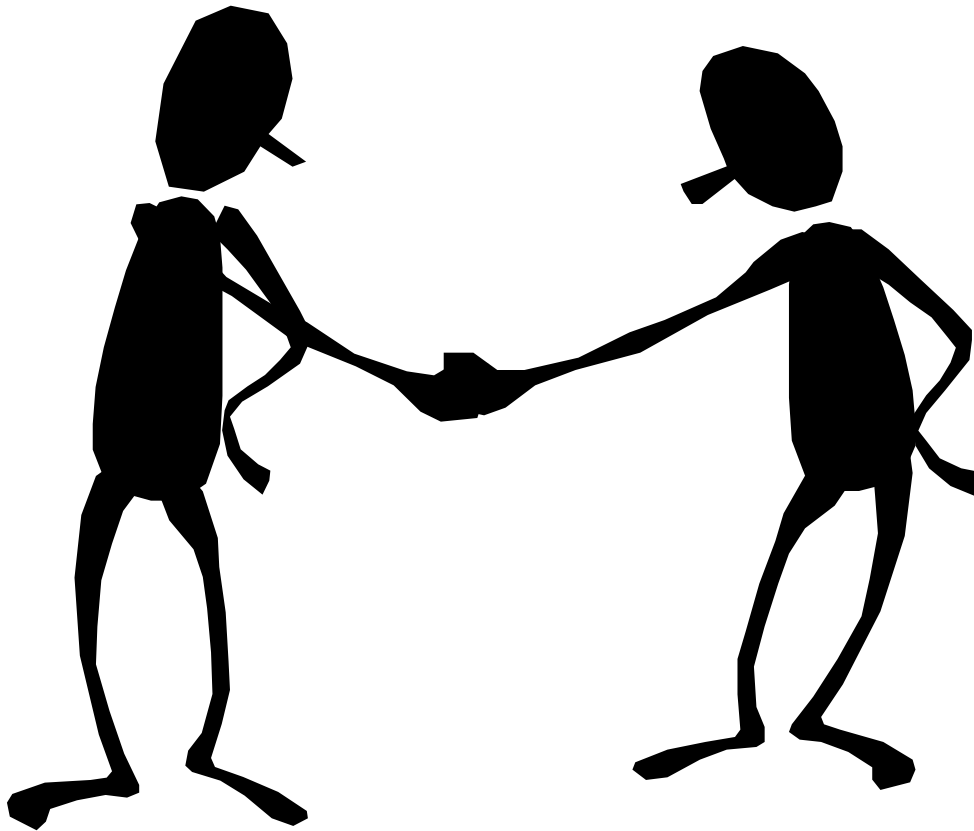


**LOS ALAMOS COUNTY  
ORIENTATION MANUAL  
FOR MEMBERS OF  
BOARDS AND COMMISSIONS (B&CS)**



May 2008  
Updated September 1, 2020

# TABLE OF CONTENTS

## PART I ORIENTATION: BOARDS AND COMMISSIONS

	<u>Page</u>
1. INTRODUCTION	3
Orientation Objectives	3
2. THE ROLE OF B&CS: UNDERSTANDING THEIR MISSION	4
3. RELATIONSHIP WITH THE COUNTY COUNCIL	6
Meeting with the County Council	7
4. B&C WORK PLANS	8
5. RELATIONSHIP WITH COUNTY STAFF	10
Clerical Staff Support	11
Professional Staff Liaison Responsibilities	11
B&C Member Responsibilities	12
6. PARTS OF THE WHOLE: TEAMS	13
7. RELATIONSHIP WITH OTHER BOARDS AND COMMISSIONS	14
8. RELATIONSHIPS WITHIN THE BOARD OR COMMISSION	14
When the Process Bogs Down: The Nature of Conflict	15
Surprises	17
9. RELATIONSHIP WITH THE COMMUNITY	17
10. RELATIONSHIP WITH THE MEDIA	17
Working With the Media	18

11. THE B&C SUPPORT SYSTEM	20
The Agenda	20
Staff Reports	21
B&C Minutes	21
Procedural Rules	22
Chairperson Responsibilities	23
Meeting Times	25
Effective Public Participation	25
12. BEHAVIORS THE PUBLIC NOTICES	27
Managing Difficult Meetings	27
Making Tough Decisions	29

