

Managing County Boards, Commissions, and Committees

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Categories

- Statutory
- Advisory – ongoing
- Advisory – temporary
- Advisory to other than BOCC

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Definitions (74-202)

Governing Body - Members of any public agency which consists of two (2) or more members with the authority to make decisions for or recommendations to a public agency regarding any matter

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May Include:

- Airport Advisory Board
- Snowmobile
- Waterways
- Weed
- Fair Board** – three types
- Planning and/or Zoning Commission**

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May Include:

- Historical Society (mostly funding)
- Hospital Board**
- Translator Board Trustees**
- County Housing Authority**
 - Self appointing??
- Museum Board
- Urban Renewal Agency**

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May Include:

- Abatement Districts**
- Study Commission (Alternate Forms)
- Board of Community Guardians
- Recycle committee
- Sewer Board
- Pest Control
- Aquifer Protection District
 - BOCC appoints budget committee (specific)

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Regional Includes:

- Animal Damage Control (By 6 districts)
- Regional Detention
- Health Districts Board (and budget)
- Regional Solid Waste
- Fair District
- Regional Dispatch

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Selection

- Statutory limitations?
- Select those who can get along.
- Knowledge - with limited conflicts.
- Beware of those who really want on.
- Who are the constituents?
- What are your goals for this group?
- Co-operation is usually the key to success.

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Training

- Appointees are “public officials”
- Need training on:
 - Budget and other constraints
 - Public records and conflict of interest rules
 - Open meeting act – except for:
 - Staff
 - Advising executive officers. (EOs other than the Board)
- What are you asking of the committee?

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Personal Liability

- As a public official in Idaho the it is very unlikely that they will be personally liable for your actions on behalf of the County as long as your actions are;
 - Within “course and scope”.
 - And not intentional or malicious.

Idaho Tort Claims Act, Idaho Code Title 6
Chapter 9

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Staffing

General rule:

No governing body should be turned loose without staffing – either from the County or hired by the appointed board

Exceptions:

Those who actually do the hands on work such as Board of Community Guardians and possibly recycle committees.

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Reporting

Possibilities:

The minutes are the official record.

Reports from the staff person.

Reports from the chairman.

Some may have a “liaison” from the BOCC.

Communication should be two ways!

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Removing?

What is harder than terminating an employee?

Terminating a volunteer!

Some of the statutes create a “right” (for cause) in the appointed position. - CYA

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Purposes of Meetings

- Enable action by governing board
- Carry out statutory obligations
- To reach public agreement on matters of local governance
- To hear from members of the public***
- To explain why local government acts or considers acting or won't act

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Open Meeting Law Basics

- Governs all meetings at which a quorum will be present to engage in deliberations
(Beware of sub-committees /workshops)
- Types of meetings – regular, special emergency
- Require notice, agenda, minutes, nondiscriminatory place to meet
- ADA requires accessibility and accommodation for those with special needs

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Definitions

- Meeting - Convening of a governing body of a public agency to make a decision or to deliberate toward a decision on any matter.
(shall not include those ministerial or administrative actions necessary to carry out a decision previously adopted in a meeting held in compliance ...)

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Effective Meetings

- Organized
- Purposeful
- Respectful
- Expectations understood
 - Participants (EOs and Staff)
 - Public
 - Rules posted?

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Meeting Rules

- **EACH SPEAKER DURING THE PUBLIC COMMENT PERIOD WILL BE LIMITED TO 5 MINUTES**
- **THE COMMISSION MAY NOT HEAR OR TAKE TESTIMONY REGARDING ANY PLANNING & ZONING MATTER THAT IS BEFORE THE COUNTY OR IS KNOWN TO BE A LIKELY APPLICATION**
- **ISSUES REGARDING THE PERFORMANCE OF COUNTY EMPLOYEES CONSTITUTE MATTERS THAT MUST BE DISCUSSED ONLY IN EXECUTIVE SESSION AND ARE NOT APPROPRIATE IN THE PUBLIC PORTION OF THE MEETING**
- **MATTERS THAT HAVE BEEN PREVIOUSLY HEARD AND DECIDED BY THE COMMISSION MAY BE DETERMINED TO BE NOT APPROPRIATE FOR THE PUBLIC COMMENT PERIOD**
- **CITIZENS MAY USE THIS TIME TO REQUEST THAT ITEMS BE PLACED ON FUTURE AGENDAS FOR FURTHER DISCUSSION**

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AGENDAS

An agenda is required for each meeting.

- Posted same as meeting notice????
- Posted 48 hours (or 24 hours for “special” meeting)
- Only “good faith” amendments
- Motion and vote required for amendments made within 48 hours of, or during, the meeting to include good faith reason

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Conduct of Meetings

- Agenda – who sets?
- Chairman conducts (Usually).
- Allow (encourage) participants to discuss.
- Motions – need to be succinct, clear, comprehensive.
- Amending a motion?
- Voting?

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Role of the Chairman

- Conducts the meeting.
- Retains rights (obligations) to discuss and vote.
- Controls public input when it is allowed.
- Ideally:
 - Keeps the discussion to the agenda item.
 - Prohibits personal attacks and discussions of issues not before the Board.

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Meeting Roles - Staff

- Prepare and disseminate information
- Take minutes
- Record???
- Answer questions
- May provide regular reports on your area
- Other (see last line in JD)

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Suggestions

- Start with a job description
- Provide sideboards – written and in-person
- Meet with them periodically
- Assure they have staff
- Consider when to end terms –January is probably the worst time
- Training on Ethics, Meetings, and Records

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Common Questions

- The committee members are all to be at a conference, should I post as a meeting?
- What if a citizen calls each member individually?
- Can I violate the Open Meeting rules by e-mailing fellow members?
- Abstaining – Conflict or not?
- Contract – who can authorize?

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Thank you.

Questions?