

Town of Buckeye

Boards, Commissions and Committees Manual

Amended and Restated
March 2, 2010



Mission Statement:

Helping to shape the future of the Town of Buckeye through public involvement.

As the Town of Buckeye continues to grow and reshape itself for the future, community involvement is a key instrument to promote this endeavor. The Town Council is committed to ensuring active public participation in their decision making process through the appointment of citizens to the Town's ongoing advisory boards, commissions and committees.

Citizen input and involvement is essential to the success of local government. Boards, commissions and committees provide valuable feedback to elected officials; which assist the Council in making important policy decisions that impact our community. Boards, commissions and committees play a key role in bringing forth the needs and desires of the community.

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Chapter One

Town Government Overview

The Town of Buckeye utilizes the Council-Manager form of government. All powers of the Town are vested in the elected Town Council. The Town Council, comprised of six council members and the Mayor, enacts local legislation, adopts budgets, determines policies, and appoints the Town Manager and other staff as necessary.

The Town Council is committed to ensuring active public participation in their decision-making process:

- Through the appointment of citizens to the Town’s ongoing advisory boards, commissions and committees.
- Through special assignment of citizens to issue-oriented ad hoc committees.
- By hosting or attending neighborhood meetings and events.
- By sponsoring regional and community forums on such topics as youth, transportation, economic development, and parks.

The **Mayor** serves a four-year term and is elected to an at-large position, meaning that the Mayor is elected by majority vote of all residents voting in the election.

The **Vice-Mayor** assumes all duties of the Mayor in the event the Mayor is unable to attend or preside over a Council meeting, or represents the Mayor or the Town at official functions as requested by the Mayor.

The **six Council Members** serve staggered four-year terms and are elected by district. They debate, discuss, and act upon various issues presented to them by staff and concerned citizens.

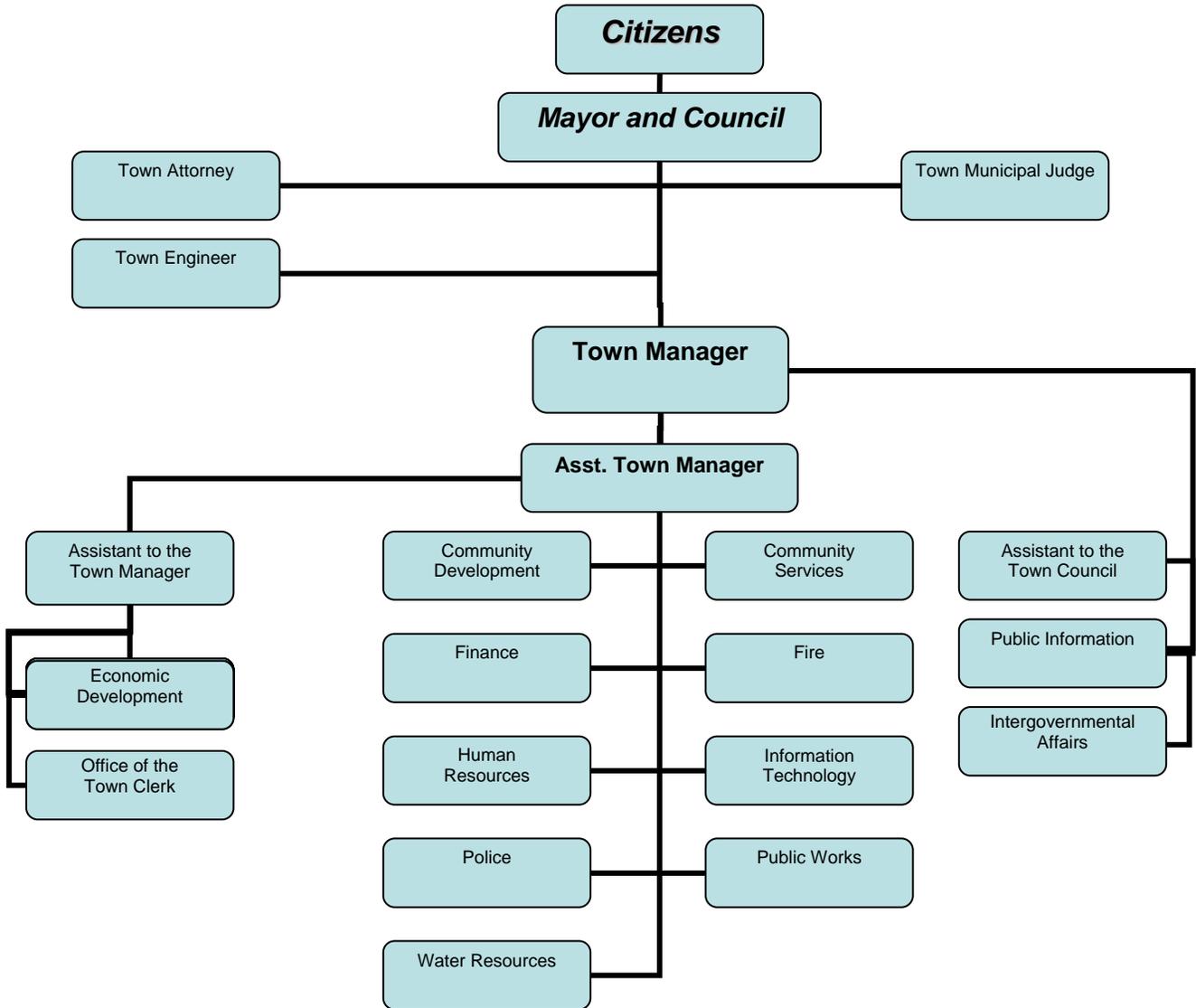
The **Town Manager** is appointed by the Town Council and serves as the chief executive and administrative officer for the Town. The primary responsibilities of the Town Manager are to implement the vision and policies of the elected Town Council. To carry out the responsibilities of the position, the Town Manager appoints an Assistant Town Manager and a professional staff of department directors to assist with the management of the organization. The Town of Buckeye is organized into ten departments:

- | | |
|------------------------------|-------------------------------|
| Police | Fire |
| Finance | Public Works |
| Water Resources | Information Technology |
| Human Resources | Community Services |
| Community Development | Town Clerk |

In addition to the Assistant Town Manager, four department directors report directly to the Town Manager: Community Development, Human Resources, Finance, and Town Clerk.

All four serve as members of the executive management team and provide support to the Town Manager.

Town of Buckeye Organizational Chart



Governance Documents

Town Code

The Town Code provides the mechanism to enforce all ordinances and municipal affairs, in addition to those provisions allowed by the constitution and laws of the State.

Ordinance

The Town Council, through its legislative powers, adopts ordinances which set forth the regulatory, penal, and administrative laws of general application to the Town and in conformance to the authorities granted in the Arizona and U.S. Constitution.

Ordinances are adopted to do things such as: annex land, zone or re-zone property, and set the tax levies. Ordinances also establish laws that are called codes. These ordinances are compiled into the Buckeye Town Code, as may be amended from time to time.

Resolutions

A resolution is a less formal action of the Council. Resolutions are presented and adopted for issues such as: appointments to boards, commissions and committees, accepting the budget, authorizing the submission of applications for and accepting grants, creating improvement districts, authorizing the sale of bonds, approving some of the intergovernmental contracts and a variety of other matters.

General Plan

This is a legally required policy document that contains, among other things, the major elements of land use circulation, open space, housing, noise, scenic highways, conservation, and safety. It is intended to set forth general policy for the development and conservation of the community, and serves as the policy statement upon which the Town's Zoning Ordinance is based. The General Plan can also encompass areas that are outside of the current Town boundaries, but are within the planning area of the Town.

Major amendments to the General Plan occur once per year through a strictly regulated application and hearing process. The Town holds periodic open houses to give citizens and other interested parties informational briefings on the Plan. This amendment process allows citizens, interested parties, and internal customers to participate in the direction in which they believe the Town should go on the issues discussed above.

A recent change in Arizona Law commonly known as "Growing Smarter Plus," requires amendments to the Plan to go before voters for their approval. The Town's Plan contains a number of sub-plans such as the Trails Master Plan, the Transportation Plan and the Parks Master Plan. The General Plan and its component parts is a dynamic, ever evolving document designed to meet the needs of the community, and to guide in the logical planned development for the betterment of the Town as a whole.

Chapter Two

Town of Buckeye Boards, Commissions and Committees

There are currently sixteen boards and commissions in the Town of Buckeye. Eight of these boards and commissions are considered active or scheduled:

- **Airport Advisory Board**
- **Community Services Board**
- **Planning & Zoning Commission (Development Board)**
- **Library Board**
- **Social Services Advisory Board**
- **Public Safety Retirement Board (Fire)**
- **Public Safety Retirement Board (Police)**
- **Buckeye Pollution Control Corporation**

Active or scheduled boards and commissions can meet as infrequently as one time per year, while others have several meetings per month. Meeting schedules and rosters may be viewed in Chapter 3.

Seven of Buckeye's boards and commissions are considered inactive or unscheduled:

- **Building Board of Appeals**
- **Citizens Commission on Salaries for Elected Town Officials**
- **Design Review Appeals Board**
- **Economic Development Advisory Board**
- **Historic Preservation Commission**
- **Municipal Development Authority**
- **Youth Advisory Board**
- **Buckeye Firefighter Pension Board**

The Buckeye Town Council is authorized to create boards, commissions and committees to serve the Town in an advisory capacity¹. Members of boards, commissions and committees serve the vitally important role of researching, considering and discussing important issues facing the Town. The Council then relies upon members of boards, commissions and committees to advise them on various matters. The Town Council uses this helpful information from a board, commission or committee, which usually focuses on a particular aspect of the Town, i.e., Community Service or Planning and Zoning or Airport, to make informed decisions on Town-wide matters. Section 2-4-7 of the Town Code and Section 14 of the Council Rules of Procedure outline policy for boards, commissions and committees, including:

- **Eligibility requirements**
 - **Length of terms**
 - **Term limits**
 - **Appointment procedure**
 - **Vacancy / Removal from board procedures**
-
- **Eligibility requirements** – Applicant must be a Buckeye resident for at least one year, at least 18 years of age (except for members appointed to the Youth Commission and any board, commission or committee seats designated by Town Council for youth representation), and a registered voter.
 - **Appointment procedure** – Members of the Town Council shall present nominations of regular and alternate members of boards, commissions and committees at the first Council meeting in the month of December, or as needed to fill vacancies.
 - **Length of terms / term limits** – Appointments shall be for a period of four (4) years each, with a maximum of two (2) consecutive terms served.
 - **Vacancy / Removal from board procedures** – Please see Rules of Procedure in Chapter 8 for details.

