



Committee, Board and Commission Handbook



Committee, Board and Commission Handbook

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Town Boards & Commissions

Board of Adjustment

The Board of Adjustment hears and decides on appeals for variances from the term of the Zoning Ordinance. Meetings are scheduled as needed.

Budget Committee (3 Council Member Committee)

The Budget committee is made up of three Town Council Members, the Town Manager and his assistants, and Town Finance staff. Its purpose is to review, analyze and edit the budget for tentative approval of the full Town Council each fiscal year (July 1 – June 30).

Economic Development Commission

The Economic Development Commission assists staff on updating and revising the Queen Creek Strategic Plan for Economic Development. Commission members are appointed by the Town Council to help define an updated vision for the Town and develop a series of new strategies and action items.

Parks & Recreation Advisory Committee

The purpose of the Parks & Recreation Advisory Committee is to assist and advise Queen Creek Parks & Recreation staff. This committee also acts in an advisory capacity to the Town Council in the development and continuing review of goals and objectives for Queen Creek's parks, trails and open spaces as well as recreational programs and events.

Planning & Zoning Commission

The Planning & Zoning Commission advises the Town Council in decisions pertaining to amendments to the General Plan, the Zoning Ordinance and applications for development. The commission reviews and makes recommendations regarding changes to the General Plan land use map, hears, reviews and makes recommendations regarding all applications for subdivision site plans, specific plans and phased and conditional use permit applications.

Transportation Advisory Committee

The Transportation Advisory Committee discusses transportation-related projects and programs, and makes recommendations to the Town Council on those matters. It reviews the Town's transportation planning efforts and act as ambassadors to our residents on all things related to transportation.

Town Center Committee

The Town Center Committee updates the Town Center and Redevelopment Area Plans, which help to guide development in the Town Center.

SECTION 1:

Overview of Queen Creek's History & Culture

Town History

Queen Creek, intersecting Maricopa and Pinal counties, has a population of 26,805 (2011).



This sprawling, fertile farm community below the San Tan Mountains was originally named Rittenhouse after the railroad spur located near Rittenhouse and Ellsworth roads.

A creek called "Picket Post" runs through the eastern mountains through Queen Creek Canyon and continues its journey into the area surrounding Rittenhouse.



In 1912 Picket Post Creek was eventually renamed Queen Creek when the Silver Queen mine opened for production. As the community grew, and the railroad was used less for travel to and from Phoenix, the community changed its name to Queen Creek.

Agriculture



By the time Arizona became a state in 1912, an authentic community had been formed in Queen Creek. Homesteaders farmed and ranched along Queen Creek Wash harvesting bountiful crops including citrus, cotton, pecans, and vegetables.

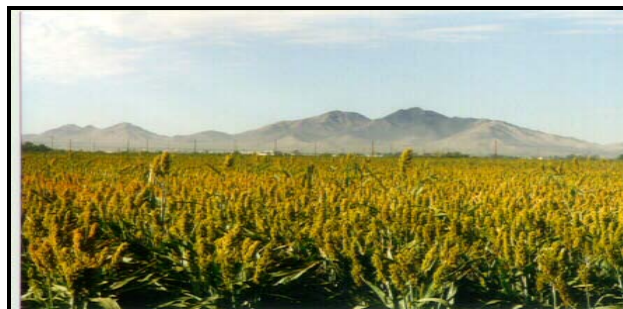


The general store, church, and post office served as community gathering places . . . a practice still alive today.



Rapid Expansion . . .

Queen Creek and nearby cities began to rapidly expand in the 1980's and this growth continues today. In 1989 the Town of Queen Creek incorporated to preserve the benefits of rural life while providing an avenue for managed change.



CULTURE: *Past, Present, Future*

Queen Creek continues to be well-known for its rural town feel and friendly, family-oriented atmosphere -- where residents take pride in a “first name” community. The Town Mayor, Council, staff and citizen volunteers support these strong values by providing responsive public services in a caring, ethical, innovative and accountable manner.

Residents and Visitors Enjoy

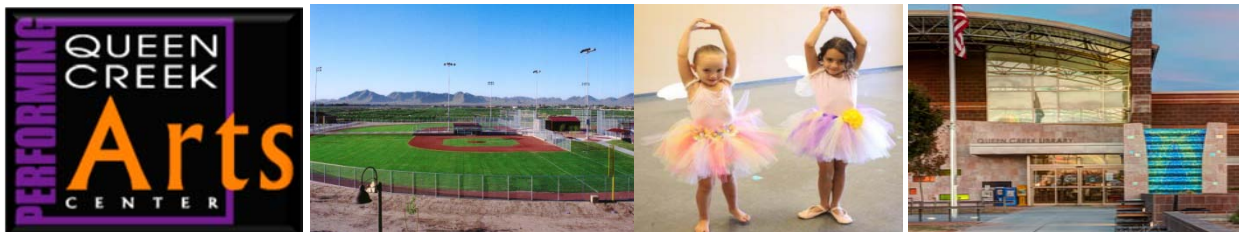
Hiking, Horseback Riding, Parks & Open Spaces



Shopping



Entertainment, Arts & Recreation Activities



Organizational Roles and Responsibilities:

The price of greatness is responsibility.

- Winston Churchill

The opportunity to serve on a municipal board or commission comes with certain obligations that include thoroughly understanding your role, and the role of other key members within the Queen Creek organization.

Queen Creek Mayor & Council

The Queen Creek Town Council consists of a mayor and six other council members elected at large by the qualified voters of the town.

Eligibility & Terms of Office

Only qualified voters of the Town are eligible to hold the office of Mayor or Council members. Each council candidate must be a resident of the town (or annexed area) for at least one year immediately preceding their election. The term of office for Mayor and Council members is four years or until their successors are elected and qualified.

Role of Mayor

The Mayor is the Town Council's presiding officer and serves as Queen Creek's government representative at all ceremonial events. The Mayor is chair of the Council and presides over its meetings. The Mayor may make and second motions and have a voice and vote in all its proceedings. The Mayor also has the authority to preserve order at all Council meetings, to remove any person from any meeting for disorderly conduct, to enforce the rules of the Council and to determine the order of business. The Mayor also has the power to administer oaths and affirmations.

Absence of Mayor

The Vice Mayor shall act as Mayor in the absence or disability of the Mayor.

Absence of Mayor and Vice Mayor

In the absence or disability of both the Mayor and Vice Mayor, the council may designate another of its members to serve as acting Mayor with all the powers, duties and responsibilities of the Mayor during such absence or disability.

Role of Town Council

The members of the Town Council are the elected representatives of the citizens of Queen Creek. The council's sole responsibility is to exercise authority for all matters relating to the establishment of the policies that guide the operation and governance of the Town of Queen Creek.