**PART II**  
**PROCEDURAL RULES FOR BOARDS AND COMMISSIONS**

I. FOREWORD	30
II. OFFICERS AND MEMBERS	30
III. REMOVAL OR RESIGNATION	32
IV. BOARD MEMBER INTERVIEWS AND RECOMMENDATIONS TO COUNCIL	33
V. BOARD OR COMMISSION MEETINGS	33
VI. BOARD AND COMMISSION SUBCOMMITTEES AND AD HOC COMMITTEES	38
VII. CLARIFYING STATEMENT	41
VIII. EXPENDITURE OF PUBLIC FUNDS	41
DEFINITIONS	42
EXHIBIT A: SAMPLE AGENDA FORMAT	43
EXHIBIT B: CRP RECOMMENDED MEETING MATRIX	44

## INTRODUCTION

As a new member appointed to a Board or Commission (B&C), you will be provided an opportunity to participate in an orientation session conducted by County staff from the department most closely linked to your B&C. This orientation session will include, but not be limited to, a review of the B&C's responsibilities as assigned by the County Council or as specified by state law and a review of the procedures of the B&C.

For the purpose of these guidelines, a B&C is defined as one of the County's standing Boards appointed by Council. Most B&Cs are advisory to Council; however, a few have statutory responsibilities. All of the current B&Cs were created by County ordinance and a description of their responsibilities and duties can be found in Chapter 8 of the Los Alamos County Code. The Code can be accessed electronically through the County's web site at [www.losalamosnm.us](http://www.losalamosnm.us). Or, the staff liaison or the clerical support person assigned to your B&C can provide a copy of your B&C's enabling legislation.

### **ORIENTATION OBJECTIVES:**

After attending the orientation session and reviewing this handbook, you should be able to agree with the following statements:

- I understand the role and responsibilities of my B&C.
- I've read the relevant sections of Chapter 8 of the County Code.
- I know what my fellow B&C members and I are expected to do.
- I know the professional staff liaison who is assigned to my B&C and/or the department director. I understand their roles.
- I understand the working relationship between the county staff and my B&C.
- I know the sources of information that assist my B&C with decision making.
- I know which types of community issues are of concern to my B&C.
- I understand the local government activity for which my B&C is expected to make policy recommendations.
- I understand the difference between making policy and making policy recommendations as an advisory B&C.
- I understand the distinction between operations and policy.
- I have read the current Work Plan for my B&C.

## THE ROLE OF BOARDS AND COMMISSIONS: UNDERSTANDING THEIR MISSION

Volunteer citizen Boards and Commissions serve an important role in democratic local government. B&Cs are an excellent mechanism for gathering constructive citizen input, putting to use the talents of individual citizens, and bringing a citizen perspective to local government activities and projects.

Service on a B&C familiarizes you with your community and develops potential community leaders, and it gives you the chance to help address community needs and make recommendations for possible solutions. Finally, B&Cs provide a way to practice the spirit of giving and philanthropy, a way to serve your fellow citizens.

As a volunteer member of a B&C, you have the opportunity to influence important decisions about government policies, about the distribution of community resources, and about the provision of services to residents. The quality and effectiveness of your input can affect the whole community.

Occasionally, members of a B&C may have a poor understanding of the B&C's role and responsibilities. If this occurs, the B&C is likely to be ineffective or may be disruptive of staff activities and no longer contributes positively to the democratic process. Ineffective B&Cs may cause citizens to become disillusioned - to feel that the local government is rigid, does not accomplish its goals, or does not respond to citizens' voices. Citizens initially motivated by a spirit of giving may become disenchanted and may decline to participate further in civic activities. The County will try to prevent this from happening. For this reason, it is essential that B&C members be properly oriented to understand their duties and carry them out effectively.

A B&C's job, generally, is to make informed citizen recommendations to the County Council and to assist the Council in making good decisions for the community. Each B&C has a specific scope of assigned responsibilities identified in their enabling ordinance.