Please remember that Section 2-4-7 of the Town Code applies to some, but not all, of the Town boards, commissions and committees. Some boards, commissions and committees are authorized by other entities, such as the State of Arizona, and in some cases, the rules and procedures for various items explained in Section 2-4-7 may be superseded by those authorizing agencies. For further details of Town Code Section 2-4-7 please refer to **Chapter 8, Legal Reference Documents**.

¹ Town Code Section 2-4-7

Chapter Three

Board Rosters & Application

The following pages list rosters for regularly scheduled boards, commissions and committees as well as the Boards, Commissions and Committees application.



TOWN OF BUCKEYE BOARDS, COMMISSIONS AND COMMITTEES APPLICATION

The Town of Buckeye utilizes various boards, commissions and committees to advise Council on various matters. Members of boards, commissions and committees serve the vitally important role of researching, considering and discussing important issues facing the Town. There are currently five boards that meet regularly and three boards that meet as necessary, as referenced below:

Board/Commission	Mission	Meeting Schedule
Airport Advisory Board	Advises Council on essential policies, rules, regulations and other matters related to the Town's municipal airport	2 nd Wednesday of each month, 6:00 p.m.
Community Services Board	Develops advisory recommendations for Recreation, Cemetery, Parks, Neighborhood and Library facilities and services. Also renders advisory opinions on grant applications for the Community Services Department.	3 rd Wednesday of every other month, 6:30 p.m.
Planning & Zoning Commission (Development Board)	Recommends planning and zoning policies governing the land use in Buckeye. Also reviews and recommends approval of zoning codes and annual revisions to the Town's Comprehensive Master Plan	2 nd and 4 th Tuesday of each month, 6:00 p.m.
Library Board	Renders advisory opinions on matters relating to operating hours, amounts to be charged for overdue books, library programs, and promotion of library services.	Quarterly, 4 th Monday in Feb, May, Aug and Nov, 6:00 p.m.
Social Services Board	Advises Council regarding social service needs of the community and in finding resources to meet those needs through collaboration with community groups, agencies, cities and organizations	2 nd Tuesday of every month, 6:00 p.m.
Public Safety Retirement Board (Police)	Represents Police Department employee pension matters.	As needed
Public Safety Retirement Board (Fire)	Represents Fire Department employee pension matters.	As needed
Buckeye Pollution Control Corporation	Responsible for approving secured or unsecured loans for the purpose of financing or re-financing the acquisition, construction, improvement or equipping of privately-owned projects.	Annually

Please Note: Volunteers selected to serve will be required to submit to a background records check.

MAIL COMPLETED APPLICATIONS AND ALL ATTACHMENTS (RESUME, CERTIFICATES) TO:

Town of Buckeye
Office of the Town Clerk
530 E. Monroe Ave.
Buckeye, AZ 85326
623-349-6000

Applications will be held for up to six months, and will be reviewed as vacancies arise.

NAME: _____ DISTRICT: _____
FIRST LAST

ADDRESS: _____
STREET CITY ZIP

PLACE OF EMPLOYMENT HOME PHONE

_____ AM PM
BEST TIME TO CALL CELL PHONE WORK PHONE

EMAIL ADDRESS WEB ADDRESS (if any)

BOARD, COMMISSION AND COMMITTEE PREFERENCE(S)

If interested in more than one, please indicate order of preferences, i.e 1st, 2nd, 3rd, etc.

- | | |
|------------------------------------|---|
| _____ Airport Advisory Board | _____ Buckeye Pollution Control Corporation |
| _____ Community Services Board | _____ Library Board |
| _____ Social Services Advisory | _____ Public Safety Retirement Board (Fire) |
| _____ Planning & Zoning Commission | _____ Public Safety Retirement Board (Police) |
| _____ (Development Board) | |

PART ONE

If appointed, how much time are you able to devote to the Board/Commission/Committee?

Number of hours per week _____ Number of hours per month _____

Best meeting days? (Please ✓ all that apply)

MON TUES WED THUR FRI

How long have you been a resident of Buckeye? Years: Months:

You must be a valid registered voter in Buckeye to be appointed to serve on certain Boards/Commissions/Committees.

Are you a valid registered voter in Buckeye? YES NO

What civic activities have you been or are now involved in?

Please tell us why you wish to be appointed to a Town Board, Commission or Committee?

Are you now serving or have you ever served on a Board, Commission or Committee for the Town of Buckeye? If so, please indicate Board/Commission/Committee and the dates served.

Give any qualifications, education or experience you have which may pertain to the requested Board(s)/Commission(s)/Committee(s).

Additional Comments

PART TWO

Provide details regarding any education you may have that pertains to any of the Boards/Commissions/Committees you would like to serve on.

**If you are certified in areas relating to the Boards/Commissions/Committees you would like to serve on, please provide detailed information, including date of certification.
ATTACH COPIES OF ALL APPLICABLE CERTIFICATIONS.**

Are you familiar with Robert's Rules of Order? YES NO

Have you taken any additional training that may be specific to the Boards/Commissions/Committees which you have indicated an interest?

SIGNATURE

DATE

FOR OFFICE USE ONLY

BOARD/COMMISSION/COMMITTEE _____

NEW
APPOINTMENT _____

UNDERFILLING
TERM _____

DATE
APPOINTED _____

NAME OF
MEMBER REPLACED _____

TERM
EXPIRATION _____

DATE
RE-APPOINTED _____

TERM EXPIRATION _____

DATE OF RESIGNATION (If applicable) _____

BOARD/COMMISSION/COMMITTEE _____

NEW
APPOINTMENT _____

UNDERFILLING
TERM _____

DATE
APPOINTED _____

NAME OF
MEMBER REPLACED _____

TERM
EXPIRATION _____

DATE
RE-APPOINTED _____

TERM EXPIRATION _____

DATE OF RESIGNATION (If applicable) _____

Chapter Four

Your Responsibility as a Board, Commission or Committee Member

Roles and Responsibilities

Because the Town Council does not have time to study and develop recommendations on every issue that affects the community, they rely on the boards, commissions and committees to research the issues and to recommend decisions and policies that are in the best interest of the community.

Boards, commissions and committees members are not elected officials and, as such, are purely advisory. Board, commission and committee members do not establish, but recommend public policy. They recommend action based on their expertise and their study of specific issues. Although all of their actions and recommendations are subject to approval by the Town Council, the Council trusts that board, commission and committee members will exercise sound independent judgment so that they may offer the best advice possible.

It is the Council's role to weigh the advice and recommendations offered by the boards, commissions and committees and numerous other resources to make decisions which it determines best serve the citizens of Buckeye. The Town Council may:

- Follow the recommendation of the board, commission or committee.
- Request further study.
- Decide to take different action than that recommended by the board, commission or committee.
- Decide not to act at all.

Board, Commission and Committee Service

Pros and Cons of Service

Although it can be very rewarding, serving on a board, commission or committee isn't always easy. Listed below are some of the pros and cons of agreeing to serve on a board, commission or committee.

Pros:

- Making a substantive difference in your community.

- Learning about municipal government organization, processes and procedures.
- Making recommendations that preserve and enhance the community.
- Meeting new people in the community.
- Improving your public speaking skills.

Cons:

- Difficulty finding sufficient time to do the job well.
- Receiving telephone calls at work and at home during inconvenient hours.
- Making difficult decisions.

Characteristics for Success

Successful board, commission and committee members have the following characteristics in common:

- Interest in Town issues and a willingness to learn about them.
- Enough time to prepare for and attend meetings and hearings as scheduled.
- Open mind, patience and fairness.
- Ability to envision and consider the long-term effects of a decision and to put them ahead of short-term considerations.
- Ability to come to a conclusion, make a decision and resolve an issue.
- Good “people” skills.
- Commitment to attending all meetings and study sessions.

Attendance Policy

Board, commission and committee members are appointed by the Town Council and may be removed by the Council.

The Town’s attendance policy for members of boards, commissions and committees, provides that if a member fails to attend three consecutive regular meetings, or more than fifty percent of all meetings of such groups held over a calendar year period, the Town Council may declare the seat vacant and appoint a replacement.

If a member of any board, commission, committee or advisory body is removed, the Town Council shall, within a reasonable time, appoint a new member to fill the unexpired term of the former member.

Public Perceptions and Ethics

As a volunteer board, commission or committee member, you represent the Town of Buckeye. You are often the only contact most individuals have with the Town. Therefore, board, commission and committee members should conduct themselves in an appropriate manner at all times, not just when serving in an official capacity for the Town of Buckeye.

Serve the Public with Respect

You often only get one chance to make a good impression and that is especially true for public officials and representatives. When interacting in a public setting, perceptions are reality. Your actions before and after a meeting, your body language, the tone of your voice and many other behaviors will affect how the public views your decisions as a board, commission or committee member.

If citizens perceive that you have listened to them and considered their issues, then they may feel they have received a fair hearing. As a public representative, members should:

1. Be honest and straightforward.
2. Maintain perspective and do not take the discussion or decisions personally.
3. Avoid unacceptable activities prior to a meeting which may impair your judgment.
4. Avoid abusive language or comments of a racial, religious, sexual or ethnic nature that could be perceived as offensive or disrespectful.
5. Dress appropriately, such as business casual.
6. Do not visit with friends, applicants or other audience members before or after a meeting.
7. Avoid the appearance of favoritism for friends, applicants or others in the audience who may be associated with an agenda item.
8. Do not send group emails to fellow board, commission and committee members. This can be perceived as avoidance of the open meeting law.