Council-Manager Form of Government

The council-manager form of government is established in the Queen Creek Town Code. This model is used widely throughout the United States and by virtually every local government in the state of Arizona. It is closely aligned to private industry where the Chief Executive Officer (the mayor) and the Executive Board (the council) appoints a Chief Executive Officer (town manager) that manages the day-to-day operations of the company (town organization).

Role of Town Manager

The Town Manager is appointed by and reports directly to the Town Council. This executive position works closely with the Mayor to ensure the policies of the Town Council as a whole are implemented. Responsibilities include preparing a budget for the Town Council's consideration, recruiting, hiring and supervising Town staff, serving as the Town Council's chief advisor, and carrying out the Town Council's policies.

Role of Town Clerk

The Town Clerk is appointed by and reports directly to the Town Council. The Clerk is responsible for giving notice of council meetings to council members and the public, administering local elections, recording and storing minutes of official meetings, and maintaining municipal ordinances and resolutions. The clerk issues municipal business licenses, manages public record requests and answers public inquiries.

Departments & Divisions

The Town Departments are headed by department directors that report to the Town Manager:

Development Services

The Development Services Department provides current and long-range planning programs, building and code enforcement, engineering and construction services, and infrastructure and facilities maintenance. This is accomplished by implementing the Town's General Plan, Zoning and Subdivision Ordinances, building codes and the Capital Improvement Program. All services fall into two broad categories: 1) Construction and Regulatory Compliance, which includes: Building Safety, Planning and Zoning, Engineering and Construction Services, and Neighborhood Preservation/Code Enforcement; and 2) Public Works/Operations and Maintenance, which includes: Facility Maintenance, Fleet Maintenance, Street Maintenance, Park and Grounds Maintenance, Traffic, and Solid Waste.

Economic Development

The Economic Development Department consists of three divisions. The Economic Development Division is responsible for business attraction, retention and expansion as well as the promotion of opportunities available for private investment in the community. The Communications and Marketing Division is responsible for community outreach including the Town's electronic newsletter, website, social media and Town Council community outreach programs. Communication and Marketing coordinates media and community relations, manages the Town's brand, and produces publications, special events and publicity campaigns in partnership with the Town Council, Town Manager and all departments. The Horseshoe Park and Equestrian Centre Division is responsible for the management of Horseshoe Park and Equestrian Centre, including event planning and coordination, promoter relations and facility maintenance.

Fire & Emergency Services

The Emergency Services Department provides programs and services that fall into two broad categories: 1) Emergency Services, and 2) Non-Emergency Services. Emergency services are provided to the citizens of Queen Creek by the Operation, Medical and Public Safety Divisions. These divisions are responsible for 911 responses to fire 4s, medical emergencies, hazardous materials emergencies and technical rescue as well as disaster response to a major or widespread incident in the Town. Queen Creek's contract for police services with the Maricopa County Sheriff's Office also is administered by the department. Non-emergency services that support the response capabilities for the department's paramedic engine companies include the Administration, Training, and Resource Management Divisions. The Operation Division also conducts code enforcement, public safety education and safety preparations for special events.

Management Services

Management Services includes three divisions: Controller, Budget and Recreation. The Budget Division prepares, monitors and presents the Town's annual budget and Capital Improvement Program. It researches and prepares long-range revenue forecasts, and it assists in developing and monitoring organization performance measures. The Controller conducts all accounting, purchasing, payroll and asset tracking functions of the Town. Recreation Services provides recreation, leisure programs and Town-hosted events year-round. Recreation programs include Youth and Teen Programs, Youth and Adult Sports, Special Interest Classes, the Senior Program, and Special Events.

Utilities

The Utility Services Department provides water and sewer services to Town residents. The department is charged with the operation and maintenance of the Town's water and sewer facilities and infrastructure, and works to satisfy all federal, state, county and local agency permits to ensure regulatory compliance through regular sample collection, laboratory testing and backflow prevention.

Workforce & Technology

The Workforce and Technology Department is a core support unit for the Town and staff. The Human Resources Division is responsible for workforce planning and employment; compensation, classification and benefits; employee relations; training and development; policy and procedure development; and, worker's compensation. The Technology Division administers all technology-related services, including local area computer networks; voice, data and network infrastructure and security; desktop support, Geographic Information Systems (GIS); backups and data retention; and, telecommunications.

SECTION 2:

Board and Commission Guiding Principles

Purpose of Boards and Commissions

Boards and Commissions were established within municipal government to assist the Mayor and Council in an advisory capacity. Board and Commission members research various issues related to the town and make recommendations to the Mayor and Council based on their expertise.

Boards, Commissions, Committees - Your Role

The Queen Creek Town Council forms committees on an as-needed basis with a clearly defined purpose. The Town Council may appoint up to two members from the Council to serve as non-voting liaison members. The committee selects a chair and vice chair from the voting members. The chair and vice are then ratified by the Town Council.

Because Board and Commission members are appointed by the Town Council (versus elected), your role is exclusively advisory to the Mayor and Council. Major duties include making recommendations to the Town Council based on expertise and study of specific issues. These actions and recommendations are subject to review and approval of the Town Council.

Responsibilities include acting lawfully within the spirit of the law; conducting the public's business in public; placing the public welfare ahead of your own personal interest; understanding the process and procedures of governance; being informed about issues and listening to others, including those with whom you disagree.

Ordinances/Resolutions and Bylaws:

Ordinances, resolutions, and formal actions are enacted by the Town Council. When there is a conflict between the ordinance, resolution or formal action and the board's bylaw, the ordinance, resolution, or formal action is the controlling law that must be followed by the board or commission. If there is a conflict, the bylaws should be revised to be in agreement with the ordinance, resolution, or formal action.

Your Powers and Duties:

Town Committees have the following powers and duties:

1. At the start of each new fiscal year, receive approval of its 12-month work program.
2. Keep and submit meeting summaries or minutes to the Council for information following an official meeting of the committee.
3. Advise the Council on matters pertaining to the designated committees and work program approved by the Town Council.
4. Advise the Council on the status of its annual work program and achievement of various initiatives set forth by the Council for implementation.
5. Advise the Council on matters of public policy affecting the community at-large as it relates to the function and mission of the designated committee and its work program.
6. Advise the Town Manager on issues pertaining to operations and administration of the town organization.
7. Serve on no more than one committee at a time. Committee members serving on multiple committees at the time this amendment to the bylaws was adopted may continue to serve on those committees until their earliest term expiration date. At that time, the member must choose on which committee to serve and resign from all other Town committees.
8. Representation of recommendations of the committee / communicating personal opinion in conjunction with majority position of a committee, commission or board (see Communicating Personal Opinions below).

Communicating Personal Opinions:

When speaking or writing regarding a matter within the jurisdiction of a committee, members of the committee shall represent the official policies or position of the Board, Commission or Committee on which they serve to the best of their ability. When presenting their individual opinions and position, members shall explicitly state that the opinions they are expressing are their own, do not represent the view or opinion of the Town of Queen Creek or a committee, board or commission of the Town, and will not infer or suggest that the opinion they are expressing is the opinion of the Town.

