

2017 Webinar Series

NEW HAMPSHIRE MUNICIPAL ASSOCIATION



Running Effective Public Body Meetings

Presented by:

Scott Myers, Laconia City Manager

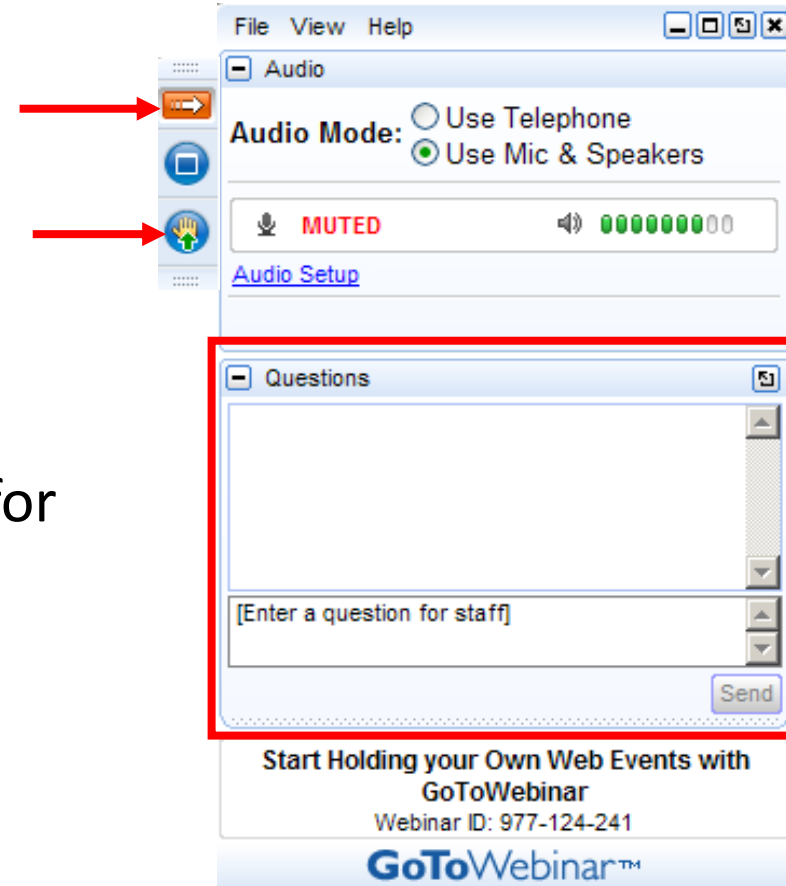
*Margaret M.L. Byrnes, Esq., New Hampshire Municipal
Association*



August 16, 2017

How to Participate Today

- Open and close your Panel
- Submit text questions
- Q&A addressed during today's session
- Couple of pop quizzes today for your entertainment



2017 Webinar Series

Running Effective Public Body Meetings

AGENDA

- I. What is a Public Meeting?
- II. Difference between Meeting and Hearing
- III. Compliance with Right-to-Know Law
- IV. Tips for Effective Meetings
- V. Tips from *Riggins Rules*
- VI. Public Meeting Minutes



RSA Chapter 91-A is just the floor.



RSA 91-A:2, II:

If the rules of procedure of any public body require a broader public access to official meetings or records then those provisions will govern.

What is a Public Meeting?

RSA 91-A:2

1. Quorum
2. Public body
3. Convenes so that they can communicate contemporaneously
4. To discuss or act upon a something over which the public body has supervision, control, jurisdiction, or advisory power.



What is *NOT* a “Meeting”?

(So-called “non-meeting”)

RSA 91-A:2, 1



- Social or other encounter, no decisions
- Collective bargaining
- Consultation with legal counsel
- Political caucuses
- Circulation of draft documents



Meeting

To conduct body's business

RSA 91-A

Open to public

No right to speak

Hearing

To hear public/certain people on issue

91-A "plus"

Open to public

Right to speak

Every hearing is also a meeting; the reverse is not true.

What are the requirements of a public meeting?

- ✓ Public notice
- ✓ Open to the public
- ✓ Meeting minutes





POP QUIZ!

How Many Meetings Are There in the United States on an Average Day?



1. 3 Million
2. 7 Million
3. 17 Million
4. 21 Million
5. 100 Million+

Preparation: To Comply with 91-A



Preparation: To Have an Effective Public Body Meeting

- Do you have rules of procedure?
- Agenda
- Circulate materials in advance
- Read packet, think about comments and questions in advance
 - No discussions prior to/outside meeting!

Conducting the Meeting: To Comply with 91-A

- Open to the public, *RSA 91-A:2, II*
- Public's right to record, etc.
- No secret ballot voting



Remote (Electronic) Meeting Participation

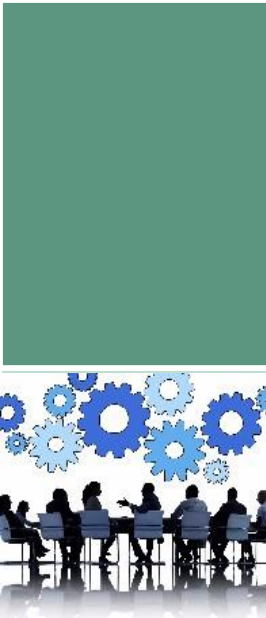
RSA 91-A:2, III

- Public body *may* allow (adopt a policy!)
- Personal attendance "not practical" (in minutes)
- Quorum *present*
- Everyone can hear and be heard
- All votes by roll call



Conducting the Meeting: Running an Effective Public Body Meeting

- Be and start on time
- Chair's responsibilities
- Set ground rules
- Stay on topic
- Don't forget the minute-taker



Conducting the Meeting: Running an Effective Public Body Meeting

- All eyes are on you
- Pay attention!
- Electronic media use during meetings

Public Comment



- No right to speak in meeting, unless you give it to them (remember hearings are different)
- Establish & explain rules, apply consistently
- First Amendment: Many restrictions are not acceptable!
- Maintain control & order
 - Removal?