Ethics

Board, commission and committee members may experience situations in which ethical choices are presented. Ethical challenges take many forms and sometimes there is no one “right” answer. When making ethical decisions, it is important to keep in mind “perceptions,” those things that are viewed through the mind or senses, as being real. It is easy for things to be taken out of context and sometimes perceptions get passed on as if they were truths. If you have a question or concern regarding a potential ethical choice or decision you have to make, contact your staff liaison or the Town Attorney’s Office to discuss the matter.

Ex parte Communications

Ex parte communications is discussing with one of the parties the merits of a case without the other party being present or formally notified of the opportunity to be present to explain their side.

Always try to avoid ex parte communications and ask your board, commission or committee staff liaison if there are any legal requirements for communicating with an applicant.

Mentoring New Members

Terms of service eventually come to an end. Because the turnover of board, commission and committee members is continuous, new appointments are made frequently. The new appointee’s ability to hit the ground running as an effective contributor to the work of the group as a whole will be a function of the quality of the initial mentoring support provided by other members.

The new members of a board, commission or committee will initially require special attention and should be made to feel welcome and comfortable. It is in everyone’s best interest that this transition occurs smoothly and with minimal disruption.

In addition to the basic training all new members should:

- Attend a meeting of their board, commission or committee before they are officially appointed.
- Meet with the chair and staff liaison before your first meeting.

Things to remember:

1. Board, commission and committee recommendations are advisory – the Town Council has the final say.

2. Volunteering to serve on a board, commission or committee has its rewards, but it can be very time consuming.
3. When making decisions always consider what is in the best interest of the community as a whole, not just your opinion.
4. You are a public representative and will be held to the highest standards of ethics and conduct.
5. Mentoring new members will help make your board, commission or committee more successful.

Chapter Five

Successful Boards, Commissions and Committees

*Government is not a substitute for people,
but simply the instrument through which they act.*

--Bernard M. Baruch

Getting ready for a meeting

Be Prepared

1. Review and READ your agenda packet.
2. Know the facts of the case or issue and understand the merits of the issues presented.
3. Consider whether or not you may have a conflict of interest on any of the agenda items.
4. For high profile issues you may want to contact Town staff for a personal briefing, if appropriate, or set up a time to personally inspect the case file.
5. If you have questions, contact Town staff as early as possible. Your early inquiries give staff an opportunity to research concerns you may have.
6. Write down any unanswered questions, comments or concerns you may have and bring them to the meeting.
7. Site visits may be necessary and should be coordinated through the staff liaison.
8. It is okay to ask neighbors, council members, staff members, and residents for their opinions.
9. Make arrangements so that you can be at the meeting on time.

The Staff Liaison

Each board, commission or committee created by the Town Council will have an appointed Town staff member that acts as a liaison. If a board, commission or committee member needs to contact Town personnel for information concerning official business, he or she should always make the formal request through the staff liaison or their designee.

It is not the responsibility of board, commission or committee members to decide or direct the priority of work for the department or the individual staff liaison that has been assigned to the board, commission or committee.

To the extent possible, the board, commission or committee sets priorities for their own agendas. Town staff then uses its time to gather the information necessary for the board, commission or committee to make a recommendation or decision with respect to the agenda items.

The staff liaison will:

1. Establish and maintain a positive working relationship with the board, commission or committee members.
2. Assist with the establishment of basic board, commission or committee bylaws, structure and operating procedures.
3. Work with the chair to provide information and logistical support to board, commission or committee members.
4. Provide board, commission or committee members with the information necessary for making any informed decision.
5. Offer advice and counsel to board, commission or committee members.
6. Report the board's, commission's or committee's concerns and progress to the Town Manager.
7. Provide advice regarding the most effective way of presenting board, commission and committee recommendations to the Town Council.
8. Facilitate interaction between boards, commissions and committees if necessary.
9. Make meeting arrangements and prepare and distribute agenda packets to board, commission and committee members.
10. Prepare and ensure that legal postings and public notices are completed as required by Arizona Open Meeting Law.
11. Take notes during the meeting and prepare meeting minutes for approval by the board, commission or committee; and submit to official files according to Council policies.
12. Provide board-specific training and guidance to new members.

Successful Meetings

The business of the board, commission or committee is conducted during a public meeting or hearing. Therefore, it is important that meetings are conducted in a professional and efficient manner.

Meetings, whether one-on-one, in small groups or in public events are the dominant methods used to engage stakeholders in discussions about the issues they face. Therefore, people charged with engaging communities in problem solving and planning for the future need to have good meeting planning skills, good facilitation skills, and a thorough knowledge of action planning.

Tips for success

1. Keep the meeting under control.
 - It is the chair's responsibility to ensure that the meeting is conducted in an orderly manner.
 - Have a set meeting procedure to follow. Explain it to the public at the beginning of the meeting.
2. Act promptly.
 - Schedule topics on the agenda in order to avoid inconvenience or delays to applicants, special interests, and interested citizens.
 - Follow a published agenda.
 - Ensure that the applicant and/or other interested parties receive due process by rendering a decision in a timely manner.
3. Bring issues to vote.
 - Avoid becoming bogged down in petty details or endless requests for additional information.
 - Meet with staff prior to regular meetings to review complex cases, technical reports, and to analyze issues.
4. Ask yourself:
 - Were the issues clearly defined and fully addressed?
 - Did the evidence provide sufficient factual information to reach a decision?

- Is the request consistent with the goals and objectives of the community?
5. Make fair decisions.
 - Keep an open mind.
 - Listen carefully to citizen and fellow member comments prior to making or announcing your decision.
 - Don't discuss the pros and cons of an agenda item before all testimony and evidence have been presented.
 - Discussion should focus on the facts of the case or issue and not on the applicant or speaker.
 6. State the board's, commission's or committee's findings.
 - Vote on specific actions in the form of a motion and include pertinent findings.

For additional information on member conduct while doing the business of the board, commission and committee read the "Riggins Rules" in Chapter 8.

Effective Conflict Management

Public hearings or citizen input meetings can be challenging. However, a public meeting is an important part of the democratic process, especially at the local level, and it should be the goal of all boards, commissions and committees to make their meetings as effective as possible.

Participants can be highly motivated and often nervous, creating the possibility of conflict or contentious exchanges. A board commission or committee member's role is to guide conflict to positive results, not to eliminate it. When this is done effectively, all participants feel that they have been heard and their issues were considered before decisions were made.

The following are some suggestions that should help in managing conflict and confrontation effectively:

1. Do your homework so you can concentrate on the dynamics of the meeting rather than learning about the topic at hand. Be prepared to ask pertinent questions.

2. Carefully explain the purpose of the public hearing and what action is expected at the conclusion of the hearing. Insistence on playing by the rules is your best tool for conflict management in public hearings.
3. Treat all sides fairly. Set the rules of the hearing early and make sure everyone abides by them.
4. As often as possible, as a sign of respect, address the speaker by name.
5. Impassioned comments most often do not require answers. Try to diffuse the situation by asking specific, neutral questions.
6. Repetitious debates should be avoided with speakers and other members.
7. Board, commission and committee members should refrain from expressing their views on a proposal until testimony has been completed. Comments and questions should be neutral.
8. Following testimony, the chairperson should invite but not force board, commission and committee members to discuss their views on the proposal.

Other Types of Meetings

Some boards, commissions and committees may have workshops, retreats, subcommittees or other types of meetings in addition to the regular public meetings. Check with the staff liaison to determine if your board, commission or committee has any additional meetings and the protocols for those meetings.

Basic Parliamentary Procedure

Parliamentary procedure is a set of rules for conducting business at public meetings. Parliamentary procedure is important because it allows everyone an opportunity to be heard and assists in making decisions without confusion. Because implementation of the Robert's Rules of Order can be cumbersome, the rules are often adapted to fit the needs of the organization.

The following is the adaptation of the rules that should be used by the Town of Buckeye boards, commissions and committees.

The Agenda

Each board, commission or committee will publish an agenda for posting and distributing prior to each meeting. The agenda may include the following:

1. Call to Order/Roll Call

2. Minutes
3. Specific Business Items (with general description)
4. Staff Reports
5. Announcements
6. Adjournment

The method of preparing the agenda varies by group. See the operating policies in the appendix, for specifics on the preparation and posting of agendas for each board, commission or committee.

Making Motions

A board, commission or committee member uses a motion to propose a resolution or action on an item on the meeting agenda. The process for making motions follows.

1. A member makes a motion – “I move that.....” Speak clearly. State your motion affirmatively – “I move we do...” – do not say “I move we do not....”
2. The chair asks for a second to the motion – “Second.”
3. The chair asks the group to debate the motion.
4. The chair states the motion on the floor – “It has been moved and seconded that we...”
5. After the motion is seconded, the member making the motion may speak to their motion first.
6. After discussion, the chair asks for a vote on the motion – “All those in favor; all those opposed.”
7. Votes are taken by a roll call. Some board, commission or committee may allow a vote by show of hands.
8. The chair announces the results of the vote.

Frequently Asked Questions

1. When is a motion in order?

The motion must be relevant to the current agenda item.

2. Do all motions need a second?

Yes. If a motion is not seconded, it dies and the chair asks for another motion or moves on to the next agenda item.

3. May you debate the motion?

Yes. However, the debate must be relevant to the motion. The chair may limit the debate to keep the meeting moving.

4. Can a motion be amended?

Yes. All amendments must be relevant to the original motion. Amendments must have a second and are debated and voted on before the original motion is voted.

5. Can a motion be reconsidered?

Yes. A member of the majority vote may ask to have a motion reconsidered. The board, commission or committee would vote on the motion to reconsider a previous motion. The motion would be reconsidered if a majority agrees.

6. What is a “call for a vote” or “move the previous question?”

A member may ask for debate to end on a motion by calling for a vote or move the previous question. A second to the motion is not required. The chair may then immediately ask members to vote on the motion on the floor.

Other Types of Motions

1. Motion to table.

This motion is used to temporarily postpone discussion on an issue so that a more urgent matter can be discussed. Tabling an issue should not be used to prevent discussion or action.

To remove an item from the table, a member must make a motion “to take from the table” a motion for reconsideration. Tabled items must be reconsidered during the current or next meeting.