Board and Commission Guiding Principles

The following “guiding principles” helps further clarify the advisory role of Queen Creek’s Board and Commission members:

Set Personal Agendas Aside

Board and commission members should not represent their own interests or those of special interests. You have been appointed to represent the best interests of the citizens of Queen Creek as a whole and all decisions should be based on what is good for the entire community.

Acknowledge the Right to Appeal

In most instances, any party aggrieved by the action of a board or commission may appeal that decision to the Town Council. The Town Council may grant the appeal at its discretion.

Remain Objective in Your Role

Do not be personally offended if the Council overturns a decision that your board or commission made. Do not be offended if the Council amends or rejects the recommendations of your board or commission. Remember, it is the Council’s prerogative to do so.

Maintain Effective Communication

Occasionally, there may be misunderstandings among board and commission members, members of the Town Council or Town staff. Frequent and open communication is critical to ensuring that minor disagreements do not escalate into major conflicts. The members of the Queen Creek Town Council welcome your thoughts, ideas and suggestions.

Behaviors and Attributes

As a new board or commission member, it is helpful to review the following behaviors and attributes demonstrated by Queen Creek's most effective members.

People of good will can get along if they respect each other's point of view, and focus on what is in the best, long-term interests of the community.

Effective Board and Commission Members:

- Are interested in and willing to learn more about municipal issues.
- Schedule sufficient time to prepare for meetings and hearings.
- Possess an open mind and advocate effectively when appropriate.
- Conduct Board and Commission business with patience and fairness.
- Envision the long-term effects of a decision versus short-term concerns.
- Place the public good above the welfare of individual applicants.
- Articulate clearly and thoughtfully at public meetings and hearings.
- Choose to reach decisions and resolve issues.
- State positions with persuasiveness.
- Control emotional outbursts and anger.
- Actively mentor newly-appointed members.
- Show up on time and attend all meetings and study sessions.
- Consider other points of view and be willing to compromise.

Are you wondering if you have taken on too much by agreeing to serve?



It's true that being a board and commission member is a big responsibility with so many things to learn in order to be effective. The Mayor and Town Council appreciate your willingness to serve the community and how important your service is! They also understand how much information there is to absorb.

REMEMBER!

STAFF MANAGERS ARE AVAILABLE TO HELP ENSURE YOUR SUCCESS!

The Town Manager assigns at least one Staff Manager to each Board and Commission.

Role of Staff Managers

Their role is to establish and maintain a positive working relationship with members, act as a link to other Town departments and facilitate interaction. Responsibilities include helping the board or commission develop bylaws, consulting with the committee chair to develop the meeting agendas, taking meeting notes and ensuring they are distributed to the Town Clerk.

Staff managers prepare and coordinate presentations and exhibits on agenda items, provide information and make recommendations on agenda items. They also provide logistical support; report concerns and progress to town management and provide guidance regarding the most effective way to present recommendations to the Town Council, management and the community. If a board or commission member needs to contact Town personnel for information concerning official business, he or she should work through their staff committee manager.

Responsibilities Include:

- Taking meeting notes and ensuring they are distributed to the Town Clerk.
- Distributing information and logistical support.
- Reporting concerns and progress to town management.
- Providing guidance regarding the most effective way to present recommendations to the Town Council, Town management and the community.

SECTION 3:

Conflict of Interest (§38-501-510)

Source: Arizona Ombudsman

(<http://www.azleg.gov/ArizonaRevisedStatutes.asp?Title=38>)

Definition:

Prohibits persons with conflict from participating in decisions in which they have an interest. A public officer or employee shall not use or attempt to use the officer's or employee's official position to secure any valuable thing or valuable benefit for the officer or employee that would not ordinarily accrue to the officer or employee in the performance of official duties if the things or benefit is of such a character as to manifest a substantial and improper influence on the officer or employee with respect to the officer's or employee's duties.

Who Does This Law Apply To?

A.R.S. § 38-501:

Conflict of Interest applies to all public officers and employees of incorporated cities or towns, of political subdivisions of the state and any of its departments, commissions, agencies, bodies or boards.

Who Is Considered a Public Officer?

A.R.S. § 38-502 (8):

"Public Officer" means all elected and appointed officers of a public agency established by charter, ordinance, resolution, state constitution or statute.

Substantial Interest

A.R.S. § 38-503 (A):

Any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.

“Substantial Interest” means any pecuniary (monetary) or proprietary (ownership) interest, either direct or indirect, other than a remote interest.

NOTE: Per Queen Creek Town Council Policies and Procedures, the Town Attorney should be contacted prior to any meeting where a potential conflict of interest may occur.

Substantial Interest -- *If You Aren't Sure, Ask Yourself these Questions:*

- Will the decision affect, either positively or negatively, an interest of the officer or employee or the officer's or employee's relative?
- Is the interest a pecuniary (monetary) or proprietary (ownership) interest?
- Is the interest other than one statutorily designated as a remote interest?

Remote Interest:

If an interest is a remote interest, the public officer need not disclose it and may participate in the agency's action or decision.

What Is Considered a Remote Interest?

A.R.S. § 38-502 (11):

- Non-salaried officer of a nonprofit corporation;
- Landlord or tenant of a contracting party;
- Attorney of a contracting party;
- Member of a nonprofit cooperative marketing association;
- Insignificant stock ownership;
- Officer being reimbursed for actual and necessary expenses in the performance of official duties;
- Recipient of public services generally available;
- Relative of a school board member other than a spouse or dependent;
- Officer or employee of another public agency unless the contract/decision involved confers a direct benefit or detriment upon the officer, employee or his/her relative;
- The class officer's interest is not greater than the interests of the other members of the class of at least 10 persons.

Responsibilities:

Who Determines If You Have a Conflict?

You Do!

You, the public officer or employee, must determine if you have a conflict of interest.

Even if you believe you can be objective in making a decision and that the public interest will not be harmed by your participation, you do not have discretion to ignore the statutory mandates.

What Do I Do If I Have a Conflict of Interest?

You must disclose your interest in the official records of the public agency.

You must recuse yourself and refrain from participating in any manner in the decision or contract. This includes recusing yourself from any discussion of the matter.

How Do I Disclose a Conflict of Interest?

File with the Town a signed, written disclosure statement fully disclosing the interest. Verify with the Town Clerk that your interest is disclosed in the Official minutes of the meeting. The agency must maintain a “conflicts of interest file” with the written disclosures of the officers or employees who have identified conflicts of interest.

Sanctions for Violations

A.R.S. § 38-510: Penalties

- If the violation is intentional or knowing, it is a class 6 felony.
- If the violation is reckless or negligent, it is a class 1 misdemeanor.
- Upon conviction, a public officer or employee forfeits the public office or employment if any.
- Contracts entered into in violation of conflicts of interest laws may be cancelled or voided.

