

Board & Committee Chair Training

September 9, 2024



All Committees are Public Bodies

Governance

- **Statute** – Required by State law
- **City Committees** – Charter or Ordinance (Standing Committees) or Council Order (Short-term, ad-hoc)
- **Regional Committees** – By-laws, interlocal agreements

Order of Authority

Statute

Charter

Ordinance

By-laws/Interlocal
Agreements

Robert's Rules of Order

Regional Committees – “Quasi-Governmental Committees”

- 9-1-1 Committee
- Androscoggin County Budget Committee
- AVCOG – ARTC, LATC
- Auburn Housing Authority
- Auburn & Lewiston Municipal Airport Board
- Auburn Water District Board
- Auburn Sewer District Board
- L/A Clean Water Authority
- Lake Auburn Watershed Protection Commission
- Maine Waste to Energy Board
- Auburn Public Library Board

City Committees

ORDINANCE OR CHARTER (or Statute)

- Age Friendly Community Committee
- Audit Committee
- Board of Assessment Review
- City Council
- Complete Streets Committee
- Ethics Panel
- Parks and Recreation Advisory Board
- Planning Board
- Voter Registration Appeals Board
- School Committee
- Zoning Board of Appeals
- Sustainability & Natural Resource Management Board (SNRB)
 - Working Groups of the SNRB

ORDER or MAYORAL ACTION (Short-term, ad-hoc)

- Appointment Committee
- Comprehensive Plan Committee
- Committee on Housing
- Committee on Homelessness
- Public Safety Building Committee
- Lake Auburn Watershed Protection Working Group
- City Fee Review Committee

Role of the Chair

- The Chair is responsible for presiding over all meetings of the board, supervising the affairs of the board, and performing such other duties as may be assigned to the office by the committee.
- The Chair is an officer of the committee, appointed by members of the committee. The Chair remains Chair for as long as they are appointed and fill the role, or unless another Chair is appointed among the membership. Unless otherwise stated, the Chair must be an appointed member of the committee, and may not be an ex-officio member or staff contact.
- Unless otherwise specified, the Chair works closely with the assigned city staff contact and secretary to organize meetings, create agendas, and communicate about membership status – such as vacancies or resignations – and help acquaint new board members.
- The Chair should have a basic understanding of “Roberts Rules of Order” – the standard procedural methods for meeting management.

Role of the Secretary

- Most committees define a Secretary as an officer, appointed among the voting membership. Unless otherwise stated, the Secretary may not be an ex-officio or staff contact member.
- The primary role of the board's Secretary is to keep the official record of actions (minutes) taken by the Board – including recording the date, time, and location of the meeting, the record of the members present and absent, and the votes or actions taken by the board.
- The secretary may also be responsible for collecting information, reports, and putting together agendas for the board, and sending agendas and minutes to the City Clerk for filing and posting.

Role of the Staff Contact

Each City Committee has a staff contact assigned to help with logistics, such as:

- Room reservations, calendar invitations for meetings
- Ensuring that meetings are posted to the City calendar (**please ensure you have meeting dates for 2025 ready by December 2024 and forward these to Liz Allen!**)
- IT needs – for presentations, access to rooms, elevator, 2nd floor access, software needs
- Printing materials and resources

Unless otherwise stated, the staff contact is an “ex-officio” (non-voting) member of the Board and cannot hold an officer position (Secretary or Chair).

Role of the City Clerk's Office

The City Clerk's office is responsible for the following:

- **Receiving and posting agendas & minutes of all City committees**
- Working with staff contacts & the Communications Department to ensure all meetings are posted on the City calendar
- Providing procedural and policy guidance, training and support to Boards/Committees
- Tracking terms and appointments to boards/committees
- Serving as the City's Public Access Officer for all FOAA requests

FOAA

- All Committees are Public Bodies!
- All Public Bodies require **public notice** of all **public proceedings**.
- **All records are public records.**

What is a Public Record?

The FOAA defines "public record" as "any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business"

What is a Public Proceeding?

If a committee of 3 or more members intends to meet to conduct business of any kind, it is a public proceeding that requires:

- Public notice of the meeting (Agenda)
- A written record of any actions taken at the meeting
- The public must be allowed the opportunity to **observe** (*participation* is not a right, unless it is a legal public hearing).

What is a Public Proceeding?

Because the public must be allowed the opportunity to attend and observe, it is very important that meetings be held in buildings that are **accessible** by the public.

It is not appropriate to hold public meetings in private residences, churches, clubs, bars or restaurants, etc.

Municipal committees should meet in municipal buildings.

Committees must have **quorum** in order to conduct business.

Public Notice = Agenda

An agenda gives the public notice that a meeting is occurring.

At minimum, an agenda lists:

- Time, date, location of the meeting
- Topics to be discussed

An agenda template is available and will be shared with all.

Agendas must be posted at least **2 days** prior to a meeting, to give the public “ample time” to attend. Agendas are posted to the City website and inside Auburn Hall.

If your agenda discusses a report or other material to be presented at the meeting, this should also be included in materials posted to the website so the public has the ability to see what is being voted on/discussed. Your agenda should also always include “acceptance of minutes” from a previous meeting as an action item.

Minutes & Recordings

For all public proceedings, **written minutes** are required that capture the following:

- date, time and place of the meeting;
- the presence or absence of each member of the body holding the meeting
- all motions or votes taken, by individual member if there is a roll call.

Minutes capture the **actions** taken – not the discussion. Minutes are *not* verbatim of everything discussed at the meeting. The name and address of any public speakers should be noted.