2. Motion to postpone indefinitely.

This motion is sometimes used to kill a motion without having to discuss or vote on the issue. It is useful when either a yes or no vote on the original motion will have undesirable consequences.

3. Adjournment and recess.

Presiding officer may call for adjournment and recess.

Making Good Decisions

The type of decisions or recommendations each board, commission or committee makes varies according to their mission. Some groups are selecting projects to receive Town funds, one determines if a variance should be given, another determines the compatibility of a project to the Town's General Plan and others oversee Town programs or projects.

Important considerations when making decisions include:

1. Objectively considering which decisions will best serve in accomplishing the board, commission or committee mission.
2. Making recommendations and decisions that are in the best long-term interest of the citizens of Buckeye as a whole.

Things to remember:

1. Come to the meeting prepared.
2. At meetings.
 - Actively listen.
 - Ask questions.
 - Avoid preconceived notions and keep an open mind.
 - Treat people with respect and be sensitive to issues of race, ethnicity, religion and gender.
3. Don't make decisions until all of the testimony and public comment have been heard.
4. Follow the basic parliamentary procedures to keep your meetings on track.
5. Periodically evaluate the performance of the board, commission or committee members and the effectiveness of the meetings.

Chapter Six

Public Involvement at the Board, Commission and Committee Level

Representing the Community

Board, commission and committee members should make decisions that you feel are in the best interest of the community, but how do you determine what is the best interest of the community? By using basic public involvement techniques, board, commission and committee members can involve the public in their decision-making processes.

Three primary reasons public involvement is so important are:

1. People who are affected by a public decision should be given accurate information regarding the decision, should have a voice in that decision, and should have the opportunity to help determine how the decision will be implemented.
2. If people are involved in the process of policy-making, they will find ways to improve the quality of the decisions, will actively support the final policies, and will suggest methods to improve how policies are implemented.
3. If people have been given full information and their voices have been heard and recognized, they may be able to at least recognize that the process was open and fair.

Public Involvement Trends

1. The number of people who want to be and are involved in the “public” process is growing.
2. People want to know what’s going on to the extent that it will or might affect them.
3. There is a sense of mistrust of and cynicism toward government and those who are a part of the process, including board, commission and committee members.
4. Many people resent what they perceive to be an increasing government intrusion into their lives while others seek its protection.
5. People have better and faster means of communicating with one another and organizing to oppose proposals or actions.
6. Citizens are organizing according to narrow or special interest issues.

7. Despite instant communication, citizens are not, necessarily, better informed.

There are many publics – not just one

The motivations of the people serving with you on a board, commission or committee and those addressing your group may vary. For example, they may:

- Need something from you that they don't have.
- Want to keep what they've already got.
- Be interested in an issue out of a concern for themselves, their special interest or the community as a whole.
- Be confused and not know the process.
- Not like intrusion by government.
- See government as a means to an end.
- Be "old timers" who have been in town a long time.
- Be "new" residents who do not have any "local" experience or history to draw upon.
- Have varying language and public speaking skills.
- Know an issue backwards and forwards.
- Not know what they are talking about and have their facts wrong.

Dealing with the Media

Occasionally, your board, commission or committee may be asked to make a recommendation on a high profile case or a controversial issue. As a result, you may be asked by a reporter to make a comment or answer questions. What you say and how it is reported will have an effect on you, you board, commission or committee and the Town of Buckeye. Therefore, it is important to understand the principles of good press relations.

The following is intended to help you have a positive relationship with the media. Always remember that if you are uncomfortable in talking to the media, you should contact your staff liaison or the Town's public information officer for assistance.

Good Media Relations

- Do not avoid the media by not returning calls or saying no comment.
- Talk to the press only about issues and facts not opinions.
- Do not lie.
- Talk only about the things you know about.

Poor Media Relations

- Refusing to talk to a reporter.
- Having the wrong information.
- Saying too much.
- Demanding to see the text of a story prior to publication.

What should I do when a reporter calls?

Usually calls from a reporter are not expected and often catch people off guard. If possible, you should never talk to a reporter without preparing first.

- When a reporter calls, ask if you can set up an appointment to talk with him or her at a time that is convenient for both of you.
- If a reporter is on a deadline and is pressuring you to talk, say that you need a couple of minutes to get your project file so that you can have the appropriate information and will call back in five to ten minutes. Respect the urgency of the reporter's deadline and be prompt in calling back.
- Before talking to a reporter review the facts of the case or issue and call the staff liaison and/or public information officer to discuss the interview. Write down the questions you expect to be asked and the answers you want to give. When talking to a reporter on the phone, be sure you will not be distracted so you can concentrate on the questions and your responses.
- Only answer the questions asked. Do not provide additional information that is not relevant to the question.
- If you do not know the answer, tell the reporter you do not know and refer them to the appropriate staff person who can provide the information.

- If the question is unclear, repeat it back to the reporter to be sure you understand what is being asked.
- Think before you answer. It is okay to pause before talking.
- Never say “no comment.” However, if you don’t know, say so.

Other Media Tips

1. Information presented in an executive session is considered confidential. You may be removed from your position and subsequently prosecuted if you knowingly violate your oath of confidence. It is a violation of State law to divulge confidential information to anyone other than members of the board, commission or committee and other persons who were present or who were entitled to be present.
2. You should not say anything to a reporter that you do not want to hear on television or read in the newspaper.
3. How you appear in the press leaves an impression. Not only what you say, but how you say it is important.
4. Words spoken over the telephone or in a one-on-one conversation can read differently in print.

Chapter Seven

Laws, Regulations, Policies and Procedures

Conflict of Interest

One of the most misunderstood phrases used by the public is “conflict of interest.” The phrase carries such negative connotations, and yet it is only natural for elected and appointed officials to face potential conflict of interest situations. It is not “bad” to have a conflict of interest, but it is illegal to fail to declare a substantial conflict of interest under Arizona law or to participate or otherwise be involved in discussion on issues or contracts where such a conflict exists. The following is an overview of the State’s conflict of interest law.

Applicability

The conflict of interest law covers all public officers and employees of incorporated cities and towns. This includes the:

- Mayor.
- Councilmembers.
- Members of all appointed boards, commissions and committees.
- Town manager and his appointees.
- All consultants.
- Full-time, part-time and contractual employees of the city or town.

The conflict of interest law is also applicable when the private interests of a public official’s relative are under consideration. The law defines a relative to be a husband or wife, brother or sister, parent, grandparent, child or grandchild. In addition, the provisions apply to the following: in-laws - brothers, sisters, parents, as well as the child of a spouse. All other relatives, whether by blood or marriage, are not subject to the restrictions of this law.

Conflict of Interest Defined

The conflict of interest law distinguishes between interests, which are “remote”, and those, which are “substantial”.

Remote Conflict

Essentially, remote conflicts are so minor they do not constitute illegal conflicts of interest. If you have a remote interest in a matter before the board, commission or committee you can vote, participate in discussion, and are not required to disclose the interest. Remote interests exist when the public officer or employee or his/her relative is:

1. A non-salaried officer of a non-profit corporation doing business with the town.
2. The landlord or tenant of a contracting party. For example, a board, commission or committee member may lease office space to a party, which has a private interest in a public matter without it resulting in a conflict of interest.
3. An attorney of a contracting party.
4. A member of a non-profit cooperative marketing association doing business with the town.
5. The owner of less than three percent of the shares of a corporation doing business with the town, provided that: total annual income from dividends does not exceed five percent of the officer's or employees total annual income; any other payments made to the officer or employee by the corporation do not exceed five percent of the officer's or employee's total income.
6. Reimbursed only for actual and necessary expenses incurred in the performance of official duty; interests affecting decisions to reimburse are considered remote interests.
7. Receiving municipal services on the same terms and conditions as if not an officer or employee of the municipality. Thus, when a board, commission or committee members who owns a business within the town votes for or against an increase in the business license tax, a conflict would not exist because this action would apply to all businesses in the corporate limits.
8. An officer or employee of another political subdivision, a public agency of another political subdivision or any other public agency unless it is the same governmental entity and is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Thus, a board, commission or committee member who is a school teacher may vote to enter into an intergovernmental agreement with a school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the board, commission or committee member.
9. A member of trade, business, occupation, profession or class of persons and has not greater interest than the other members of similar trades, business, occupations, professions or classes of persons. For example, a plumber who serves on a board, commission or committee may vote to increase or decrease plumbing inspection fees since the effect of this decision will be equal on all plumbers within the town.

Substantial Conflict

A “substantial” conflict of interest will most often result when a board, commission or committee member of a town is involved in substantial ownership or salaried employment with a private corporation doing business with the town.

The State Legislature has defined a “substantial interest” as any pecuniary or proprietary interest, whether direct or indirect, other than a remote interest. For example, if a board member owns or is employed by a lumberyard selling to the town, a conflict may exist. On the other hand, if the board member is the lawyer of that lumberyard, or if the board member leased land to the lumberyard, no conflict may exist.

Additional Provisions

The conflict of interest law also contains the following restrictions on the activities of board, commission and committee members and employees:

1. When a board, commission or committee member has exercised “administrative discretion” in an issue, that individual cannot receive compensation if representing another person before an agency of the town on the same issue. This restriction extends to 12 months after termination of office or employment with the town.
2. A board, commission or committee member of the town cannot receive any compensation for performance of services in any case, special proceedings, application or other matter pending before any agency of the town. This does not apply to activities such as filing or amending tax forms, applying for permits, licenses or other documents.
3. A board, commission or committee member or employee cannot use confidential information obtained during the term of office or employment for personal gain.
4. A board, commission or committee member cannot use her/his position to obtain anything of value, which would normally not be received in the performance of official duties. Something is considered to have “value” when it exerts a “substantial and improper” influence on the duties of the public official.

Declaration of Conflict of Interest

When a substantial conflict exists, the board, commission or committee member must:

1. Refrain from voting or in any way influencing a decision of the governing body or agency of the town.

2. Make this conflict of interest known in the official records of the town. Disclosure can be accomplished by declaring at a board, commission or committee meeting that a conflict of interest exists and having this declaration officially entered into the minutes of the meeting. You must disclose that you have a conflict of interest (although, generally speaking, you do not have to describe the conflict).