Advice from The Arizona Attorney General's Office:

- Analyze every matter coming before your council, board or commission to determine if you have a conflict of interest.
- Make your determination prior to the council, board or commission addressing the matter.
- Follow the statutory mandates for disclosing your conflict of interest.

SECTION 4:

The Arizona Open Meeting Law

ARS § 38-431.01 – 38-431.09

Protecting the Public's Right to Know

<http://www.azleg.gov/ArizonaRevisedStatutes.asp?Title=38>

History of Arizona's Open Meeting Law

All fifty states have enacted some type of legislation providing the public with a statutory right to openness in government. In addition, the United States Congress in 1976 enacted the Federal Open Meeting Act, 5 U.S.C. § 552b. Arizona's Open Meeting Law was first adopted in 1962 with the Arizona Legislature declaring it public policy.

Conduct the Public's Business in Public

There are two key provisions of the Open Meeting Law:

1. All meetings of any public body are open to the public and anyone requesting to attend should be able to do so.
2. Notices and agendas must be provided for all public meetings which contain information that informs the public on the matters that will be discussed and decided.

Why Do We Need An Open Meeting Law?

To protect the public by avoiding decision-making in secret and promoting accountability by encouraging public officials to act responsively and responsibly.

To protect the public officials by assuring that members are not excluded (notices), to help members prepare and avoid being blind-sided (agenda), and to accurately memorialize what happens during meetings (minutes).

To maintain integrity and build trust by better informing the citizenry.

Who Must Comply with the Open Meeting Law?

The Open Meeting law applies to **all public bodies**. A “public body” includes the legislature, all boards and commissions of the state or political subdivisions, all multimember governing bodies of departments, agencies, institutions and instrumentalities of the state or political subdivisions, including without limitation all corporations and other instrumentalities whose boards of directors are appointed or elected by the state or political subdivision. Public body includes all quasi-judicial bodies and all standing, special or advisory committees or subcommittees of, or appointed by, the public body A.R.S. § 38-431(6).

“Advisory committee” or Subcommittee” means any entity, however designated, that is officially established, on motion and order of a public body or by the presiding officer of the public body, and whose members have been appointed for the specific purpose of making a recommendation concerning a decision to be made or considered or a course of conduct to be taken or considered by the public body A.R.S. § 38-431 (1).

The Town Clerk must conspicuously post open meeting law materials prepared and approved by the Arizona Attorney General’s Office on their website. A person elected or appointed to a public body shall review the Open Meeting Law materials at least one day before the day that person takes office
A.R.S. § 38-431.01 (G).

What Constitutes a Meeting?

A meeting is a gathering, in person or through technological devices of a quorum of a public body where they discuss, propose or take legal action, including deliberations - including telephone, mobile phone and e-mail, text message, etc.

What is a Quorum?

A “quorum” is the term used to represent a simple majority of the membership of a committee needed to begin conducting official business.

How to Calculate a Quorum:

For boards and commissions with an even number of members, a quorum is half plus one of the total members, regardless of vacancies, established by ordinance or resolution. Board or commissions with an odd number of members calculate a quorum through a simple majority of members, regardless of vacancies.

Even Number Example: Your board has 10 members, so you need 6 members (half plus one) present to have a quorum.

Odd Number Example: Your commission has 9 authorized members, so you need 5 members (simple majority) present to establish a quorum, regardless of vacancies.

The Open Meeting Law applies any time a quorum of a board, commission, or any other public body is gathered to talk about the public's business or about any public matter that may eventually require some action or decision by the public body.

This can even include social functions where a quorum is present

Violations

Members of a public body are in violation of the Open Meeting law *if they meet to discuss or deliberate public business in groups less than a quorum and, in turn, attempt to pass those conversations to other members. This applies to conversations using the telephone, e-mail, or text messaging.*

Requirements under the Open Meeting Law

1) Formal Notification

The public must be notified in advance of any public meeting. All actions taken by a public body at a meeting that was not properly posted are automatically null and void.

Minimum Requirements:

- Posting notices at least 24 hours before a public meeting
- Notices must state where and when the meeting will be held
- Notices must include an agenda listing the topics to be discussed during the meeting
- Notices of meeting minutes are submitted to the Town Clerk's office a minimum of 36 hours prior to the public meeting

2) Agenda

All meetings must have agendas and they must contain information reasonably necessary to inform the public of the matters to be discussed or decided.

Minimum Requirement:

- Agendas must be available at least 24 hours before the meeting.

Only topics listed on the agenda may be discussed during a meeting!

3) Public's Rights

The public has a right to attend meetings, listen and audiotape or videotape meetings. The public *does not* have the right to speak or disrupt meetings.

4) Calls to the Public

An open call to the public is an agenda item that allows the public to address the public body on topics of concern in the public body's jurisdiction, even though the topic is not specifically included in the agenda.

The Open Meeting Law permits public attendance at public meetings but it does not require a public body to include an open call to the public on the agenda.

An individual public officer may respond to criticism, ask staff to review an item or ask that an item be placed on a future agenda. But they may not dialogue with the presenter or collectively discuss, consider, or decide an item that is not listed on the agenda.

Calls to the Public:

- Are permitted, but not required
- Should be added as an agenda item
- Allows the public body to limit the speaker's time
- Allows the public body to require speakers on the same side with no new comments to select a spokesperson
- Allow the public body to set ground rules such as civility, language, and fairness (treating everyone the same)

5) Executive Sessions

Public bodies many hold private executive sessions under a few limited circumstances. In executive sessions, the public is not allowed to attend or listen to the discussions, and the public body is not permitted to take final action. Members of the public body many not vote or take a poll in executive sessions.

Authorized topics for Executive Sessions:

- Personnel must provide 24 hours written notice to employee
- Discussion or consideration of records exempt by law from public inspection
- Legal advice – with public body's own lawyer(s)
- Discussion or consultation with the public body's lawyer(s) to consider pending or contemplated litigation, settlement discussions, negotiated contracts

- Discuss and instruct its representative regarding labor negotiations
- Discuss international, interstate, and tribal negotiations
- Discuss the purchase, sale, or lease of real property

Executive Session Notices and Agendas:

Agendas for executive sessions may describe the matters to be discussed more generally than agendas for public meetings in order to preserve confidentiality or to prevent compromising the attorney-client privilege. Nonetheless, the agenda must provide more than a recital of the statute that authorizes the executive session.

6) Minutes

Public bodies must take meeting minutes of all meetings, including executive sessions. Minutes may be recorded or written, keeping in mind that permanent records must be on paper.

Public Session Meeting Minutes Must Include:

- Date, time and place of the meeting
- Names of members of the public body present or absent
- A general description of matters considered
- An accurate description of all legal actions proposed, discussed or taken, and the names of members who propose each motion. Although this is not State law, Town of Queen Creek minutes are also required to include all member names and how they voted any time there is a split vote.
- The names of the persons, as given, making statements or presenting material to the public body and a reference to the legal action about which they made statements or presented material.

