
_____	_____	_____

Action(s) Taken:

- (1) After a briefing by the Town Attorney on the Settlement Agreement for the Magnolia v. Town of La Plata Case No. 08-CV-23-000961, the Town Council by unanimous consent agreed to ratify the presented agreement as to the key terms contained therein and expressed in the previously approved Term Sheet, and provide the Town Attorney authority to alter wordage and non-significant items during the ratification process by the parties involved.

Time closed session adjourned: 07:55PM

This statement is made by Mayor Jeannine E. James, Presiding Officer: 



COUNCIL OF THE TOWN OF LA PLATA

RULES OF PROCEDURE

Revised January 17, 2023

Introduction

The rules of procedure were designed and adopted for the benefit and convenience of the Council of the Town of La Plata (Town Council) and are intended to describe the rules and guidelines by which the Council operates. Additionally, the rules of procedure will help the Council conduct its affairs in a timely and efficient manner and serve as a quick reference for resolving policy and procedural questions during meetings. The rules of procedure do not supersede the provisions of the Town Charter or Code of Ordinances and do not create substantive rights for third parties or participants in proceedings before the Town Council. Further, the Town Council reserves the right to suspend or amend the rules of procedure whenever a majority of Town Council decides to do so. The failure of the Town Council to strictly comply with the rules of procedure shall not invalidate any action of the Town Council.

The rules of procedure may be reviewed and adopted annually and following an election year, at the organization meeting of Town Council in May. Revisions to the rules of procedure may be proposed and adopted during any regular meeting of the Town Council by means of an affirmative vote of a majority of a quorum of the Town Council and become effective upon adoption.

SECTION 1 – PURPOSE AND BASIC PRINCIPLES

Section 1-1. Purpose of Rules of Procedure

- A. To enable the Town Council to transact business fully, expeditiously, and efficiently while affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Town Council Member;
- C. To preserve a spirit of cooperation among Town Council Members; and
- D. To determine the will of the Town Council on any matter.
- E. To further advance the core values outlined in the Town of La Plata's Strategic Plan

Section 1-2. Basic Principles Underlying Rules of Procedure

- A. The business of the Town Council should proceed in the most efficient manner possible;
- B. Town Council's rules of procedure must be followed consistently;
- C. Town Council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;

- D. Only one subject may claim the attention of Town Council at one time;
- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every Town Council Member has equal rights to participate and vote on the issues;
- G. Every Town Council Member must have equal opportunity to participate in decision making;
- H. The will of the majority must be carried out; and the rights of the minority must be preserved; and
- I. The Town Council must act as a body.

SECTION 2 – MEETINGS

Section 2-1. Adoption of an Annual Calendar and Meeting Schedule

The time and place of the meetings of the La Plata Town Council shall be established annually with the adoption of a resolution and calendar that sets forth the regular meetings (which may include scheduled and advertised public hearings), Town Hall meetings, and other standing meetings, where applicable.

Regular meetings and public hearings. In general, regular meetings of the Town Council, which may include scheduled and advertised public hearings, will be held on the second, third and fourth Tuesday of each month beginning at 6:00 p.m. in the Council Chambers, located on the first floor at Town Hall. Under exceptional or extenuating circumstances, Town Council meetings may convene virtually. Regular meetings and public hearings are live streamed via the online meeting platform specified on the Town's website and meeting agenda.

Town Hall meetings. The La Plata Town Council may host Town Hall meetings each year with the location and topic of discussion announced prior to the event. The location and topic will be influenced by current Town events, projects, and priorities.

Section 2-2. Special Meetings

The Town Council may schedule special meetings as it deems necessary with the dates and time adopted as part of the annual calendar or announced in accordance with all legal requirements. Special meetings shall be called by the Town Clerk upon the written request of the Mayor, a majority of the members of the Town Council or the Chief Executive Officer; no business shall be transacted at a special meeting but that for which it shall be called, unless the Town Council agrees unanimously to consider such action.