The County Council, not the B&C, is ultimately responsible to the citizens. The B&C must understand that its role is generally to advise, as opposed to the County Council's role to make policy and the staff's operational/administrative role. The B&C must also understand that the decision to implement the B&C's recommendations will be made by staff or by the County Council. Also important, though, the B&C members need to understand that their role as an advisory group is important to the well being of the community. In other words, even though the B&C's job is different from staff's job and the County Council's job, it is a very important part of a democratic local government.

B&C members should also recognize that the County Council's area of concern is much broader than the B&C's and, in some cases, B&C recommendations will not be implemented. B&C members should not interpret this as a rebuke, but rather as part of the process.

It is imperative that an advisory B&C's work reflects the wishes of the community as a whole and not only the opinions of the appointed members. Effective B&C work depends on the members' understanding of the general direction in which the community is headed. B&Cs can help to meet the objectives of the County Council if the overall community vision articulated by Council is allowed to guide not only the B&C's case-by-case recommendations, but also its long-range goals and annual work plan.



## RELATIONSHIP WITH THE COUNTY COUNCIL

A County Councilor will be assigned to serve as liaison to each B&C. The assignments will change annually and will be made in a manner determined by the Council. The liaison to the Utilities Board is automatically the Council vice-chair. Please see Exhibit B - "Meeting Matrix" for more details regarding the Citizens Review Panel's (CRP) recommendations for the frequency and content of meetings between the Council liaisons and the B&C Chairs assigned to them.

Individual Councilors, including the liaison, should not assign tasks to a B&C. In regard to all boards and commissions, except the Utilities Board, the Councilor will, after consultation with the Chair of the board or commission attend regular meetings of the board or commission to participate in the board or commission as agreed and should meet periodically with the Chair of the board or commission to determine the level of participation desired by the board or commission and issues in which the Council should be advised. The assigned Council liaison's role is to act as the primary information conduit between the B&C and the Council as a whole. It is incumbent upon that Councilor to provide guidance and advice about which B&C issues to bring to the attention of the Council for action and which should be merely information items. However, this does not prevent the B&C Chair, in accordance with an action of the B&C, from bringing a recommendation to the Council.

In regard to the Utilities Board, the Council liaison will sit at the dais.

Each B&C advises the County Council on policy matters regarding its assigned powers and duties. The B&C shall develop policy recommendations by:

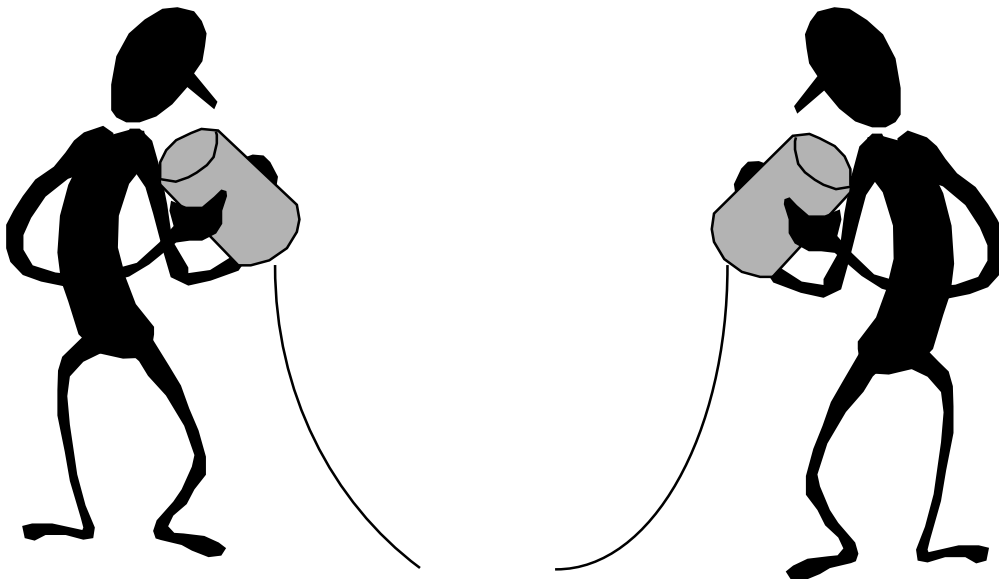
- Providing a forum for discussion and study of matters that are of interest to citizens, the County Council, and staff, and that conform to the vision for the community articulated by the County Council.
- Researching and developing plans for resolving concerns within the B&C's area of responsibilities. (Some actions of a B&C may be subject to appeal to the County Council as provided in the B&C's enabling ordinance. No action of a B&C shall relieve the County Council of its responsibilities nor usurp the authority granted to the County Council by the Charter.)