Executive Session Minutes Must Include:

- Date, time and place of meeting
- Names of members of the public body present or absent
- A general description of matters considered
- An accurate description of all instructions given
- Other matters that may be deemed appropriate by the public body

The minutes or a recording of the public session must be open for public inspection no later than three working days after the meeting, except as otherwise provided in the statute. A.R.S. § 38-431.01 (D).

Posting Minutes:

Cities and towns with a population of more than 2,500 persons must post approved city and town council minutes on its website within two working days following approval. A.R.S. § 38-431.01 (2). Minutes of executive session must be kept confidential except from certain individuals. A.R.S. § 38-431.03 (B).

How long meeting minutes are maintained is determined by the public body's record retention and destruction schedule authorized by Arizona State Library and Archives.

Persons in attendance may record any portion of a public meeting, as long as the recording does not actively interfere with the meeting. Acceptable recording equipment includes tape recorders, cameras, or other means of reproduction. A.R.S. § 38-431.01 (F).

NOTE: Queen Creek results or draft minutes must be posted on the Town website within 10 working days after the meeting. All approved minutes must be posted on the Town website within two days after they have been approved. Hard copies of approved minutes (with original signatures) must be submitted to the Town Clerk's Office.

Penalties

Penalties have been established for violating the Open Meeting Law:

- The court may levy a fine of up to \$500 per violation against any person found violating the law or against anyone knowingly assisting a person violating the law.
- Violators must pay the fine and attorney's fees.

Important Note!

Members may unknowingly make mistakes that violate the Open Meeting Law. Reasonable mistakes are not punished! Fines and fees are only assessed to members found guilty in a court of knowingly and intentionally violating the law.

THE GOAL:

Protect the Public's Right to Know

Resources:

The Arizona Ombudsman – Citizens' Aide Handbook – The Arizona Open Meeting Law (available on line at www.azoca.gov under open meetings/publication)

The Arizona Ombudsman's website, www.azoca.gov

Arizona Agency Handbook, Chapter 7, www.azag.gov – Quick Links

Attorney General Opinions – www.azag.gov – Quick Links

SECTION 5:

Entertainment and Gifts

Sources: Arizona Attorney General's Office, Arizona Lobbyist's Handbook

Entertainment Ban: A.R.S. 41-1232.08

In 2000, the Legislature enacted a broad ban on entertainment expenditures. The ban prohibits any lobbyist of any type, principle, public body, or any other person acting for these persons, from making an expenditure for entertainment which benefits and State officer, elected official, state employee, corporation commissioner, county supervisor, city or town council member, or school district governing board member, And it bans such officers, officials and employees from accepting tickets to such entertainment.

What Does Entertainment Mean? A.R.S. 41.1231 (5)

“Entertainment” means any expenditure paid or incurred for admission to, or participation in, any sporting or cultural event or activity.

EXCEPTIONS: Special Events and Speaking Engagements

The only exceptions to this prohibition are entertainment in connection with a special event or speaking engagement.

A “**Special Event**” includes parties, dinners, athletic events, entertainment and other functions where all members are invited, and these events must be reported. The function qualifies as a Special Event regardless of how many members attend.

Entertainment incidental to a “**Speaking Engagement**” includes expenses paid for entrance fees, lodging, food and beverage, entertainment, travel and other expenses for the officer's or employee's attendance at an event , committee, meeting, conference or seminar if the officer or employee participates in the event as a speaker or panel participant by presenting information relating to the officer's or employee's official duties or by performing a ceremonial function appropriate to the officer's or employee's position.

“Speaking engagement” does not include expenditures for an honorarium or any other similar fee paid to a speaker.

Gifts:

What is Prohibited by Law?

It depends on who you represent:

- If you represent a Principal, your expenditures or gifts to a state officer or employee are subject to regulation.
- If you represent a Public Body (this includes boards and commissions) your expenditures or gifts to a member or employee are subject to regulation.

Disguising Identity:

Gifts or expenditures for the above recipients made through another for the purpose of disguising the identity of the giver are prohibited.

What is a Gift?

A payment, distribution, advance, deposit or donation of money, any intangible personal property or any kind of tangible personal or real property.

- Gifts with a total value of more than \$25 in any calendar year, or gifts that are designed to influence the recipient's official conduct are prohibited.
- Gifts that are designed to influence the official conduct of a member.

Violations:

Specific restrictions govern accepting gifts from principals or lobbyists.
(ARS 41-1232.08)

Legal Standards (Attorney General's Office)

Bribery:

Solicit, accept, or agree to accept benefit.
Class 4 Felony (ARS§13-2602).
Gratuity or award - Class 6 Felony (ARS§38-444).

Extortion:

Knowingly obtaining or seeking to obtain property or services by means of a threat to take or withhold future action.
Class 4 Felony (ARS§13-1804)

Extra Compensation:

Money, tangible thing of value or financial benefit, whether directly or indirectly for any service rendered or to be rendered in connection with their duties (ARS§38-505(A)).



***Board and Commissioners must be concerned
with both ACTUAL and PERCEIVED conduct***

Even though I'm doing nothing wrong, will someone get the wrong idea? Perceptions of wrongdoing can be almost as damaging as the real thing. Think how easy it is to jump to conclusions, to take things out of context, or to feed a rumor mill. Then picture yourself on the hot seat. It's a sad fact of life that allegations make front page headlines; clearing your name and setting the record straight become uphill battles, and retractions often get lost in the shuffle. Don't leave yourself open.

If unsure, ask yourself:

- ✓ Is it ethical and legal?
- ✓ What are the Town of Queen Creek's expectations & standards?
- ✓ Am I being fair and honest?
- ✓ Will my actions stand the test of time?
- ✓ Do I want my family to read about my behavior in the newspaper?

***To see what is right, and not do it, is want of courage,
or of principle.***

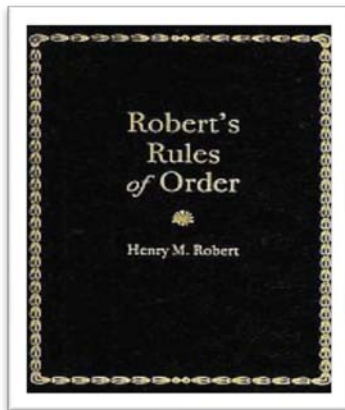
- Confucius

SECTION 6:

Parliamentary Procedure

What Is Parliamentary Procedure?

Rules of conduct at meetings designed to protect crucial rights of the individual, the minority, the majority and any member absent from a meeting. Parliamentary Procedure ensures that all members are heard and decisions are made without confusion.



Where there is no law, but every man does what is right in his own eyes, there is the least of liberty.

