

TOWN OF FENWICK ISLAND

COMMITTEE GUIDE AND PROCEDURES

WELCOME COMMITTEE MEMBERS!

A big thank you for agreeing to serve on a Fenwick Island committee. Individuals serving on Boards, Commissions, and Committees play an important role in advising the Town Council on matters of interest to our community and its future. The Town of Fenwick Island welcomes community members with the spirit of volunteerism, where citizens contribute their time and talents for the common good to build a strong and vibrant community.

Appointments are made in September/October each year by the Mayor and up-to-date membership rosters including new appointments, vacancies, meeting calendar, agendas and minutes are posted and updated on the town website (fenwickisland.delaware.gov).

THE MISSION

Each committee is guided by the town's Comprehensive Plan, written by the town's Planning Commission. The Comprehensive Plan, a document required by the state of Delaware at least every 10 years, is the road map to Fenwick's future. You, as a committee member, are an integral part in helping us reach community goals and aspirations. If you have not yet read the comprehensive plan for 2024, we strongly recommend that you do so as it will inform and guide your committee work. The comprehensive plan can be found on the town website.

Working closely with the Planning Commission, each committee has its own mission statement as well as tasks and goals to pursue. The Implementation Matrix in the Comprehensive Plan shows the goals and priorities for each individual committee and acts as a guidepost for progress.

THE BASICS

Meeting Notice: you will receive an email with notice of a meeting. Included will often be the agenda and minutes from the previous meeting as well as the Zoom link. Because quorum allows for decision making through voting, your presence at each meeting is important. When you receive your e-mail meeting notice, please indicate by clicking "yes" "no" or "maybe" as to your planned attendance. This will allow the town clerk and Committee Chair to determine quorum prior to the meeting. It is not necessary to reply to the e-mail otherwise. If during your tenure you are unable to continue to serve on the committee or are unable to attend all or most meetings, please contact the Committee Chair.

Zoom/Remote Attendance: Delaware law allows attendance via remote access. Fenwick uses Zoom for this purpose and every committee meeting is available to members as well as the public through Zoom. The link for each meeting is available through the initial email notice of the meeting as well as on the Town website. If you are not familiar with Zoom, we recommend you avail yourself of an online tutorial or get help from a friend or relative. It's easy! We ask that Committee members attending by Zoom utilize video and audio during meetings.

For working groups within Committees: Please contact your Committee Chair for access to the town's Zoom account for scheduling and holding meetings.

Committee Chair/Agenda: The Committee Chair is responsible for the submission of the meeting agenda to the Town Clerk 10- days prior to the meeting and it must be posted publicly at least 7 days in advance. If you have an agenda item, contact the chair to discuss. The Chair, selected by the Mayor, is also responsible for leading the meeting and following the basics of Robert's Rules of Order (more on that later).

THE RULES

Fenwick Island is a public municipality in the State of Delaware and therefore governed by the State and its public meeting laws. Especially important to your committee work is the Freedom of Information Act (FOIA).

Excerpts from the State of Delaware website help to explain the requirements: (attorneygeneral.delaware.gov/executive/open-government/)

Delaware Freedom of Information Act

The Act ([29 Del. Code, Chapter 100](#)) establishes that *“it is vital in a democratic society that public business be performed in an open and public manner so that our citizens shall have the opportunity to observe the performance of public officials and to monitor the decisions that are made by such officials in formulating and executing public policy; and further, it is vital that citizens have easy access to public records in order that the society remain free and democratic. Toward these ends, and to further the accountability of government to the citizens of this State, this chapter is adopted and shall be construed.*

Q: What is an open meeting?

A meeting is defined as “a formal or informal gathering of a *quorum of the members of any public body for the purpose of discussing or taking action on public business.” [29 Del. C. § 10002\(j\)](#). All meetings of a public body, with certain exceptions, are open for the public to attend.

*Quorum is having a simple majority. Without a quorum at a meeting, no matters can be voted on, but public discussion is permissible.

Q: Are there any meetings of a public body that the public is not permitted to attend?

The public may not attend an executive session of any public body.

Q: Does a public body have to keep minutes of its meetings?

A public body must maintain minutes of its public meetings and its executive sessions. (Minutes are taken at Fenwick meetings by a staff member or designated committee member.)