Section 2-3. Pre-Organizational Meeting

In those years in which Town Council elections are held, the Town Council, including members-elect of the body, may meet in a work session prior to the organizational meeting to discuss appointments as members of or liaisons to committees, boards, commissions and multi-jurisdictional agencies. During the discussion of the full Town Council, consideration will be given to a Town Council Member's level of interest, experience, his or her specific schedule, and the location, time, and frequency of the meeting(s).

Section 2-4. Organizational Meeting

In those years in which Town Council elections are held, an organizational meeting of the Town Council

shall be held on the second Monday in May. The purpose of the organizational meeting shall be the appointment of Town Council Members as members of or liaisons to committees, commissions, boards and multi-jurisdictional agencies, the appointment of Mayor Pro Tem and the conduct of such organizational business as may come before the Council.

Appointments of Council Members shall be announced by the Mayor at the organizational meeting and shall become effective when approved by a vote of Town Council. If desired, the Town Council may review appointments on an annual basis.

The Town Council will acknowledge and adopt the Rules of Procedure at its organizational meeting.

Section 2-5. Rescheduling of Meetings

In the event of circumstances preventing the conduct of a regularly scheduled meeting, the Town Council may reschedule such meetings, unless already otherwise indicated on the adopted annual calendar. Appropriate notifications regarding rescheduling of meetings will be made in accordance with the Open Meetings Act.

SECTION 3 – OFFICERS AND EMPLOYEES

Section 3-1. Mayor

The Mayor shall serve as presiding officer over all meetings of the Town Council and perform such other duties as may be prescribed by the Charter and Town Code or general law.

The Mayor shall have the right to vote on matters before the Town Council.

The Mayor Pro Tem serves as presiding officer in the absence of the Mayor. In the case of the absence from any meeting of the Mayor and Mayor Pro Tem, the members of the Town Council present shall choose one of their number as temporary presiding officer.

Section 3-2. Town Manager

The Town Council may appoint a Town Manager who shall be chosen in conformity with the provisions of the Charter and who shall exercise the powers and discharge the duties required of him, subject to the approval of the Town Council. The Town Manager shall exercise administrative supervision and control over all departments of the Town government and have general supervision over all improvements, works, and services.

The Town Manager shall attend all meetings of the Town Council and shall recommend to the Town Council, for adoption, such measures as he may deem expedient or necessary.

Section 3-3. Town Clerk

The Town Clerk shall serve as the Clerk to the Council and shall attend every meeting of the Town Council and will maintain an accurate account of the proceedings of the Town Council, including all motions and subsequent votes, shall be conducted and recorded in compliance with legal requirements.

Statements to be Included in the Minutes. Any member of the Town Council who wishes to have a statement or comment included in the minutes shall make that known prior to making the statement and shall provide the Town Clerk with a written copy of his or her statement.

Section 3-4. Department Heads

The head of any department, or any officer or employee of the Town when requested by the Town Council or the Town Manager, shall attend any regular, adjourned or special meeting and confer with the Town Council on matters relating to the Town.

SECTION 4 – THE AGENDA

Section 4-1. Publishing the Agenda

At the direction of the Town Manager, the Town Clerk shall be responsible for the publication of agendas for all noticed and scheduled meetings of the Town Council.

Section 4-2. Adding Items to the Agenda

The Town Clerk, in collaboration with the Town Manager, shall prepare a proposed agenda to review with the Mayor prior to the scheduled Town Council meeting. Any Town Council Member and Department Head that would like to add items to the proposed agenda should submit such items to the Town Manager seven (7) business days before the meeting. Materials that will accompany the agenda item shall be provided to the Town Clerk no later than noon on the Thursday prior to the scheduled meeting, or at such a time that allows for development of the item, where applicable. Last-minute submissions are discouraged but may be added to a meeting agenda, where applicable, subject to a vote of the Town Council at the meeting approving a change [addition] to the published agenda. This will allow Council consideration of a matter that requires action expeditiously but was not known in time to be presented during the normal agenda development process.

Items added to the agenda by an individual Town Council Member shall be included on the agenda of the first regular meeting of the month to determine Town Council consensus to proceed with development, introduction and consideration of adoption, where applicable.