These are to be forwarded to the City Clerk for posting following the meeting (draft) and then re-uploaded once approved by the body. **A minutes template is available.**

Recordings (audio and/or visual) may supplement, but cannot replace, the requirement for written record. Both together will constitute the official record of the committee. **Remember: If you choose to record a meeting, that recording becomes a public record.**

Example: Minutes from a Meeting

IN COUNCIL SPECIAL MEETING FEBRUARY 12, 2024, VOL. 37 PAGE 137

Mayor Harmon called the meeting to order at 5:30 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag. All Councilors were present.

Pledge of Allegiance

I. New Business

1. Order 21-02122024

Amending Order 20-02052024, adopted by the City Council on 2/5/2024 authorizing the use of \$62,500.00 from the fund balance to cover no more than 50% of actual third-party expenses paid by the City of Lewiston to the operator of the 2024 Lewiston Auburn Warming Center to be located in the City of Lewiston.

Motion was made by Councilor Walker, seconded by Councilor Milks for passage.

Public comment – No one from the public spoke.

Passage 7-0.

II. Adjournment

Motion was made by Councilor Walker, seconded by Councilor Milks to adjourn the meeting. Passage 7-0, the meeting adjourned at 5:33pm.

Date, time,
location of
meeting
recorded

Record of who was present
(voting members)

Vote(s) captured

A TRUE COPY

ATTEST

Susan Clements-Dallaire, City Clerk

Remote/Hybrid Meetings

The City has not adopted a policy on meeting remotely. Therefore, this is not allowed by any city committee – including the City Council.

What this means:

- Members of the body may not hold a remote meeting
- Members of the body may not attend virtually or by phone, if they are unable to attend in person (“proxies” are also not allowed)
- A guest speaker or presenter may attend remotely, via phone or Zoom.
- Lewiston does not allow committees to meet remotely.

NOTE: If a member of a board/committee attends remotely, by Statute, the public must also be allowed to attend remotely. This is not feasible at this time, so please refrain from meeting remotely and do not risk a lawsuit.

Vacancies/Attendance

A vacancy on any appointive board, commission, or committee of the city shall exist upon the occurrence of any of the following events:

- (a) Death of a member.
- (b) Resignation of a member.
- (c) Moving by a member of the member's place of residence from the City of Auburn. When a member moves from the City of Auburn, the vacancy shall occur immediately and the member shall not serve at any further meetings.
- (d) Failure of a member to attend more than three (3) consecutive meetings or absence from five (5) meetings during the preceding twelve-month period.

Chairs: Submit Quarterly Report to City Clerk!

Reporting actions and vacancies.

The chairman of each board or commission of the city shall certify or cause the secretary of the board or commission to certify to the city council each month the actions of said board or commission, together with the record of absences of members. In such report, the chairman or secretary of each such board or commission shall notify the city council of any vacancy occurring on such board or commission. In the event that a vacancy occurs, the board or commission may, by majority vote of its membership, exclusive of the member affected, recommend to the city council that the attendance provision be waived for cause, in which case no vacancy shall exist until the city council disapproves the recommendation.

Example: Quarterly Report



Board/Committee Quarterly Report

1st Quarter 2nd Quarter 3rd Quarter 4th Quarter

Committee Name: Click or tap here to enter text.

Report Submitted by: Click or tap here to enter text.

Committee Type: Required by Ordinance/Charter Ad Hoc Other

Committee Members:

Council Representative: Click or tap here to enter text.

Staff Representative: Click or tap here to enter text.

Community Members: Click or tap here to enter text.

Did your committee meet during the reporting period? Yes No

If yes, list meeting dates: Click or tap here to enter text.

Thank you for your service to the City of Auburn. Please report to the City Council on the work of your board/committee during the past quarter. Use the space below to highlight accomplishments and to note challenges, vacancies and needs. Brief, specific responses are appreciated.

Accomplishments

Click or tap here to enter text.

Challenges

Click or tap here to enter text.

Vacancies

Click or tap here to enter text.



Executive Sessions

Only allowed in limited circumstances – by quasi-judicial bodies with some capacity for reviewing confidential material.

Likely never to be used by an advisory body.

Cannot be used to defeat FOAA – many conversations are simply uncomfortable, not confidential.

The City Clerk can help determine if an Executive Session is allowed under the statute.

Robert's Rules of Order: A Simple Plan

Introduction of an item – brief explanation by presenter or person bringing forward the item

Option for public comment (not required, unless it's a public hearing)

(Any questions asked should be clarified at this time.)

"I move to... / Motion for passage" – main motion; must be made in order to bring item up for discussion.

"Second" – made by another member, allows the item to come before the body – if discussion starts and there's no second made, a second is assumed. If no second is made, the main motion is defeated.

Option for comment among the members of the body

"Seeing no other comments, the committee will vote on the motion. All in Favor?"

Show of hands or ROLL CALL vote.

...But sometimes it gets complicated

If you want to change what's being presented – **“I move to amend”**

Note: Each amendment should be voted separately to avoid confusion.

If you need more information (expected at a later date) – **“I move that we postpone to a date certain...”**

If you need to wait because a presenter is late (but coming soon) – **“Move to table”**

If you want to “kill” an item – **“I move to postpone indefinitely”**

If you need a break – **announce a 5 minute recess**

If you wish to immediately end the meeting – **Move to adjourn**

Robert's Rules is intended to help, not hinder

Do not make things more complicated than they need to be!

As Chair, you are charged with presiding over the meeting and maintaining order and decorum.

Any discussion not germane to the topic should be halted.

Anyone causing a disturbance or a hindrance to conducting business (blocking doors, shouting, noise disturbance, non-germane conversation) can be asked to leave and should be removed if they continue.

Ensure that everyone is clear on the question before asking for a vote.

Questions?