- Henry Martin Robert (1837-1923)

Robert's Rules of Order

Henry Martyn Robert, Chief Engineer of the U.S. Army is best known for creating "Roberts Rules of Order" a code that took 30 years to complete and was published in 1876. "Roberts Rules of Order" was developed after Henry was charged with presiding over a church meeting and realized he had no knowledge of the proper rules of parliamentary procedure. This event left him determined never to attend another meeting until he knew something of parliamentary law. The eleventh (and current) edition of Robert's Rules was published in 2011 through a process of keeping the book up to date with the growth of parliamentary procedure.

Why is Parliamentary Procedure Important?

- ✓ It saves time by keeping meetings on-topic
- ✓ Members know exactly what your group is talking about and how your group is choosing to act on the topic at hand
- ✓ It serves to eliminate after meeting questions, arguments, and rehashing issues.

Seven Key Elements:

By reading Roberts Rules of Order, you would discover an extremely complicated list of parliamentary procedures for conducting meetings. The following seven key elements provide a general overview of these rules. These seven elements give you a good foundation for conducting meetings that follow the general order of business set forth by Parliamentary Procedure:

1. The underlying principle is decision-making by majority vote.

2. Every member of the voting body

(whether it's a Council, Committee, Board or Commission)

has equal rights and privileges to:

- Propose motions, debate them, or oppose them
- Attempt to persuade others to their point of view
- Be nominated and nominate others for office
- Vote on an issue before the body

3. Protection of minority rights:

- To be heard and to protest
- To attempt to convince others
- To fully understand the issues being discussed and voted upon

4. Use of a simple and direct procedure

5. Requirement to follow the correct order of motions

6. Consider only one question at a time to prevent confusion by faithfully following a very specific order of motions

7. Impartiality of the officers

Parliamentary Procedure Follows a Typical Order of Business:

Organizations using parliamentary procedure usually follow a fixed order of business and can be adapted to fit the needs of any organization. Below is an example of the general order of business compared to the order of business generally used by the Queen Creek Town Council:

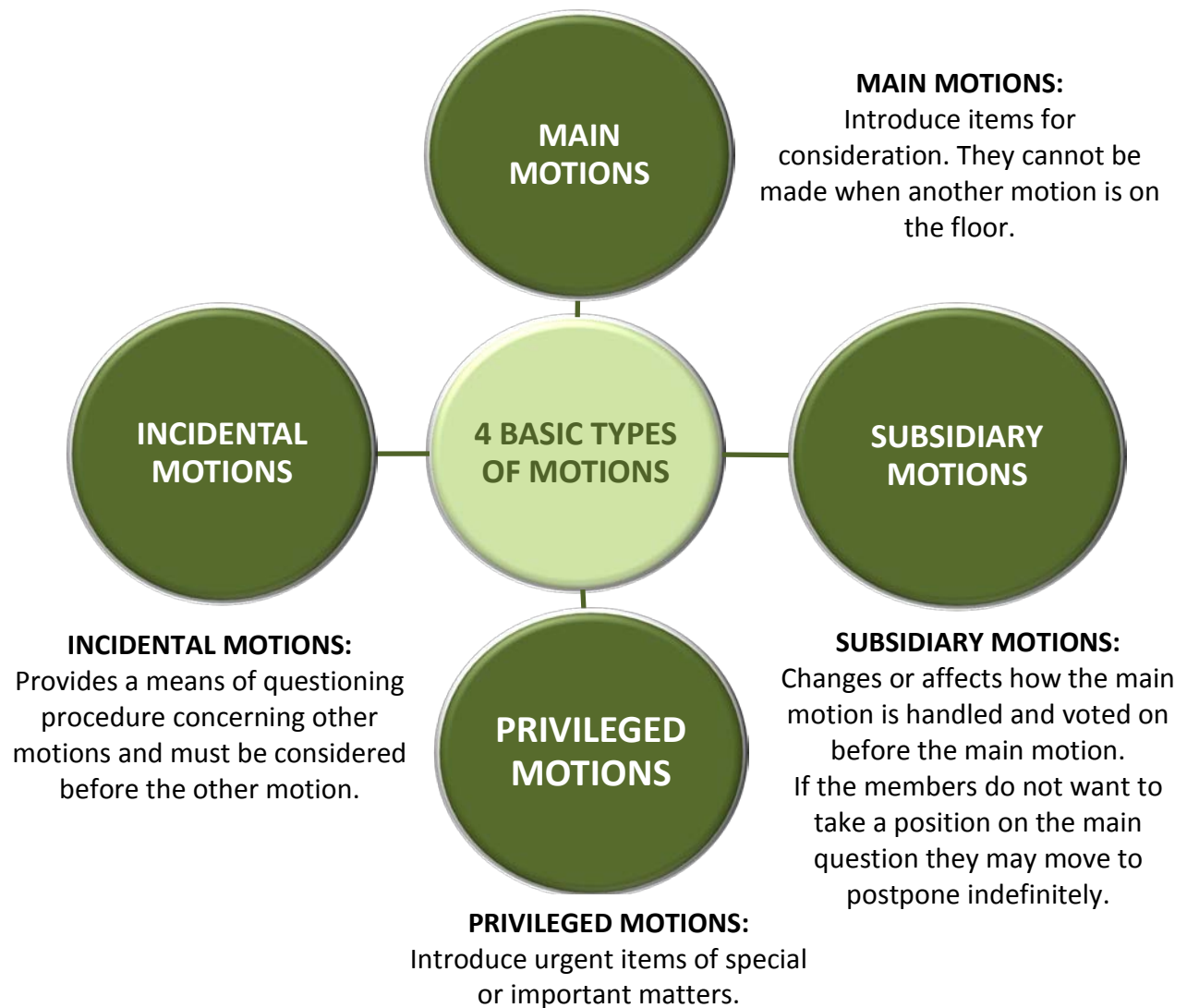
EXAMPLE

Parliamentary Procedure General Order of Business	Queen Creek Town Council Meeting Order of Business
<ol style="list-style-type: none"> 1. Call to order 2. Roll call of members present 3. Reading of minutes of last meeting 4. Reports of officers, boards, and standing committees 5. Committee reports 6. Special orders/committee reports – important business previously designated for consideration at this meeting 7. Unfinished business 8. New business 9. Announcements 10. Adjournment 	<ol style="list-style-type: none"> 1. Call to Order 2. Roll Call 3. Pledge of Allegiance 4. Invocation 5. Ceremonial Matters 6. Committee Reports 7. Public Comment 8. Consent Calendar 9. Public Hearings 10. Final Action 11. Items for Discussion 12. Adjournment