The provisions of State law relating to conflicts of interest, specifically the requirement that members of a board, commission or committee refrain from participating in or influencing a decision in which they have substantial interest, may preclude the board, commission or committee from acting as required by law in its official capacity.

To address this potential problem, State law provides that if the conflict of interest statutes prevent a board, commission or committee from acting, as required by law, in its official capacity, such action shall be allowed if members of the board, commission or committee with the apparent conflicts make known their substantial interests in the official records of the board, commission or committee.

What Happens After You Declare a Conflict of Interest?

When you have a conflict of interest you are prohibited from participating in any manner in the decision, and to avoid any question of improper conduct, you must not communicate in any manner with anyone who is involved in making the decision in question.

During a board, commission and committee meeting, it is best practice (but not required) to leave your seat and take a seat in the audience during any discussion related to your conflict on interest.

Penalties

If you knowingly or intentionally violate the conflict-of-interest law, it is a felon. A negligent or reckless violation is a misdemeanor.

You can be prosecuted for failing to disclose a conflict, which you did not but should have known. You have to be alert to this possibility and make all reasonable efforts to look into possible conflicts.

Legalities aside, the perception of a conflict of interest should be avoided. However, acquaintance (friendship) no matter how long standing does not constitute a legal conflict of interest.

Open Meeting Law

The operation of government and specifically the activities of government officials have always been popular topics of interest for the general public. Although there are a variety of

reasons for this interest, there seems to be one distinct message delivered by the public: The public's business must be conducted in public!

The open meeting law provides very simply that with a few limited exceptions, all meetings of a board, commission or committee shall be open to all persons desiring to attend. The law defines a "meeting" as the "gathering of a quorum of members of a board, commission or committee to propose or take legal action, including any deliberations with respect to such action."

This means that all regularly scheduled and special meetings all work or study sessions and all other meeting or gatherings at which a quorum of the board, commission or committee is present to discuss or decide the body's business, must be in compliance with the notice, agenda and minute requirements specified in the law and Town policy, procedures, rules and regulations.

Additionally, except where an executive session is expressly authorized, all regularly scheduled and special meetings must be open to the public. If the board of commission or its presiding officer appoints a committee or subcommittee to study a particular issue, the law also governs the meetings of the committee or subcommittee. This is true regardless of the composition of the committee or subcommittee.

The Town of Buckeye's board, commission and committee members must observe the following criteria of the State's Open Meeting Laws.

Public Notice of Meetings

The open meeting law required public notice to be given for all public meetings and executive sessions. In giving notice, the first step is to file with the Town Clerk a statement identifying when and where public notices of the meetings of the board, commission or committee will be held. Once this statement has been filed, the law required that the board, commission or committee posts notices of each of its meetings in accordance with this statement and "give such additional notice as is reasonable and practicable."

Except when an actual emergency is found to exist, no public meeting or executive session may be held with less than 24 hours notice to the members of the board, commission or committee and the general public.

Notice must also be given for any executive session of the board, commission or committee. The notice must provide more than just the specific provision of law authorizing an executive session. As such, a short description of the topic being discussed must be included on the notice. When an executive session is held, at least 24 hours notice must be given to members of the board, commission or committee and the general public.

The only exception to these provisions for public notice is in the case of an emergency when the meeting can be called with notice appropriate under the circumstances. This action requires the approval of the board, commission or committee by vote.

The Town Clerk posts an “after the fact” notice when this happens or if an emergency item is added to an agenda of a posted meeting.

All public meetings are required to comply with the American’s with Disabilities Act. If you receive a request for a special accommodation due to a disability, please notify the staff liaison.

Agendas

In addition to notice of time, date and place of the meeting, the open meeting law requires that the board, commission or committee provide an agenda of the matters to be discussed, considered or decided at the meeting. For a public meeting, the agenda must list the “specific matters to be discussed, considered or decided”. This does not permit the use of agenda items such as “new business” or “unfinished business” unless the specific items of new and unfinished business are listed. The board, commission or committee must file its notice and agenda with the Town Clerk’s office, which will see that it is posted in time.

A useful guide in determining how much specificity must be included in the agenda can be found in the legislative declaration of policy which states in part that agenda should “contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided.” Accordingly, boards, commissions and committees may include in their agendas items such as “Call to the Public” to designate that part of the meeting at which members of the public may address the board, commission or committee on “non-agenda” items, since the board, commission or committee will generally not know what specific matters will be raised. However, the board, commission or committee may respond to criticism, may ask staff to review a matter, or may ask that the matter be place on a future agenda for discussion and action.

If a matter not specifically listed on the agenda is brought up during a meeting, any discussion on the matter must be deferred until a later meeting so that the item can be “specifically” listed on the agenda.

If it is essential that the board, commission or committee act immediately, it should declare an emergency and take action in accordance with the procedures identified under “Notice of Public Meetings” in this handbook. Simply stated, if an action, board, commission and committee members are prevented by law from even discussing that item.

Agendas for regular sessions must contain a “general description of the matters to be considered.” Agendas for executive sessions must also contain a “general description of the matters to be considered,” but should not contain information that “would defeat the purpose of the executive session.”

The agenda may be made part of the public notice, or, if the notice advises the public as to how they can obtain an agenda, it can be distributed separate from the notice. In either case, the agenda must be made available at least 24 hours before the meeting, unless an emergency has been found to exist.

Executive Session

The open meeting law permits an executive session (closed meeting) of a board, commission or committee to be held for discussion and consideration of seven specified subjects. The public may properly be excluded from an executive session. Before an executive session may be held, 24 hours or more notice of the executive session must be given, and a majority of the board, commission or committee must vote in public to hold the executive session.

Board, commission and committee executive session topics must be submitted to the Town Clerk and Town Attorney's Office for review.

Executives sessions may be held during a public meeting if the proper notice of the executive session is posted as part of the public meeting notice or as a separate notice.

If the need for an executive session arises at a time other than during a meeting, a notice calling a special meeting and an executive session must be posted. The special meeting must be convened to vote on holding an executive session, and then upon a majority vote in a public meeting the board, commission or committee may adjourn into executive session.

No executive session may be held for the purpose of taking any legal action involving a final vote or decision.

The law specifies the purposes for which an executive session may be called. These are narrowly defined as follows:

1. Personnel Matters – discussion or consideration of employment assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee or employee.
2. Discussion or consideration of records exempt by law from public inspection.
3. Discussions or consultation for legal advice with the attorney or attorneys of the "Public Body".
4. Discussion or consultation with the attorneys of the board, commission or committee in order to consider its positions and instruct its attorneys regarding the "Public Body's" position in pending or contemplated litigation, contracts, or negotiations.
5. Discussion or consultations with designed representatives of the board, commission or committee in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the "Public Body".

6. Discussion, consultation or consideration for international and interstate negotiation or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city of town.
7. Discussion or consultations with designated representatives of the board, commission or committee to consider its position and instruct its representatives regarding negotiation for the purchase, lease or sale of real property.

In keeping with Arizona State law, the Town of Buckeye observes the following guidelines with respect to the discussion of matters viewed as confidential in executive session:

- Under no circumstances are board, commission or committee members permitted to act on an item discussed in an executive session. All voting must occur in public.
- Participants in the executive session are not permitted to discuss the content of the meeting outside of the meeting. Executive session issues are considered confidential up until the point it is decided the issue will be discussed at a regular board, commission or committee meeting.
- As with regular agenda items, executive session items must be listed on the agenda, with the difference being the level of detail of the agenda item. The title and a brief worded description are necessary (i.e. Personnel Matters: The Park and Recreation Committee will be discussing matters related to personnel actions).
- Board, commission and committee members should always consult with a representative of the Town Attorney's office to obtain legal advice prior to placing any item of a questionable nature for discussion on an executive session agenda.
- All board, commission or committee members must practice proper procedure for executive sessions should the need arise to conduct them. Improper use of the executive session provision is the most common type of open meeting violation.

Remember, the law only permits an executive session in these instances, it does not require executive sessions.

Minutes

All board, commission or committees, except subcommittees and advisory committees, must provide written minutes or a recording of all meetings. The minutes or recording of the public meetings must include, at a minimum, the date, time, and place of the

meeting, attendance or absence of members, in addition to a brief description of all items discussed by the board, commission or committee.

The minutes or a recording of any meeting, except for the minutes of executive sessions, must be open to public inspection no later than three working days after the meeting. Motions made at the meeting must be posted on the web site twenty four hours after the meeting. Minutes must be taken in executive sessions and must be kept confidential except form the members of the board, commission or committee who met in executive session or officers, appointees or employees who are the subject of the discussions. These minutes may also be seen (by appointment) by those who were suppose to be in attendance but who could not attend.

The staff liaison will prepare the minutes.

Penalties for Violating Open Meeting Laws

Should a board, commission or committee member be accused of alleged violation of State open meeting laws, the allegation may be investigated by either the County Attorney or the State Attorney General's Office.

If the alleged violation occurred while a board, commission or committee member was acting in the official capacity as a representative of the Town, legal representation may be provide by the Town Attorney's office. If a board, commission or committee member is to have allegedly violated State open meeting laws, that individual should immediately contact the Town Attorney's office for advice. Alleged open meeting violations can result in the follow actions:

- Investigatory Actions – The Attorney General's Office has broad investigatory powers relating to the open meeting law. Included under these powers is the ability to examine people under oath, examine public and executive session records, and require statements from witnesses.
- Enforcement Actions – The County or State Attorney General can file suite in Superior Court for the purpose of requiring the board, commission or committee to comply with the open meeting laws, if there has been an alleged infraction of the laws.
- Civil Penalties – If found to be in violation of State open meeting laws, a civil penalty not to exceed \$500 may be imposed against any board, commission or committee member for each violation. This penalty is assessed against the responsible individual and not the board, commission or committee. The Town is not permitted to pay the penalty on behalf of the person found in violation.
- Attorney Fees – A court can award attorney's fees to a successful plaintiff. These fees can be paid by the town. However, if a court determines that a board, commission or committee member violated any provision of the open meeting laws "with intent to deprive the public of information or of the opportunity to be

heard,” the court must assess against that board, commission or committee member all of the costs and attorney’s fees awarded to the plaintiff. In the case of an award of civil penalties, the board, commission or committee may not pay such an award of attorney’s fees assessed against the board, commission or committee member individually.