Q: How can the public find out about open meetings?

A public body must post notice of the date, time, place of meeting, at least seven days in advance. The notice must include an agenda listing the major items of public business to be discussed if one is available. If an agenda is not available at the time of posting, the public body must post the agenda no later than six hours prior to the meeting stating the reason for the delay. The notice must be clearly posted at the public body's principal office (in our case, Town Hall). Public bodies may also post their meeting notices on their websites (each meeting and agenda is posted to the Fenwick Island website along with a Zoom link for remote access).

Q: Are meetings required to have a public comment period?

Meetings that are open to the public must include time for public comment in accordance with [29 Del. C. § 10004\(a\)\(2\)](#). A public body may impose reasonable time, place, and manner restrictions on the length of the public comment period and the amount of time allotted for each public comment.

Your FOIA Cheat Sheet:

1. A "Committee" has been deemed a "Public Body" by the Delaware Attorney General
2. Every meeting is open to the public and the press
3. Every meeting is accessible Via Zoom
4. Every meeting is recorded
5. You should not discuss committee business with other members outside a public meeting.
6. You should not discuss committee business via email and/or "reply to all" communications.
7. Any discussions pertaining to committee business should only be discussed during the public meeting.
8. Informal gatherings of more than half the committee could be perceived as a quorum and therefore subject to public meeting rules.

Robert's Rules of Order summarized:

"Robert's Rules is a time-tested manual of "parliamentary procedure" for conducting business at meetings and public gatherings. The basic handbook of operation for most groups provides common procedures for deliberation and decision-making with the full participation of the membership body. The conduct of ALL business is controlled by the

general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment AFTER a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings to accomplish the business of the assembly, with undue strictness never allowed to intimidate members or limit full participation. Meetings work best when all members are familiar with the rules." Robertsrules.org.

This **general overview** is courtesy of MeetingNotes.com, with a few changes/additions specific to rules of Fenwick Island government:

Order of business = agenda priorities.

Every good meeting is centered around an agenda, which outlines meeting goals and a plan to reach them. Most Fenwick meeting agendas will contain the following:

1. Pledge of allegiance
2. Approval of prior meeting minutes
3. Discussion Items, which may include:
 - Reports and updates from working groups
4. Possible Actions
5. Old Business
6. New business
7. Public Comment
8. Discussion of next meeting date
9. Adjournment

Some of these steps are not mandatory. If there was no previous meeting, for example, there are no meeting notes to approve. However, **a Public Comment period, allowing for public participation by property and business owners of the Town of Fenwick Island, must be included on each meeting agenda.** At most meetings, public comments are entertained toward the end of the meeting to allow the Committee to first work efficiently through the agenda. However, it is at the Chairs discretion if Public Comment is asked for and/or taken at other times during the meeting. An example may be prior to taking a formal vote on a matter and the Chair wants to ensure that the public can ask questions or make statements prior to a vote. At the Chairs discretion and in the interest of time, public Comment may be limited to a "X-minutes per speaker" or that each speaker only may be allowed to comment "X-times" on each item.

IF AN ITEM IS NOT ON THE AGENDA, IT CANNOT BE DISCUSSED. THIS ASSURES THAT THE PUBLIC IS AWARE, IN ADVANCE, OF ANY TOPICS AND CAN PLAN ACCORDINGLY.

Motions = idea generation and discussion.

Motions are the meat of a meeting: the reason they tend to take place. They are the ideas presented, the discussion and debate of those ideas, and the process of deciding which ones become reality.

The steps in handling motions are:

1. Making a motion (any committee member may make a motion)
2. Having someone second the motion
3. Stating the motion
4. Discussing and debating the motion
5. Putting the motion to a vote
6. Announcing the results of the vote

In the case of unanimous consent, these steps can be skipped. Without unanimous consent, a new motion or idea must be **seconded**. This means at least two people must find an idea relevant and worthy of committing meeting time to discussion. If a motion is not seconded, it is then considered dead and there is no further discussion nor a vote.

If an item is “tabled,” usually because more information is needed or requested, it can be reintroduced on a future agenda. Tabling an item requires a motion and second to do so as well as a majority vote.

If you have any questions regarding meeting rules, please contact the Chairperson of your committee or the Town Clerk.

And once again, thank you for serving!