The agenda items and related materials accompanying the agenda item shall be provided to the Town Clerk for distribution to the Town Council, and for posting of the agenda. Town Council action agenda items may include, but is not limited to, discussion only; referral⁵ to a Town Council committee; referral to the Town Manager for development by Town staff; or placement on a future Council regular agenda for further action.

Section 4-3. Distribution of the Agenda

The Town Clerk shall publish agendas and related materials (the agenda packet) to the Town's website in a timely manner to allow the public and elected officials time to review.

The agenda packet for meetings held on a Tuesday will be published before noon on the Friday prior to the meeting date. If key information is outstanding, the Town Manager may delay the publication of the packet or reschedule agenda items.

Section 4-4. Town Council Approval of Agenda and Consent Agenda

- A. At the beginning of every regular meeting the Town Council will have the opportunity to review items on the agenda and, if necessary, the consent agenda to approve or remove items from the agenda.

- B. In the case of the consent agenda, unless one or more members of the Town Council has a reason to discuss and/or debate one or more items, contents of the Consent Agenda will be voted on collectively. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the majority of the Town Council.
- C. Under no circumstances can anything be added to or removed from the agenda after the Town Council has voted to accept the agenda for that meeting.

SECTION 5 – ORDER OF BUSINESS FOR COUNCIL MEETINGS

Section 5-1. Order of Business

- A. The order of business for the regular Town Council meeting will be established in a written agenda and may include the following: Approval of Agenda; Consent Agenda; Community and Staff Presentations; Reports of the Mayor and Council; Staff Reports; Ordinances and Resolutions; Unfinished and New Business; Awards and Acknowledgements; Public Comment; Closed Meetings; Public Hearings; and other pertinent business of the Town Council.
- B. The order of business for any special Town Council meeting will be established in a written agenda and may include the following: Ordinances and Resolutions, Action Items, Public Hearings, Closed Meetings, and other pertinent business of the Town Council.

Section 5-3. Public Comment Participation

- A. No person, other than a member of the Town Council, Town Manager, or Town Attorney shall have the right to discuss any matter in a meeting of the Town Council, unless by consent of a majority of the Council, or when that person is scheduled to appear before the Council on an agenda item.
- B. The public comment participation portion of the agenda is set aside for those citizens who wish to address the Town Council for less than three (3) minutes each. Citizens need not give prior notice to the Town to speak during the public comment participation portion of the agenda.
- C. Public comment participation shall be for the purpose of allowing members of the public to address any Town business; however, public comment participation is not intended to serve as a forum for debate with the Council.

Section 5-4. Public Hearings

- A. Public hearings before the Town Council may be scheduled for any regular or special meeting of Council and require at least fifteen (15) days' notice in a newspaper of general circulation in the Town, or as may be required by Town Code or state law.
- B. Promptly at the hour set on the day of the public hearing, the members of the Council, the Town Clerk, the Chief Executive Officer, any relevant Town Staff, the Applicant/Petitioner, and those members of the public who wish to address the Town Council shall appear in person in the Council Chambers.
- C. The procedures for public hearings are as follows:

1. Call to Order
 2. Review of Public Notices
 3. Recommendations:
 - a. Summary of Town Staff report and recommendation and/or;
 - b. Planning Commission Recommendation
 4. Applicant/Petitioner presentation and testimony
 5. Questions by the Town Council. [The Town Council may ask questions of the Applicant/Petitioner or Town staff.]
 6. Written documents are entered into the record.
 7. Speakers (signed up) are called on by the Mayor or presiding officer. At the discretion of the Mayor or presiding officer, time may be limited to 3 minutes and may not be yielded.
 8. Additional questions by Town Council.
 9. When the hearing is concluded, the Town Council will not hear further comments or questions during the meeting. If the record is kept open for a specific number of days, written comments should be submitted, by the deadline, and to the attention of the Town Clerk, in person at Town Hall, or email legislative@townoflaplata.org.
- D. The following provisions shall be applied to Applicant/Petitioners and their agents who cannot participate in person due to exceptional or extenuating circumstances.
1. On or before the day of a meeting, an Applicant/Petitioner or the agent of an Applicant/Petitioner who wishes to participate through electronic means when an in-person meeting has been scheduled must notify the Mayor, or in the Mayor's absence the presiding officer, that the member is unable to attend the meeting in person.
 2. Following receipt of notification as required by paragraph 5-4(D)(1), remote participation by electronic communication is authorized if the Town Clerk makes arrangements for the voice of the remote participant to be heard by all persons who wish to participate or attend utilizing electronic means.
 3. At the start of the meeting the Mayor, or other presiding officer, shall advise the Town Council of the request for participation by remote electronic communication. If the conditions and requirements of this Policy have been met, the Town Council shall approve the request by majority vote. If participation through electronic communication means is approved, the Town Clerk shall record in the minutes of the meeting the means from which the member participated (in person or online meeting platform).