- Removal from Office – Board, commission or committee members can be removed from office one of two ways. If, upon receiving the results of an alleged violation, a board, commission or committee member has been found to have violated any provision of the state open meeting laws, the Town Council by vote, can remove that individual from office. If a court determines a board, commission or committee member violated open meeting laws “with the intent to deprive the public of information or of the opportunity to be heard,” the court may remove the board, commission or committee member from office, and the court must personally assess the board, commission or committee member with the plaintiff’s costs and attorney fees.

Sanctions

If any business of a board, commission or committee is conducted in violation of the provisions of the open meeting law, the actions taken at such a meeting are null and void. In addition, for any person affected, the State Attorney General, the Maricopa County Attorney, or any injured party may file an action and obtain civil penalties, attorney fees and court injunctions against the board, commission or committee or official if the open meeting law has been violated. If the court finds that a public officer intentionally violated the law, the court may remove that individual from office and assess him/her personally with the attorney’s fee award.

Fairness in Public Hearing/Meetings

The due process requirement has two aspects:

1. Procedurally – the process by which a decision is reached must be fair to everyone concerned. The objective of procedural due process, is to guarantee that the decision making body has all pertinent information – ensuring that the decision making process will be open, fair, and thorough.
2. Substantively – a law, rule or decision must not be arbitrary) e.g., there must be a rational relationship between the exercise of authority and the achievement of some legitimate public purpose.)

Procedural Fairness

1. Give adequate and timely notice.

- State enabling acts and municipal zoning ordinances contain requirements for notice of proposed legislative and administrative action on zoning matters and the hearing at which they will be considered.
 - Due process goes further, requiring that the notice must be adequate, the information provided must be easily comprehensible, and its distribution by timely enough to allow sufficient preparation time for a hearing.
2. Let everyone be heard.
- All those interested in a decision must have a chance to offer their views and give testimony, provide evidence, or make a statement.
 - Failing to conduct an adequate public hearing, a commission or board runs the risk that its decisions/recommendations will ultimately be held to be invalid.
3. Disclose all.
- All interested parties must have an opportunity to hear or see all of the evidence considered by the decision-making body.
 - Private communications with the decision-makers deprive other parties of an opportunity to respond and they destroy the credibility of the hearing process as a fair opportunity for everyone to be heard. For example, don't meet privately with attorneys representing applicants.
 - A common breach of the disclosure requirements is the practice of considering, at the hearing, staff reports that have not been made available to the public in advance.
4. Make findings of fact.
- The specific facts that justify the decision (the findings) should be spelled out.
 - They are an essential aspect of due process in administrative hearings and without them the decision may be null.
 - While findings of fact are not always required, specific findings of fact, and recommendations based on them are desirable.
5. Avoid conflicts of interest.
- The courts will not permit a decision to stand if it involves a local official with a financial or other personal interest in the outcome.

- The appearance-of-fairness doctrine has frequently been used in invalidate decisions in which even the indirect interest of one of the decision makers deprived the decision of the appearance of fairness.

6. Decide quickly.

- Even adequate notice, a fair public hearing, and absolute impartiality do not guarantee due process if a decision is not made promptly.
- All parties have a right to expect prompt decisions and failure to prove them is itself a failure to provide fair procedures.
- A board, commission or committee may continue an item by a motion to continue to a non-specific date, in which case the presiding officer will place the matter back on the agenda. In each case, the item becomes unfinished business.
- Boards and commission are advisory in nature; they may not postpone an item indefinitely to avoid deciding it. Their responsibility is to ultimately send it to the Council with a recommendation.
- A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be un-debatable and shall preclude all amendments or debate of the subject under consideration.

7. Keep records.

- All proceedings must be recorded completely and accurately.
- Anything less deprives the courts of the opportunity to engage in a meaningful review if and when the dispute reaches the judicial system.
- No hearing can be considered fair if the matters taken into account by the decision-making body cannot be reconstructed when others review the decision.

8. Set ground rules.

- Participants cannot prepare themselves for a hearing if they do not know the grounds rules that will govern the process.
- At the start of the hearing, a member of the board, commission or committee should briefly recite the rules that will be followed during the proceedings.

- In an ideal situation, it is good practice to require that those who expect to present evidence supply, in advance, a form to be presented to the board, commission or committee which states their name, address and topic they wish to discuss.
- Reports or studies prepared should be filed in advance as should all staff reports.

Chapter Eight
Legal Reference Resources

TOWN CODE

CHAPTER 2 MAYOR AND COUNCIL
ARTICLE 2-4 COUNCIL PROCEDURE
SECTION 2-4-7 BOARDS, COMMISSIONS AND COMMITTEES

Section 2-4-7 Boards, Commissions and Committees

- A. The council may create such boards, commissions and committees, standing or special, as it deems necessary. They shall consist of as many members and shall perform such duties as the council may require and shall exist at the pleasure of the council.
- B. Town boards, commissions and committees shall be composed of regular and alternate members who shall be residents of the Town. All board, commission and committee nominations are subject to the approval of a majority of the town councilmembers eligible to vote on the nomination.
- C. Appointments shall be for a period of four (4) years each, with the terms of the members so staggered that the terms of less than a majority number of members shall expire in any one (1) year.
- D. Members of the town council shall present the nominations of regular and alternate members of boards, commissions and committees at the first council meeting in the month of December, or as needed to fill vacancies.
- E. In the event that any regular or alternate member's term expires due to the lack of appointment, that members shall maintain all rights and responsibilities of membership until such time that a nomination is approved.
- F. In the event of a death or resignation of a member, the vacancy shall be filled for the un-expired term by an alternate member from the same board, committee, or commission.
- G. Any regular or alternate member who has unexcused absences for at least fifty percent (50%) of the regular meetings of a board, committee, or commission in a given calendar year or three (3) consecutive unexcused absences shall be considered as not fulfilling the obligation assumed by acceptance of appointment to the board. Excused absences shall include family and health-related issued. The decision on whether an absence was excused or unexcused shall ultimately be decided by the chairperson of the board, committee, or commission. The chairperson of the board

will report to the staff liaison the status of each member's absences. The staff liaison will record absences throughout the year and provide a report to the town council at the second council meeting in October.

- H. Members of boards, commission and committees serve at the pleasure of the town council. The town council may remove any member of a board, commission or committee by a majority vote.
- I. Members of boards, commissions and committees shall serve no more than two (2) consecutive four-year terms. However, a member appointed to fill a vacancy may serve two (2) consecutive terms after conclusion of the unexpired term to which he/she was appointed. This provision shall apply to all appointments to boards, commissions or committees made on or after April 1, 2010.

TOWN OF BUCKEYE, ARIZONA
TOWN COUNCIL
RULES OF PROCEDURE

SECTION 14 BOARDS, COMMISSIONS AND COMMITTEES

The Town Council may create such boards, commissions and committees as it deems necessary to assist in the conduct of the operation of Town government.

14.1 REGULARLY SCHEDULED OR UNSCHEDULED BOARDS, COMMISSIONS AND COMMITTEES

- A. All Boards, Commissions and Committees of the Town shall be classified as a regularly scheduled or unscheduled Boards, Commissions and Committees. Regularly scheduled Boards, Commissions and Committees are those that meet on a regularly-scheduled basis or may be quasi-judicial in nature. Unscheduled Boards, Commissions and Committees meet on an as-called basis.
- B. Boards, Commissions and Committees include (although some may not have begun to meet):
1. Airport Advisory Board
 2. Board of Adjustments
 3. Building Board of Appeals
 4. Community Services Board
 5. Citizens Commission on Salaries for Elected City Officials
 6. Design Review Appeals Board
 7. Economic Development Advisory Board
 8. Historic Preservation Commission
 9. Buckeye Pollution Control Corporation
 10. Library Board
 11. Municipal Development Authority
 12. Personnel Board
 13. Planning and Zoning Commission
 14. Public Safety Retirement Board (Fire and Police)
 15. Social Service Advisory Board
 16. Volunteer Firefighter Pension Board
 17. Youth Advisory Board
- C. Any Board, Commission or Committee created shall cease to exist (i) upon the accomplishment of the special purpose for which it was created (ii) when abolished by a majority vote of the Town Council or (iii) as dictated by the Town Code.

14.2 RECOMMENDATIONS FOR APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- A. The Mayor may appoint a Council Subcommittee for Boards, Commissions and Committees Appointments. This Subcommittee shall be made up of three Council Members. The Mayor may appoint himself/herself to this subcommittee. If no such subcommittee is appointed, the entire Town Council shall conduct interviews and appoint citizens to the various boards, commissions and committees.
- B. The purpose of this Council Subcommittee for Boards, Commissions and Committees Appointments is to interview applicants and recommend to the Town Council possible candidates as described in Section 14.3.

14.3 SELECTION OF BOARD, COMMISSION OR COMMITTEE MEMBERS

- A. A call for applications to fill vacant seats to Boards, Commissions and Committees shall be shall be advertised as the Clerk deems appropriate via government access channel, newspaper advertising, website and other means as available to the Town.
- B. Individuals applying for Boards, Commissions or Committees must fill out and submit the Town application form to the Town Clerk by the published deadline. The Town Clerk will forward the applications to the appropriate staff liaison.
- C. The staff liaison to that Board, Commission or Committee will review the applications and prepare support materials for the Council Subcommittee for Board, Commission and Committee Appointments. Staff will schedule an appropriate time for an open meeting in order that the subcommittee may interview in person, or via telephone, applicants for the open seat(s) to any Town Board, Commission or Committee.
- D. After review and consideration, the Council Subcommittee for Board, Commission and Committee Appointments members shall announce a recommendation and prepare a memorandum to the Mayor and Town Council recommending candidates to fill the vacancies. This memorandum shall include copies of all the applications received.
- E. The staff liaison, in coordination with the Town Clerk, shall prepare an Agenda item for the next appropriate Town Council Meeting after the Subcommittee for Board, Commission and Committee Appointments has announced its recommendation(s) to fill open Board, Commission or Committee seat(s).
- F. The staff liaison shall notify recommended applicants for the open seat(s) of the recommendation of the Council Subcommittee for Board, Commission and Committee Appointments that he/she is a candidate for appointment. The staff liaison shall request that recommended candidates be present when the recommendation is presented to the Town Council as a scheduled Agenda item.

