

Managing County Boards, Commissions, and Committees

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Categories

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

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

Boards May Include:

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

Fair Boards (most)

- 22-204
- It shall safely keep or cause to be safely kept all moneys coming into its care, custody or possession in strict compliance with the provisions of the public depository law of this state.
- The board shall publish in at least one (1) issue of the official newspaper of the county a detailed statement of all moneys received and expended in connection with the operation of any fair or fairs, within ninety (90) days after the holding of any such fair within the county.

Fair Boards (most)

- 22-206
- When such taxes have been collected, the same shall be paid to the treasurer of the county fair board to be used for the purposes authorized by this act...Upon the creation and appointment of the fair board by the county commissioners, it hereby becomes a taxing unit under the provisions of the Idaho Budget Law ...

Planning & Zoning Commission

- 67-6504
- (a) Membership — Each commission shall consist of not less than three (3) nor more than twelve (12) voting members...An appointed member of a commission must have resided in the county for at least two (2) years prior to his appointment and must remain a resident of the county during his service on the commission.
- !!!!Removed “for cause”

Additional Boards

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

And More:

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

Regional Boars May Include:

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

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.

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?

Personal Liability

- As a public official in Idaho the it is very unlikely that they will be personally liable for actions on behalf of the County as long as the actions are;

Within “course and scope”.

And not intentional or malicious.

Idaho Tort Claims Act, Idaho Code Title 6
Chapter 9

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.

Reporting: Keep in Touch

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!

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

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

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

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 ...)

Effective Meetings

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

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**

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

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?

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.

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)

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

BEWARE!

- But we've always done it this way.
- We'll put him on a board to keep him busy, so he won't bother us.
- She supported me in the campaign.
- Family members?

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?

Thank you.

Questions?