Section 5-5. Closed Meetings

- A. Generally, all meetings of public bodies must be open to the public, except in special and appropriate circumstances when a meeting may be closed in compliance with the Maryland Open Meetings Act. The Town Council must create an agenda and must affirmatively pass a roll call vote on a motion in open session that does the following:
1. Identifies the subject matter of the closed meeting;
 2. States the purpose of the closed meeting; and
 3. Makes specific reference to the statutory exemptions relied on to close the meeting.
- B. Once in a closed meeting, only the matters stated on the agenda and in the motion are allowed to be discussed.
- C. The Town Council may invite members of the public or Town Staff to attend a closed meeting if

their presence reasonably aids the Town Council in its consideration of an issue.

- D. Following a closed meeting the Town Council must disclose, in the minutes of the next open session, what topics were discussed, who attended the closed session, and what actions were taken.
- E. Any individual attending a closed meeting should respect the Town Council's decision that the subject matter is too sensitive for public discussion and should treat the closed meeting discussion as confidential.

SECTION 6 – RULES OF PROCEDURE FOR TOWN COUNCIL MEETINGS

Section 6-1. Quorum

- A. Three (3) members of the Town Council shall constitute a quorum for the transaction of business. No ordinance shall be passed, resolution adopted, nor any other action taken without the favorable votes of a majority of the members of the Town Council. No vote or question decided at a stated meeting shall be reconsidered at a special meeting unless all members are present, and three of them concur.
- B. Quorum refers to the number of members present at a meeting, not the number of members voting on an issue. If no quorum is present or if a quorum is lost, the Town Council can only (i) adjourn, (ii) recess, or (iii) take steps to obtain a quorum.
- C. If a quorum fails to be established, those attending may adjourn to such other time prior to the next regular meeting as they may determine and the Town Clerk shall enter such adjournment in the minute book of the Town Council and shall notify absent members thereof in the same manner as required for special meetings.
- D. Conflict of interests shall be disclosed and may only participate or act in accordance with Chapter 20 Ethics of the Code of the Town of La Plata.

Section 6-2. Preservation of Order

- A. At meetings of the Town Council, the presiding officer shall preserve order and decorum and decide on questions of order, subject to appeal to the Town Council. If a member of Town Council transgresses the rules of the Town Council, the presiding officer shall call him or her to order.
- B. No member of the Town Council shall leave the Council Chamber while the Town Council is in regular meeting without the permission of the presiding officer.
- C. The presiding officer has the authority to call a brief recess at any time.
- D. The presiding officer may adjourn the meeting without the Town Council's vote or appeal in an emergency.
- E. The right of a member of the Town Council to address the Town Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are assailed, questioned or impugned. A member addressing the Town Council on a question of personal privilege shall first address the presiding officer and be recognized. A second is not

required.

- F. Whenever a question arises as to the proper interpretation of a rule of procedure, or in the absence of a rule to govern a point of procedure, the presiding officer of the Town Council shall resolve the question.
- G. Any member of the Town Council may appeal to the Town Council from the ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his reason for the appeal 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 shall then put the question: "Shall the decision of the presiding officer be sustained?" If the majority of the members present vote "no," the ruling of the presiding officer is overruled; otherwise, it is sustained.