- G. The staff liaison will notify the appointees in writing as to their appointment and the next meeting date of the new member's Board, Commission or Committee scheduled meeting. Included in this notification is any official literature, agendas, minutes or other materials specific to the Board, Commission or Committee appointment.

14.4 QUALIFICATIONS FOR APPOINTMENTS; EMPLOYEES OR APPOINTED OFFICERS AS MEMBERS

- A. All members of Boards, Commissions and Committees shall meet the following minimum qualifications upon their appointment to any board, commission or committee. Each member must be:
 - 1. Eighteen years of age or older, except for members appointed to the Youth Commission and any Board, Commission or Committee seats designated by Town Council for youth representation.
 - 2. A Buckeye resident for at least one year, unless the Town Council specifically designates to waives time or residency for a specific board, commission or committee.
 - 3. A registered voter, except youth commissioners.
- B. Town employees or appointed officers shall not be eligible for appointment to any boards, commissions, and committees but may be requested to provide staff support thereto. The Mayor and/or Council Members may serve on boards, commissions or committees unless the bylaws of such boards, commissions or committees state otherwise.

14.5 TERMS, VACANCIES, REMOVAL

- A. All members of unscheduled boards, commissions and committees shall serve a term of up to three years, or until the Board, Commission or Committee is dissolved, unless terms are specifically designated by Town Council action or by State law.
- B. For those regularly scheduled boards, commissions and committees having five (5) members or less, the terms of office shall be staggered so that no more than two (2) terms shall expire in any single year when possible; provided, however, that no staggering of terms shall be required for any Board, Commission or Committee that will be in existence for a single term.
- C. For those boards, commissions and committees having more than five (5) members but less than eight (8) members, the terms of office shall be staggered so that no more than three (3) terms shall expire in any single year when possible; provided, however, that no staggering of terms shall be required for any Board, Commission or Committee that will be in existence for a single term.

- D. No individual may serve as a voting member on more than two regularly scheduled or unscheduled boards, commissions and committees at one time.
- E. A vacancy on a Board, Commission or Committee shall be deemed to have occurred upon the following:
 - 1. Death or resignation of a member of a board, commission or committee.
 - 2. A member ceasing to be a Buckeye resident unless the Town Council has provided that such member may be a non-resident.
 - 3. Three consecutive unexcused absences by a member from Board, Commission or Committee meetings.
 - 4. A member serves two consecutive terms.
- F. Any Board, Commission or Committee member may be removed as a member to that Board, Commission or Committee upon a vote of not less than a majority of a quorum of the Council Members for any reasonable cause as determined by the Town Council.
- G. Whenever a vacancy has occurred on one Board, Commission or Committee and no alternate has been appointed as set forth in Section 14.6 below, the Council Subcommittee for Board, Commission and Committee Appointments shall meet to recommend a candidate to complete the remainder of the term. Procedures described in Section 14.3 above will be used to generate applicants, interview applicants, and make a recommendation.
- H. An individual is limited to two consecutive appointments/reappointments to any one board, commission or committee; provided, however, that the time during which the individual is an alternate shall not count against this term limitation.
- I. An incumbent member of a Board, Commission or Committee seeking reappointment shall submit a new application under the provisions set forth in Section 14.3 above and shall be considered for appointment by the Town Council in the same manner as all other applicants for such position.

14.6 ALTERNATES

The Town Council may appoint alternates to serve on boards, commissions and committees in the event of vacancy. Such alternates may attend meetings of the Board, Commission or Committee but shall not participate until such time as a vacancy has occurred and the alternate has filled such vacancy. If the Town Council appoints more than one alternate for a particular board, commission or committee, the Town Council shall designate the alternates as first alternate, second alternate and so on such that immediately upon a vacancy occurring in a board, commission or committee, the first alternate shall fill such vacancy without the need for further Town Council action.

14.7 APPLICABILITY OF THE ARIZONA OPEN MEETING LAW

All boards, commissions and committees are subject to the Arizona Open Meeting Law.

14.8 RESIDENCY REQUIREMENTS

Planning and Zoning Commission and Board of Adjustment (Community Development Board) members shall be residents of the Town of Buckeye. Any other boards, commissions or committees may have members who are not residents of the Town of Buckeye at the discretion of the Town Council; provided, however, that the majority of the members of any such Board, Commission or Committee shall be residents of the Town of Buckeye.

Robert's Rules of Order in a Nutshell!

What is Parliamentary Law?

Parliamentary law is a system of rules that are designed to protect the rights of the individuals attending and running a meeting. The basic provisions of parliamentary law are quite simple:

- Ensure the rights of the majority.
- Protect the rights of the minority.
- Defend the rights of individual members.
- Safeguard those people absent from the meeting.
- Guard all those together.

To guarantee these prerogatives, parliamentary law requires participants in a meeting to do the following:

- Treat one item at a time.
- Extend courtesy and fairness to all.
- Let the majority rule.
- Guarantee the rights of the minority.

Rights and Responsibilities of Members

Parliamentary law protects the rights of members to be dealt with fairly and equitably. This encourages and requires everyone's cooperation and the timely order of business. The following are the members rights guaranteed under parliamentary law:

- Receive notice of meetings
- Attend meetings
- Make motions
- Second motions (when they need a second)
- Debate motions (when they can be debated)
- Vote on motions (except those on which the person has a conflict of interest)

- Know the meaning of the question people are debating
- Object when rules are being violated
- Not have to suffer personal abuse and attack
- Have access to minutes of all meetings
- Obtain a copy of the board's, commission's, or body's rule of procedure

Along with the rights come the responsibilities. For a meeting to function smoothly under parliamentary law, members must have specific obligations. When all of the members understand their duties as part of the team, business will be accomplished with greater ease. The following are the responsibilities of the members under parliamentary law:

- Attend meetings.
- Be on time.
- Stay until the end of the meeting.
- Be ready to talk/speak knowledgeably and intelligently on a topic.
- Be attentive.
- Be open-minded.
- Treat everyone with courtesy.
- Speak openly, but also let other have their turn to speak.
- Follow the rules of debate.
- Attack issues, not people.
- Insist on law and order at meetings.
- Work to create dignity and decorum.
- Participate actively in the meetings.
- Be familiar with the basic rules of parliamentary law.
- Respect the rights of others.

- Abide by the final decision of the majority.
- Respect the chair's opinion and rulings.

How to Obtain the Floor

Before a member can make a motion, address the board in debate, or bring a matter before people in a meeting, it is necessary that *they obtain the floor* – that is, being recognized by the chair as having the right to be the only person speaking at that time. One addresses the presiding officer by her/her official title, “Mr. Chairman”, or “Madam Chairman.” If the member is entitled to the floor, the chairman “recognized” him/her, or assigns him the floor, by announcing his/her name.

What Precedes Debate

Debate is discussion (by the board) of the merits of a specific question. Before any subject is open to debate, it is first necessary that a motion be made by a member who has obtained the floor, that the motion be seconded; and third, that it be stated by the chair.

Motions

As a general rule, every motion should be seconded. This is to prevent time being consumed in considering a question that only one person favors. A motion is seconded by a member's saying, “I second the motion” or “I second it,” which is done without obtaining the floor, and without waiting for recognition, “Mr. Chairman, I second the motion.”

The fact that a motion is made and seconded does not put it before the board, as the chair alone can do that. He/she must either rule it out of order, or state the question on it so that the board may know what is before it for consideration and action, that is, what is the *immediately pending question*.

Stating the Question.

When a motion has been made and seconded, it is the duty of the chair, unless he/she rules it out of order, immediately to *state the question*- that is, state the exact question that is before the board for its consideration and action. This may be done as follows, “It is moved and seconded to adopt.

Debate.

After a question has been stated by the chair, it is before the board for consideration and action. All motions may be debated before final action is taken on them, unless the board decides to dispose of them without debate.

Debate must be limited to the merits of the immediately pending question- that is, the last question stated by the chair that is still pending.

Speakers/board members must address their remarks to the chair (presiding officer), be courteous in their language and avoid all personalities.

Putting the Question and Announcing the Vote

When the debate appears to have closed, the chair asks again, “Are you ready for the question?” If no one answers he/she proceeds to pull the question- that is, to take the vote on the question, first calling for the affirmative and then for the negative vote. In putting the question the chair should make perfectly clear what the question is that the board is to decide.

The vote should always be announced, as it is a necessary part of putting the question. The board is assumed not to know the result of the vote until announced by the chair, and the vote does not go into effect until announced. As soon as the result of the vote is announced the chair should state the next business in order.

The Riggins Rules

Fred Riggins, a former chairman of the Phoenix Planning Commission, wrote the Riggins Rules in 1967. Although written over 40 years ago, these rules still hold true today. Some of the rules may seem harsh, may be redundant of the other materials provided in the handbook, and may not apply to your board, commission or committee. These rules are a reflection of how one gentleman viewed his position as a board, commission and committee member and have been included for your review and reflection.

1. Don't accept an appointment or nomination to a board, commission or committee unless you expect to attend 99.9999 percent of the regular and special meetings, including inspection trips, briefings and public functions where your presence is expected. If your participation falls below 85 percent during any six-month period, you should tender your resignation. You aren't doing your job. You aren't keeping well enough informed to make intelligent decisions, and you're making other people do your work for you and assume your not inconsiderable responsibilities. Your effectiveness and the regard given to your opinions by other member will be in direct relation to your attendance.
2. Do create a good impression of town government. Remember that this is the first contact that many people have with the administration of their city. For some, this is the most important matter in which they have ever been involved. Many will never be back again and many will never have another such contact or experience. Your performance will create, in their minds, the picture that they will always carry with them of "the way the city is run." Make it as pleasant and comforting a picture as possible.
3. Do be on time. If the hearing is scheduled at 7:30 p.m., the gavel should descend that exact hour, and the hearing should begin. If you have to wait ten minutes for a quorum and there are 100 people in the room, the straggler has wasted two full working days of someone's time besides creating a very bad beginning for what is a very important occasion for most of those present.
4. Dress professionally. Many people in the audience think that you're an important person. Don't disappoint them by your appearance, conduct or attitude.
5. Don't mingle with friends, acquaintances, applicants, or objectors in the audience before the meeting or during a recess period, if it can be politely avoided.
6. Don't discuss a case privately and as a single member of a body with an applicant or objector prior to a filing or prior to the hearing. In the event that such contact is unavoidable, be very noncommittal. Don't be too free with advice, and explain that you're only one member of the body, that you've not had an opportunity to study the matter thoroughly, that you have not seen the staff recommendation, and that you've no way of knowing what opposition may develop or what will occur at the public hearing.