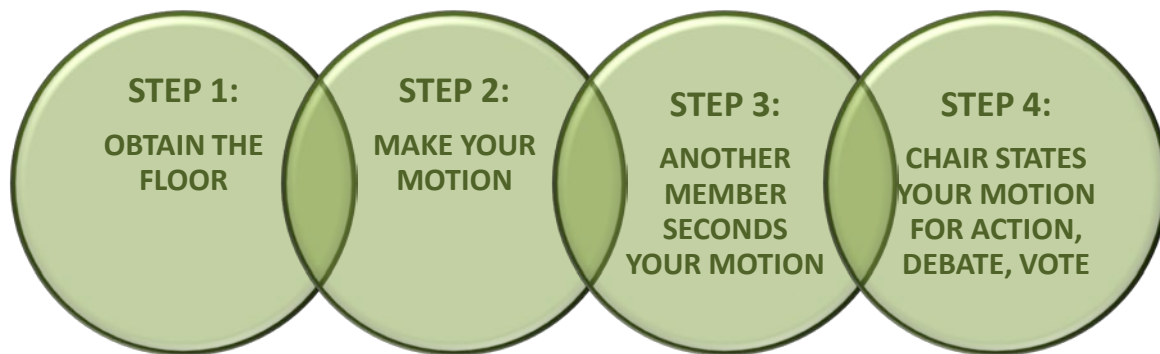
What is a Motion?

A motion is a proposal used by members on an issue that the entire membership takes action on. Individual members: Call to Order, Second Motions, Debate Motions, Vote on Motions.

Four Types of Motions



Four Basic Steps to Present a Motion



OBTAIN THE FLOOR:

Wait until the last speaker has finished, rise and address the Chair by saying: . . . “*Mr./Ms. Chairperson, followed by their surname. . .*” then wait to speak until the Chair recognizes you.

MAKE YOUR MOTION:

In a clear, concise manner, state your motion by saying: “*I move that we. . .*” Then wait for someone to second your motion. **NOTE:** if there is no second, your motion is lost.

MEMBER SECONDS YOUR MOTION:

Before the motion is restated by the Chair, any member can second the motion. This member may also suggest a modification of the wording to clarify the motion. The maker of the motion can choose to accept or reject the modified wording (and it does not require a second).

CHAIR STATES YOUR MOTION:

The Chair will say: “*it has been moved and seconded that we. . .*” this places your motion before the membership for consideration and action. The membership either debates your motion or moves directly to a vote.

CHAIR CALLS FOR ACTION, DEBATE OR A VOTE:

The maker of a motion has the right to speak first in debate. The debate is closed when the discussion has ended or a two-thirds vote closes the debate.

The Chair:

- Restates the motion and calls for a vote
- Announces the result

Voting:

When a motion comes up for a vote, members will vote for or against the measure unless he/she is disqualified from voting and abstains because of some conflict of interest. If the vote is a voice vote, the Chair will declare the result. Any member may request a roll call vote either before or after a non-roll call vote is taken. All votes will be recorded in the minutes of the meeting. Any time there is a split vote the names of each member, and how they voted, will be included in the minutes.

Methods of Voting:

- **Voice Vote** is the method normally used.
- **Show of Hands or Rising Vote** – used to verify an inconclusive voice vote or on motions requiring two-thirds vote.
- **Ballot** – normally used for election of officers and when order by a majority vote.
- **Roll Call** – used when it is desired to have a record of how each member voted.
- **Proxy Voting** – is prohibited unless specifically provided for in the bylaws.

Abstention:

If a member abstains because of a legal conflict, he/she is not counted as present for quorum purposes and is not considered to be “voting” for purposes of determining whether there has been a “majority” vote of those members present and voting. Note: When a member of a board or commission abstains or excuses themselves from a portion of a meeting because of a legal conflict of interest, the member must briefly state the nature of the conflict to be included in the minutes which are public record.

Important Note! *After a Vote is Taken. . .*

(Based on the Town of Queen Creek Policies and Procedures)

When speaking or writing regarding a matter within the jurisdiction of a committee, members of the committee shall represent the official policies or position of the Board, Commission or Committee on which they serve to the best of their ability. When presenting their individual opinions and position, members shall explicitly state that the opinions they are expressing are their own, do not represent the view or opinion of the Town of Queen Creek or a committee, Board or Commission of the Town, and will not infer or suggest that the opinion they are expressing is the opinion of the Town.

Adjournment:

After all the items and issues placed on the agenda have been discussed and acted upon, the Chair will adjourn the meeting.

The Riggins Rules

Suggested Do's and Don'ts for the Conduct of Public Hearing and the Department of Members of Boards, Commissions and Other Bodies

(As published in the Planning Commissioners Journal Number 13/Winter 1994)

The late Fred Riggins served as Chairman of the Phoenix, Arizona Planning Commission. Riggins' suggested do's and don'ts was written in 1967 from a Planning and Zoning Commission perspective, however, they apply and are good advice for all members of boards, commissions, City and Town Councils, and other bodies. The following 39 "do's and don'ts" were titled Riggins Rules to honor the author and his practical, down-to-earth approach to parliamentary procedure.

1. Don't accept an appointment or nomination to a Board, Commission, or Council 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 6 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 are making other people do your work for you and assume you're not inconsiderable responsibility. Your effectiveness and the regard given to your opinions by other members will be in direct ratio to your attendance.

2. Do create a good impression of city government. Remember that this is the first important contact that many of the people in the audience have had with the administration of their city and 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 and experience. Your performance will create in their minds the picture, which 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, the gavel should descend at the exact hour, and the hearing begun, if there is a quorum. 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. Don't dress like a bum. Shave, wear a tie and remember that a coat is never out of place. The people in the audience think you are a very important person. Don't disappoint them by your appearance, conduct, and attitude.

5. Don't mingle with friends, acquaintances, unknown applicants or objectors in the audience before the meeting & during a recess period, if it can be politely avoided. You will invariably create the impression with the uninformed that there is something crooked going on, especially when you vote favorably on the case of the applicant you were seen conversing with. When the other fellow's case comes up and you deny it, he says, "Well, it's easy enough to see that you've gotta' know the right people if you ever expect to get anywhere around here." Save your socializing for some other time and place.

6. Don't discuss a case privately and as a single member of a body with an applicant or objector prior to the filing and prior to the hearing if it can be politely avoided. In the event that it is not avoidable, and many times it is not, be very non-committal, don't be too free with advice and by all means explain that you are only one member of the body. That you have not had an opportunity to study the matter thoroughly, that you have not seen the staff recommendations, and that you have no way of knowing what opposition there may develop or what will occur at the public hearing.

Be certain that the person concerned understands that you cannot commit yourself in any manner, except to assure him that he may expect a fair and impartial hearing. Even if the case looks pretty good to you, it is wise to be pessimistic about the chances of securing approval. If you give him encouragement and any advice and he is then denied, he will hate you until your dying day and tell everyone in town that he did just exactly what you told him to do and then, like a dirty dog, you voted against him.

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 City for you to act on a matter with which you have no previous knowledge or with which you are only vaguely familiar. And you will 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 the applicant, presentations by any persons appearing in objection, and comments by members of the staff.