Section 6-3. Town Council Members Addressing Town Council

- D. A member of the Town Council shall seek recognition to speak from the presiding officer, shall address only the question before the Town Council and shall refrain from impugning the motives of any other Town Council Member's argument or vote. No discussion of a sectarian or political nature shall be allowed. No member shall interrupt another while speaking, except to make a point of order, the point to be briefly stated to the presiding officer.
- E. No member of the Town Council shall speak more than once on the same question until every member choosing to speak shall have done so, or for a longer time than ten minutes on any question, without the express permission of the Town Council.

Section 6-4. Action by the Town Council

- A. Action on ordinances shall be required in accordance with Town Code.
- B. Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.
- C. When a proposal is perfectly clear to all present, and the proposal will not obligate the Town Council in any manner nor finally decide an issue before the Town Council, action can be taken upon the unanimous consent of the Town Council Members present, without a motion having been introduced. However, unless agreed to by unanimous consent, all proposed action of the Town Council must be approved by vote under these rules. Silence, or the lack of spoken dissent, is taken as consent.
- D. If an agenda item requires a public hearing, action by the Town Council may be taken at the same meeting as the public hearing or may be deferred to a later meeting.

Section 6-5. Motions

- A. Informal discussion of a subject is permitted while no motion is pending.
- B. Any member of the Town Council, even if he or she is serving as the presiding officer, may make a motion.
- C. A member may make only one motion at a time.

- D. Except for matters stipulated in these rules of procedure, all motions require a second and a motion dies for lack of a second.

Section 6-6. Receipt of Motions When Question is Under Consideration

- A. When a motion is under consideration, no motion shall be received, except as follows: to postpone indefinitely, to amend, to refer to a board, commission or committee, to postpone to a certain time, to limit or extend debate, to move the previous question or to lay on the table.
- B. The following motions are debatable: to postpone indefinitely, to refer to a board, commission or committee or to postpone to a certain time. A motion to amend is debatable only if the main question is. The other motions named in subsection A. of this section are not debatable. The following motions are amendable: to amend, to refer to a committee, to postpone to a certain time, and to limit or extend debate. The other motions named in subsection A. of this section are not amendable. All motions require a simple majority, except for the motions to limit or extend debate or move the previous question, which require a two-thirds majority.

Section 6-7. Debate

- A. The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:
1. The maker of the motion is entitled to speak first;
 2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 3. A member of the Town Council may vote against his or her motion but may not speak against his or her motion.
 4. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.
 5. Town Council Members shall not engage in electronic communication amongst themselves regarding a motion that is on the floor for debate.

Section 6-8. Duty to Vote

If there is an abstention, it shall be the responsibility of the abstaining member to state the reason and for Town Clerk to note the abstention and the reason for abstaining in the minutes for the record.

Section 6-9. Method of Voting

- A. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.
- B. All questions submitted to the Town Council shall be determined by a majority vote of the Town Council members voting on any such question, unless otherwise required by special or general law. A majority is more than half.
- C. An “affirmative vote” by a majority of the Town Council present being necessary to adopt a motion, a tie vote means that the motion, resolution or issue has been rejected. When a Page 13 of 18

fails on a tie vote, the “noes” prevail.

- D. In order for a motion in a zoning matter to be adopted, it must be approved by a majority of those voting.
- E. Town Council Members can request that the Town Clerk call for the individual votes of Town Council Members on any matter before the Town Council (Roll Call).

Section 6-8. Participation and Attendance by Remote Electronic Communication

The Town Council has developed various methods to allow for participation and attendance at Town Council, Board, Commission and Committee meetings. The following policy is established pursuant to the Maryland Open Meetings Act to allow members of Town Council, staff members, applicants or petitioners to participate in a Town Council meeting through electronic communication means from a remote location that is not open to the public, subject to the conditions and requirements of this Section. Public attendance to listen and/or view the proceedings of the Town Council may be made available through live streaming on the Town’s online meeting platform or phone in.