Even if a case (issue) looks pretty cut-and-dried to you, it's wise to be pessimistic about an applicant's chances of securing approval. If you give an applicant any encouragement/advice and they're denied, the applicant will hate you until your dying day. If you've been unable to avoid these "ex parte" contacts, you should put them on record at the hearing.

7. Do your homework. Spend any amount of time necessary to become thoroughly familiar with each matter, which is to come before you. It is grossly unfair to the applicant and to the town for you to act on a matter with which you have no previous knowledge or with which you are only vaguely familiar. Additionally, as a result, you'll make some horrible and disturbing decisions.
8. Don't indicate by word or action how you intend to vote during the portion of the hearing devoted to presentations by an applicant, presentations by any persons appearing in objection and comments by member of the staff. During this period your body is the judge and jury. It's no more appropriate for you to express your opinion as to the proper decision prior to hearing all of the testimony than it would be for a judge or jury member to announce their firm conviction in the middle of a court trial regarding the guilt or innocence of a defendant. This is not clearly understood by a majority of persons sitting on public panels. It is not too difficult to phrase one's questions/comments in a manner that implies that you are seeking information rather than stating an irrefutable fact, and that your mind is closed to further argument.
9. Don't fail to disqualify yourself if either directly or indirectly you have any financial interest in the outcome of the hearing, and let your conscience be your guide where it could be said that moral, ethical, political, or other considerations, such as personal animosity, would not permit you to make a fair and impartial decision. In disqualifying yourself, do not state your reasons inasmuch as the mere stating of your reasons can be construed as exerting undue influence on your fellow members. To avoid all accusations of undue influence, it's generally wise to leave the room and ask that the records show that you did so and that you did not indicate by word or action whether you were in favor of, or opposed to that matter under discussion.
10. Do rotate the seating in some regular manner each successive meeting. This will prevent the forming of little cliques.
11. Do be polite and impartial. Be as helpful as possible to the nervous, the frightened and the uneducated. Be patient with the confused.
12. Do be attentive. Those appearing before you have probably spent hours preparing and rehearsing their arguments. The least you can do is listen and make them think that you are as interested as you should be. Refrain from talking to other members, passing notes and studying unrelated papers.
13. Don't interrupt a presentation until the question period, except for very short and necessary clarifying remarks or queries. Most applicants have arranged their remarks

in logical sequence and the item about which you're concerned will probably be covered if you can force yourself to be quiet for a few minutes.

14. Don't permit more than one person at the podium and microphone at any one time.
15. Don't permit a person to directly question or interrogate other persons in the audience. All questions should be addressed to the chairperson and to the hearing body. Do not permit anyone to demand answers to all and sundry questions if it is obviously done for the purpose of harassment.
16. Don't use first names in addressing anyone during the course of the hearing. This includes audience, applicant, members of your particular body, even if the person concerned is your brother or best friend. Nothing, repeat, nothing, creates a more unfavorable impression than this practice. It is poor hearing manners that destroys the formality of the occasion and causes people to think that some sort of "buddy-buddy" deal is about to be consummated.
17. Do show great respect for the chair, and always wait to be recognized. This will set an example for applicants and other wishing to be heard. It will contribute a great deal toward the orderliness of the proceedings.
18. Don't be too critical of attorneys who sometimes give unnecessarily lengthy presentations on behalf of their clients.

Avoid the strong temptation to make matters as difficult as possible for them. They're just trying to make a living and must convince their client that they are really earning the rather substantial fee, which they feel, their service merits.

19. Don't indulge in personalities, and don't permit anyone else to do so.
20. Don't try to make the applicant or any other person appearing before you look like a fool by the nature of your questions or remarks. This is often a temptation, especially when it is apparent that someone is being slightly devious and less than forthright in his testimony. But don't do it. If you must "expose" someone, do it as gently and kindly as possible.
21. Don't become involved in altercations. Some persons come to hearings with the express purpose of causing trouble. If you answer their irrelevant ranting, you're immediately involved in a fight. Don't answer or try to defend yourself. You're there to hear testimony and make decisions based thereon, not to head up a debating society.
22. Do invite interested persons to come forward where they can see when an applicant is discussing or talking from a diagram, site plan, or exhibit which is not visible to the audience.

23. Do not permit people to speak from the audience. If it's important enough for them to speak at all, it's important enough for them to be recognized, come forward, give their name and address and say what they care to, if their remarks are pertinent.
24. Do not permit people to leave the podium and microphone and approach closer to the hearing body except in unusual circumstances, usually to show a small exhibit or to explain some detail. This ordinarily breaks down into a small mumbling session at one of the dais with one or two members of the hearing body; the others are uncertain about what is going on. The conversation usually does not get recorded, cannot be heard by the audience, and is almost impossible to control from the Chair.
25. Don't become involved in neighborhood quarrels or you'll wind up as a referee.

Stick to the merits of the case and rule out-of-order testimony which is irrelevant, personal, hearsay and not pertinent to the matter being heard.
26. Don't be vindictive and "punish" the applicant for some real or imagined affront to you or your panel on some previous occasion, perhaps bearing no relation to the present hearing. It must be assumed that he/she is there legally, he/she has the right to be heard, and he/she has a right to a fair and impartial hearing on the merits of his/her case without reference to something which he/she might or might not have done in the past or will perhaps do in the future.
27. Don't try to be a hero. Be sympathetic, but objective. Don't get carried away with such a strong desire to help that you throw the rulebook out the window. Ninety-nine times out of a hundred you will do them some questionable service at the expense of their neighbors or the City and your kind-hearted action will come back to haunt you much sooner than anyone could have imagined. Stick to the rules.
28. Don't assume the role of a fairy godmother to those who have become involved in bad business deals or other self-imposed difficulties.
29. Do not fail to give a reason when making a motion for approval or denial of an applicant's request. If you fail to do this, the applicant, any objectors, a reviewing body of higher authority or the courts may well assume that your decision was an arbitrary one not supported by the facts and should be reversed. Always mention the staff recommendation.
30. Do not take staff recommendations lightly. These recommendations are made after much study by professional people with years of experience in their field and are based on pertinent laws, ordinances, regulations, policies and practices developed by you and your predecessors. The recommendations of staff in passion of all of the factors will almost always produce a technically correct recommendation.
31. Don't forget that the staff is there to help. It's composed of very capable professional people with vast experience. Lean on them heavily. They can pull you out of many a bad spot if you give them a chance. Or they may just sit and let you stew, if you do

not give them the respect, which is their due. Remember that their usual practice is to remain silent unless they're specifically asked to comment. Most of them consider it presumptuous and unprofessional to inject any unsolicited comments into the hearing. Always ask staff to comment prior to a final vote.

32. Don't try to answer technical questions even if you're sure that you know the answer. You probably don't and will wind up looking like a fool. Refer these matters to the staff. That is one of the things they are there for. They have intimate day-to-day working experience with all pertinent ordinances and can nearly always give a timely, up-to-the-minute professional dissertation on any subject in their field.

It reinforces an important image of competency which is most helpful in assuring the public that their case has received more than a cursory glance and an arbitrary decision. Lay members of a hearing body who "explain" ordinances to the audience usually wind up their less than accurate remarks with the pretty lame comment, "that the way I understand it" and if I am wrong, I would appreciate it if the staff would correct me." The staff usually does correct them and ordinarily, at some length. Don't try to show how smart you are, you're not.

33. Don't try to ease your conscience and toss the applicant a bone by granting something less than what was asked for, something the applicant doesn't want or can't use. In all cases where it is appropriate, give the applicant what they asked for or deny it. To do otherwise will only encourage applicants to ask for the "moon and the stars" in the hope that they'll, at the worst, get the minimum requirements.

34. Do vote by roll call, except for routine administrative matters. This is wonderful character training for each member of the body and emphasizes the "moment of truth" when he/she must look the applicant in the eye, make his own individual decision, and say "aye" or "nay" in a loud clear voice, all alone with no one to hide behind. The alternative voting method is difficult for the secretary to record, doesn't mean anything on a tape recording, is many times quite confusing, and gives cowards an opportunity to change their minds and vote twice when they are caught in the minority.

35. Don't show any displeasure or elation, by word or action, over the outcome of a vote.

This is very bad hearing manners and won't lead to the maintenance of a friendly cooperative spirit among members of a panel. It'll lead to the creation of little cliques whose members vote in a block and become more interested in clobbering each other than in making fair and equitable decisions.

36. Do discourage any post-mortem remarks by the applicant, objectors, or members after the final vote and decision is announced.

37. Do not hesitate to continue a case or take it under advisement if more information or greater deliberation is necessary. Don't use administrative actions to avoid or delay making a decision before a hostile applicant or audience.

38. Do sit down and have a long soul-searching session with yourself if you find that you are consistently “out in left field,” that no one seems inclined to second your profound motions, and that you’re quite often a minority of one. You may be theoretically right (and probably are). But, give some thought to what is practical, possible and just. Don’t be “stiff-necked” in your opinions, give a little.
39. Don’t select a chairman on a seniority basis alone and don’t pass the office along from member to member as a reward or honor. The nicest guy in the world, the hardest working, the most interested and your most valuable member can be indescribably horrible in the Chair. This is just one of those facts of life which is hard to explain, but, unfortunately, is all too true. As occasion presents itself, give prospective chairmen a chance to head up a sub-committee, report on special projects, and otherwise prepare themselves and demonstrate their abilities and leadership under pressure.