The City of Commerce, California, calls B&C members "the eyes and ears" of the community. In this type of symbiotic relationship, however, B&C members need to remember that they were not appointed to relieve the elected officials of making policy decisions. B&C members should also avoid trying to predict actions or votes of the County Council. This does not, however, preclude them from interpreting the philosophy of the County Council or trends in County Council thinking.

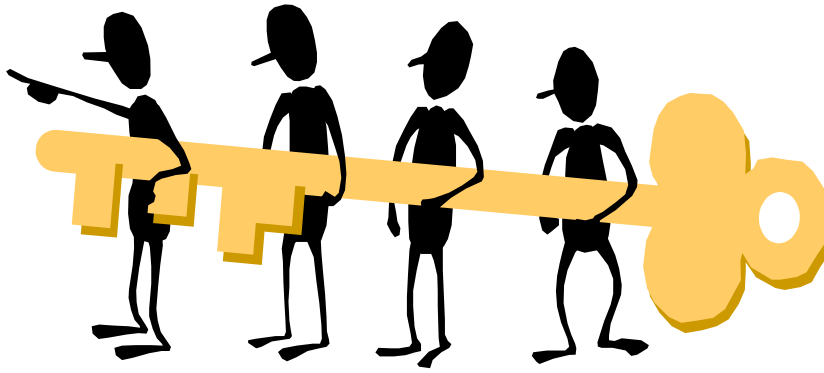
## MEETING WITH THE COUNTY COUNCIL

Meetings between the B&C and County Council can help clarify expectations and philosophies. Traditionally, each B&C Chair will be expected to make an annual presentation during a Council work session. The monthly Council work sessions are used because they are conducted informally and usually have less crowded agendas. The schedule for these annual presentations is usually developed at the beginning of each calendar year. The Chair may use his/her presentation time to describe the B&C's accomplishments and discuss proposed work plans or any other issues that warrant Council attention. The B&C Chairperson will primarily be responsible for the B&C presentation to Council. Here are suggested steps for planning that presentation:

- If needed, devote a portion of a B&C meeting to identify and assign priorities to issues to be covered.
- Plan to list the B&C's accomplishments for the past year and describe the proposed work program for the upcoming year. List the top priorities of the board along with some of the challenges faced by the board.
- Meet with County Council liaison or the Department Director to develop and review the presentation.







## B & C WORK PLANS

A work plan is the B&C's expressed effort for the year. It addresses the important problems, challenges, and opportunities identified by Council and the Department that need to be addressed by the B&C during the next year. A Council-approved and published work plan has the following benefits:

- Establishes measurable objectives
- Keeps the B&C aligned with departmental and Council goals
- Assists in the allocation of departmental resources
- Promotes continuity of B&C action

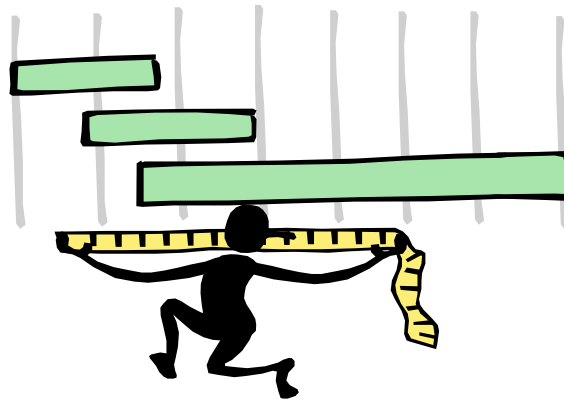
Annually, a work plan will be developed jointly between the B&C and staff. The deadline (usually mid-January or February) for B&C work plan development will be set and published each year. A three-member Council committee will be appointed to review all B&C work plans as part of the budget preparation cycle each year. A work plan template will be provided each year to the B&C Chair and staff liaison.