During this period your body is the judge and the jury and it is no more appropriate for you to express an opinion as to the proper decision, prior to hearing *all* of the testimony, than it would be for a judge or any member to announce his firm conviction in the middle of a court trial regarding the guilt or innocence of the defendant. This is not clearly understood by a majority of persons sitting on hearing bodies.

It is not too difficult to phrase one's questions or 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.

One does not say, "I happen to know that the applicant has no intention of placing an apartment building on this site. In fact, it has been sold subject to zoning and the purchaser intends to put a mobile home park here if he can get a special permit." Rather than this, one could say, "We have been furnished with some information which indicates that perhaps your plans are not too firm regarding the development you propose. In fact, there are some who are concerned about a rumor that the property is being sold and that the new owner planned to put a mobile home park at this location, if he can secure the necessary permit. Would you care to comment on this concern of the neighborhood and tell us if there is any truth in this rumor?" The same result is accomplished, the information is brought out and made part of the public record and you don't look as if you are leading the attack to secure the defeat of the applicant's request.

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 statement of your reasons can be construed as exerting influence on your fellow members. To avoid all accusations of undue influence, it is generally wise to leave the room and ask that the record show that you did so and that you did not indicate by word or action whether you were in favor of, or opposed to, the matter under discussion.

10. Do rotate the seating in some regular manner each successive meeting to prevent a "strong" member from gradually dominating a "weak" and indecisive member always seated next to him. This will also prevent the forming of little cliques or a not infrequent grouping of members to the left of the Chair who always oppose those to the right of the Chair, regardless of the merits of the case, the great detriment of the applicant, the City and other interested parties.

11. Do be polite and impartial. Be as helpful as possible to the nervous, the frightened and the uneducated, and patient with the confused.

12. Do be attentive. Those appearing before you have probably spent hours and hours 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 a logical sequence and the thing about which you are so concerned will probably be covered if you force yourself to be quiet for a few minutes. You can wreck his whole case by a long series of unnecessary questions at the wrong time. He will be your enemy forever.

14. Don't permit more than one person at the podium or 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 Chair and to the hearing body. When this person has finished his discussion and stated the questions to which he would like to have answers, then the Chair will permit those who care to make an answer to come forward and do so, but only voluntarily. Do not permit anyone to *demand* answers to all and sundry questions, especially if it is obviously done for the purpose of harassment.

16. Don't use first names in addressing *anyone at all* during the course of the hearing. This includes audience, applicants, members of your particular body, even if the person concerned is your brother or your best friend.

Nothing, repeat nothing creates a more unfavorable impression on the public than this practice. It is poor "hearing manners," destroys the formality of the occasion, and makes the uninformed certain that some sort of "buddy-buddy deal" is about to be consummated. If you just can't bring yourself to call someone Mr. or Mrs., use the third person form and call him "the applicant," or "the person who is objecting," or "the gentleman (or lady)," who is appearing here in connection with this case.

17. Do show great respect for the Chair, always addressing the Chairman as "Mr. Chairman," "The Chairman," or "Chairman Jones," and always wait to be recognized before continuing. This will set an example for applicants and others wishing to be orderliness of the proceedings.

18. Don't be critical of attorneys who sometimes feel impelled to give unnecessarily lengthy presentations on behalf of their clients. Avoid the strong temptation to make matters as difficult as possible for them. They are justifying to make a living and must convince their clients 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 seem to come to hearings with the express purpose of "telling them guys down there how the cow ate the cabbage." If you answer their irrelevant rantings you are immediately involved in a *fight*.

Don't answer or try to defend yourself. You are there to hear testimony and make decisions based thereon, not to head up a debating society. Remember, you are the judge and jury. In most cases, it is sufficient to say, "thank you for coming here and giving us the benefit of your thinking. I am sure that the members of this body will give your remarks serious consideration when they are making their individual determinations on the merits of this case. Is there anyone else who wishes to be heard?"

22. Do invite interested parties 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 is important enough for them to speak at all, it is important 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 or the 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 end 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 wind up as the referee even if you are a veritable Solomon. No matter how fair or impartial you should be, both sides will be mad at you. 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 Body on some previous occasion, perhaps bearing no relation to the present hearing. It must be assumed that he is there legally, he has a right to be heard, and he has a right to a fair and impartial hearing on the merits of his present case without reference to something which he might or might not have done in the past or will perhaps do in the future.

27. Don't try to be a hero to beautiful women, little old ladies, widowed mothers with tiny infants in their arms, and the financially and socially distressed. Be sympathetic, but objective, and don't get carried away with such a strong desire to help that you throw the rule book out the window. Ninety-nine times out of a hundred you will do them some kind of 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 fairy godfather 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 a good staff in possession of all the facts will almost always produce a *technically correct* recommendation.

Your job is to temper this recommendation with information developed during the hearings, which was not available to the staff. It is not unusual for the staff to voluntarily reverse or change the details of its recommendation during the course of a hearing. Always announce the staff recommendations prior to hearing any testimony and always make appropriate mention of it in the final decision.

31. Don't forget that the staff is there to help you in any way possible. It is 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 are specifically asked to comment. Most of them consider it presumptuous and unprofessional to inject any unsolicited comments into the hearings. Always ask them to comment prior to the final vote.

32. Don't try to answer technical questions even if you are 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-by-day working experience with all the pertinent ordinances and can nearly always give a timely, up-to-the-minute, professional dissertation on any subject in their field. And besides, it makes them feel more important and helps create an 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's 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 because you're not.

33. Don't try to ease your conscience and toss the applicant a bone by granting him something less than he asked for, something he doesn't want, and something he can't use. In all cases where it is appropriate, *give him what he 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 will, at the worst, get the minimum requirements. A reputation for approving or denying applications as filed will result in much more realistic requests and make your job much easier.

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 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 alternate 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 the Body. It will 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 applicants, objectors, or members after the final vote and decision are announced, especially those afterthoughts designed to reopen the case. It will invariably result an unpleasant wrangle. Just say, "I'm sorry, but the final decision has been made. If you wish to submit additional testimony, it will be necessary for you to state your reasons by letter and the Body will decide at a subsequent meeting whether or not they wish to reopen the case. The next case on the agenda will be _____."

37. Do not hesitate to continue a case or take it under advisement if more information or greater deliberation is truly necessary, but do not use these administrative actions merely 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 you are consistently "out in left field," that no one seems inclined to second your profound motions, and that you are quite often a minority of one. You might be theoretically right, and probably are, but give some thought to what is practical, and just. Don't be "stiff-necked" in your opinions. Give a little.

39. Don't select chairmen on a seniority basis alone and *don't* pass the office along from member to member as a reward and honor. The nicest guy in the world, the hardest working, the most interesting 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, all too true.

As occasion presents itself, give prospective Chairmen a chance to preside, head up a sub-committee, report on special projects, and otherwise prepare themselves and demonstrate their abilities and leadership under pressure.