POP QUIZ!

Are these “meeting” statements TRUE OR FALSE?

1. 9 out of 10 people daydream in meetings
2. 60% of meeting attendees take notes to appear as if they are listening
3. We retain:
 - 10% of what we read;
 - 20% of what we hear;
 - 30% of what we see;
 - 50% of what we hear and see;
 - 70% of what we say;
 - 90% of what we do.



Riggins Rules

Don't mingle with friends, acquaintances, unknown applicants or objectors in the audience before the meeting & during a recess period.

Don't indicate by word or action how you intend to vote during the portion of the hearing devoted to presentations.

Do rotate the seating in some regular manner each successive meeting to prevent a "strong" member from gradually dominating a "weak" member.

Don't interrupt a presentation until the question period, except for very short and *necessary* clarifying remarks or queries.

Don't use first names in addressing *anyone at all* during the course of the hearing.

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.



Riggins Rules (cont.)

Do not permit people to leave the podium or the microphone and approach closer to the hearing body except in unusual circumstances.

Don't become involved in neighborhood quarrels or wind up as the referee even if you are a veritable Solomon.

Do not take staff recommendations lightly.

Don't try to ease your conscience and toss the applicant a bone by granting him something less than he asked for.

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

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.





Public Meeting Minutes

- Minimum required contents
- Made available within 5 business days
- Posting?
- Draft v. Approved



Public Meeting Minutes: Roll call v. Recorded Vote

Roll Call Vote Example

“Byrnes: yes; Buckley: yes; Johnston: no. Motion passes.”

Recorded Vote Examples

“Motion passes 2-1, with Johnston voting in the negative.”

“Motion passes unanimously.”







Mark your Calendars for the 2017 Municipal Law Lecture Series

Saturday, September 23

Medallion Opera House,
20 Park Street, Gorham

Saturday, October 14

NHMA Offices, 25 Triangle
Park Drive, Concord

Full Day Workshops with Three Lectures

Land Use and Water Protection
Telecommunications and Land Use Boards
Land Use Board Procedures: From Application to Decision



**Agenda and registration information will be available in July.*





SAVE!
the
DATE!

November 15-16, 2017

**New Hampshire Municipal Association's
76th Annual Conference
The Radisson Hotel
Manchester, New Hampshire**

2017 Sponsor & Exhibitor Kit available in July.



Mark your calendars for the 2017 Budget & Finance Workshops

Tuesday, September 12

SERESC Conference Center,
29 Commerce Drive, Bedford

Tuesday, September 26

Attitash Grand Summit Hotel,
104 Grand Summit Drive, Bartlett

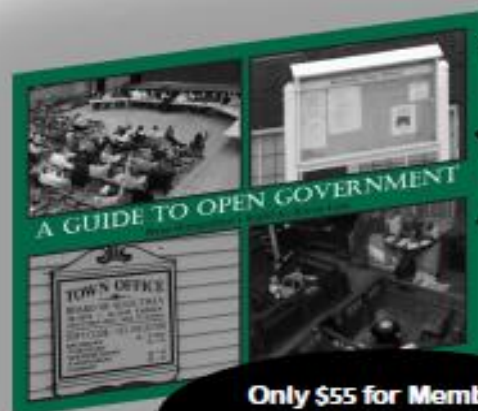
Attendees will receive the *NEW* 2017 Edition of *The Basic Law of Budgeting: A Guide for Towns, Village Districts & School Districts!*

**Agenda and registration information will be available in July.*



NHMA RELEASES NEW PUBLICATION ON NEW HAMPSHIRE'S RIGHT-TO KNOW LAW

Check out our new
"go-to" resource
for public
officials when
confronted with the
numerous legal
issues surrounding
New Hampshire's
Right-to-Know Law.



Order
Today

Only \$55 for Members
\$95 for Non-members

The Right-to-Know Law (RSA Chapter 91-A) affects every aspect of local government in our state. Every board, committee, commission, and sub-committee in every town, city and village district in New Hampshire must comply with this law. As a result, all local officials and employees must understand the law and their responsibilities regarding both public meetings and governmental records.

Join Legal Services Counsel Stephen Buckley, Government Affairs Counsel Cordell Johnston, and Staff Attorney Margaret Byrnes for a full day workshop on Thursday, September 14 on the Right-to-Know Law. They will address some of the most difficult issues under the law, including confidential information, electronic records and communication, procedures for nonpublic sessions, and communications outside a meeting. There will be ample time for questions and answers on all aspects of the law.

Go to NHMA's online store at www.nhmunicipal.org/shop
to order your new book today!



Learn more about the Right-to-Know Law at a full-day
workshop on Thursday, September 14
at NHMA Offices in Concord.
\$90 includes workshop, meals and new book!
Check our website for registration details.





THANK
YOU

For Joining Us for Today's Webinar

Mission Statement

The New Hampshire Municipal Association is a non-profit, non-partisan association working to strengthen New Hampshire cities and towns and their ability to serve the public as a member-funded, member-governed and member-driven association since 1941. We serve as a resource for information, education and legal services. NHMA is a strong, clear voice advocating for New Hampshire municipal interests.



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