The following provisions shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

- A. On or before the day of a meeting, a Town Council member who wishes to participate through electronic means, when an in-person meeting has been scheduled, must notify the Mayor, or in the Mayor’s absence the member who will chair the meeting, that the member is unable to attend the meeting in-person.
- B. Following receipt of notification as required by subsection A., remote participation by electronic communication is authorized if the Town Clerk makes arrangements for the voice of the remote participant to be heard by all persons who wish to participate or attend utilizing electronic means or conference call.
- C. At the start of the meeting the Mayor, or other presiding officer, shall advise the Town Council of the member’s request for participation by remote electronic communication. If the conditions and requirements of this Policy have been met, the Town Council shall approve the member’s request by majority vote. If participation by a member through electronic communication means is approved, the Town Clerk shall record in the minutes of the meeting the means from which the member participated (in person or online meeting platform).

SECTION 7 – BOARDS, COMMITTEES, COMMISSIONS, AND AUTHORITIES

Section 7-1. Appointments to Boards, Committees, Commissions, and Authorities

- A. The appointments of Town Council Members to Boards, Committees, Commissions, and Authorities shall be approved by an affirmative vote of a majority of the members of the Town Council at the organizational meeting.
- B. In the event of a vacancy, the Town Council may consider and approve a replacement at any

regular meeting of the Town Council.

- C. If the Town Council wishes, it may review appointments on an annual basis.

Section 7-2. Standing Committees of the Town Council

- A. The Town Council may have Standing Committees of Council, to include but not limited to, financial and budgetary matters, land use and economic development matters, and the appointments of citizens to the Town's various Boards, Committees, and Commissions.

Section 7-3. The Creation of Standing Committees and New Committees

- A. Any new Standing Committee of the Town Council shall be established by an ordinance.
- B. Any new temporary committee shall be established by ordinance or resolution and shall specify the term during which the committee will remain in existence. No temporary committee shall be established for a term of more than 365 days, the period to run from the date the committee holds its initial meeting. The term of the temporary committee may be extended by Town Council through an ordinance or resolution for additional periods of up to 365 days each. A temporary committee shall cease to exist upon (i) the completion of its designated task or assignment, (ii) the date it submits its final oral or written report to Town Council, (iii) the expiration of the term specified in the ordinance or resolution creating the committee or of any extension of its original term, or (iv) three years from the date of its initial meeting, whichever occurs first.
- C. No new committee shall be established until the Town Manager has issued a report with comments and recommendations regarding the creation of the committee. The Town Manager may delegate responsibility for preparing this report to any department head. The report required by this section shall include the comments and recommendations regarding:
1. The need for the committee and possible duplications or conflicts with other committees;
 2. The appropriateness of a committee format to deal with the issues involved; and
 3. The impact that creation of the committee will have on Town staff and resources, including: (a) the estimated total amount of Town staff time that will be required on an annual or other basis to staff the committee; (b) whether the committee can accomplish its assigned work with existing staff; and (c) if new staff will be required, the total amount of additional staffing that will be required and the projected annual cost of such additional staff.

SECTION 8 – GENERAL OPERATING POLICY

Section 8-1. Staff Attendance at Meetings Organized by Town Council Members

Members of Town Staff, in their official capacity, shall not be invited by the Mayor or Town Council Members to attend meetings which are political in nature. Additionally, any requests for a member of Town staff to attend a community meeting or event that has been organized by or is being hosted by a member of the Town Council shall be made directly to the Town Manager.

Section 8-2. Meetings with the Public, Staff, and the Mayor or Town Council Members

When possible, the balance of Town Council will be given reasonable advance notice of any meetings.

scheduled for and attended by the public, a member or members of Town staff, and the Mayor or Town Council Members. A report by the Mayor or Town Council Member(s) in attendance should be given at the next Town Council meeting with a summary of the discussion and details of any follow-up action resulting from the meeting.

Section 8-3. Broadcasting Town Council Meetings

Recordings of regular meetings, special meetings and public hearings of the Town Council shall be made available to the public and may be streamed via the Town's online meeting platform. The video of recorded meetings will be available the day after the Town Council meeting.

Section 8-4. Minutes of the Town Council Meeting

The minutes of the Town Council meetings shall reflect the official actions of the Town Council. The minutes shall provide a summary of the discussion and record how Town Council voted on motions. The minutes will be considered for approval within a reasonable time following the meeting they record, typically, at the next regularly scheduled meeting.

Statements to be Included in the Minutes. Any member of the Town Council who wishes to have a statement or comment included in the minutes shall make that known prior to making the statement and shall provide the Town Clerk with a written copy of his or her statement.

Section 8-5. Official Documents Issued by the Town Council

Official documents issued by the Mayor and Town Council include, but are not limited to, legislation (ordinances and resolutions), proclamations, official citations, and certificates of recognition. Official documents are generally prepared by the Department of Legislative Services at the direction of the Town Manager. Signatures on legislation do not necessarily indicate agreement with the content of the legislation but rather that the signer witnessed the legislative procedures associated with the adoption of the legislation. When signers are not available to sign in person, permission will be obtained in advance for the use of their electronic signature.

- A. Legislation: Actions requiring legislation are defined in Town Code. Any member of the Legislative Branch may propose legislation.
- 1. Ordinance: An ordinance is an action taken by the Town Council that creates a law that governs conduct within the jurisdiction. It is a municipal law that may be amended or repealed by the adoption of another ordinance. Ordinances must be read at least twice in separate meetings and are adopted during a regular meeting of the Town Council by means of an affirmative vote of a majority of a quorum of the Town Council. Ordinances are signed by the Mayor and Town Council.
- 2. Emergency Ordinance: Extenuating circumstances may require the Town Council to adopt an ordinance after only one reading. In such circumstances, the Town Council adopts an emergency ordinance by means of an affirmative majority vote of a quorum of the Town Council. Emergency ordinances are signed by the Mayor and Town Council.
- 3. Resolution: A resolution is an official declaration of the wishes and opinions of a municipal body. A resolution may be issued to formally express the Town Council's policy or to make a public statement from the Town Council. A "motion" is used by the Town Council to indicate approval or denial of a procedural action. Resolutions are adopted during a regular meeting of the Town Council by means of an affirmative vote of a majority of a quorum of the Town Council. Resolutions are signed by the Mayor and Town Council.

- B. Proclamation: A proclamation is an official declaration issued by the Town Council to make something known, a public and official announcement. Proclamations are generally issued at the last regular meeting of the Town Council of the month at a regular meeting of the Council but may be issued at a special meeting. Proclamations may be requested by the Mayor, Town Council, Town Staff, or members of the community. Proclamations are signed by the Mayor and Town Council.
1. Official Proclamation: An official proclamation may be required by Town or State Code to announce actions taken by the Town Council when legislation is not required or has already been adopted, such as the declaration of a state of emergency or the cessation of annexation proceedings.
 2. Ceremonial Proclamation: A proclamation may also serve as a ceremonial document issued by the Council to commemorate a specific time period (day, week, or month) to increase public awareness of issues with the hope of improving the well-being of our citizens, to recognize and celebrate the extraordinary achievements of La Plata residents and non-profit organizations, and to honor occasions of importance and significance to La Plata residents. Ceremonial proclamations are not legally binding and should not be interpreted as a policy endorsement.
- C. Official Citation: An official citation may be issued to individuals, groups, or organizations in recognition of a specific event or occasion such as an anniversary, a milestone birthday, Boy Scout Eagle Award, Girl Scout Gold Award, retirement, a memorial service, a significant contribution to the community, award ceremonies, or a similar achievement. Official citations may be requested by the Mayor, Town Council, Town Staff, or members of the community. Official citations are signed by the Mayor or Mayor Pro Tem.
- D. Certificate of Recognition: A certificate of recognition or town seal is provided to a local individual, business, or organization to recognize outstanding achievements such as a grand opening of a business, business anniversary, or similar achievement. Proclamations may be requested by the Mayor, Town Council, Town Staff, or members of the community. Certificates of recognition are signed by the Mayor or Mayor Pro Tem.

Section 8-6. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of amendments to the rules of procedure shall require an affirmative vote of a majority of a quorum of the Town Council. Amendments to the rules of procedure become effective upon adoption.

Section 8-7. Special Rules of Procedure

The Town Council may adopt its own special rules of procedure to cover situations that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of a quorum of the Town Council.

Adopted: January XX, 2023