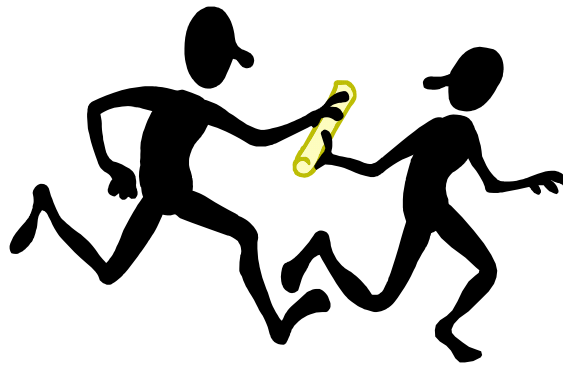
B&C Chairs are expected to meet, as needed, with their Department Director and the other Chairs of B&C's assigned to that Department to discuss the B&C's work plans and strategies for executing those work plans. The Department Director will also review the level and allocation of departmental resources, such as staff time and support, for all B&Cs affiliated with the department.

Some B&Cs occasionally undertake initiatives that require resource allocation in one or more departments. For example, the Arts in Public Places Board may need assistance from Community Development or Public Works with the installation or maintenance of APPB sculptures. Council must approve these appropriations as part of the regular budget process. These appropriations will be considered part of the budget of the relevant department.

Generally, the following outline will be used for the preparation of B&C work plans: (Specific dates and deadlines will be announced each year. The two-month overlaps shown below indicate the general timeframe.)

- Oct/Nov
  - Council determines budget priorities
  - Departments begin planning for budget priorities in relation to their responsibilities.
  - Boards and Commissions may be asked to provide input on budget priorities in relation to their area of responsibility.
- Nov/Dec
  - Boards and Commissions and Departments collaborate to develop draft work plans.
- Dec/Jan
  - Boards and Commissions/Departments review and complete work plans and submit to Department Directors and Council Liaisons roughly 6 working weeks (excluding holidays) following receipt of Council budget guidance.
- Jan/February
  - Department Directors develop their budgets including any resources identified in the B&C work plans. Departmental budgets are reviewed with the Finance Department and County Manager.
- Feb/March
  - Traditionally, three-member Council committee reviews and comments on each B&C work plan and then makes a report including recommendations to the whole Council. The reviewed plans are presented for Council approval in a manner determined by Council.
- April/May
  - Budget Hearings are conducted by County Council.





## RELATIONSHIP WITH COUNTY STAFF

Throughout their terms, B&C members will work closely with the associated department director, staff liaison and occasionally, the County Manager. A close working relationship between the B&Cs and their associated department is important for success, but it should be clear that the B&Cs work with the departments, not for the departments and vice-versa. A good partnership between staff and the B&C members has historically been an effective and productive relationship. A B&C may ask specific departments through their assigned staff liaison to provide information upon which the B&C members can make informed decisions.

Department representatives designated as ex-officio members are expected to attend all B&C meetings and participate in B&C discussions, provide background information, and may advocate positions on potential B&C actions. The ex-officio staff representative(s) are non-voting members of the B&C.

County departments can provide staff reports to the County Council, through the County Manager, regarding B&C actions. Such reports may supplement, agree with, or take positions opposed to the recommendations of the B&C. If a staff report is prepared relating to a recommendation by a B&C, a copy of the report will be provided by the staff liaison to the B&C chairperson before the report is presented to the County Manager.

Each year the B&C Chairperson and the Department Director will prepare a brief description of the B&C accomplishments and plans for the future as part of their annual work plan. See previous section.

## CLERICAL STAFF SUPPORT

Administrative/clerical support for B&Cs may be required as a function of the Staff Liaison, but generally the department will provide an additional clerical staff member to take B&C minutes and provide other administrative support. The clerical support staff for a B&C performs the following duties and any other duties as may be assigned by the department director:

- To cause the minutes of the B&C meetings to be taken, transcribed, prepared, and maintained in a manner best suited to provide an accurate record of all B&C proceedings;
- To give notice to the public, the media, the County Manager and the Council of all meetings of the B&C;
- To prepare and distribute agenda packets; and
- To provide other clerical support as agreed between the Department Director and the B&C Chair.

## PROFESSIONAL STAFF LIAISON RESPONSIBILITIES

Here is a list of important staff liaison duties and responsibilities:

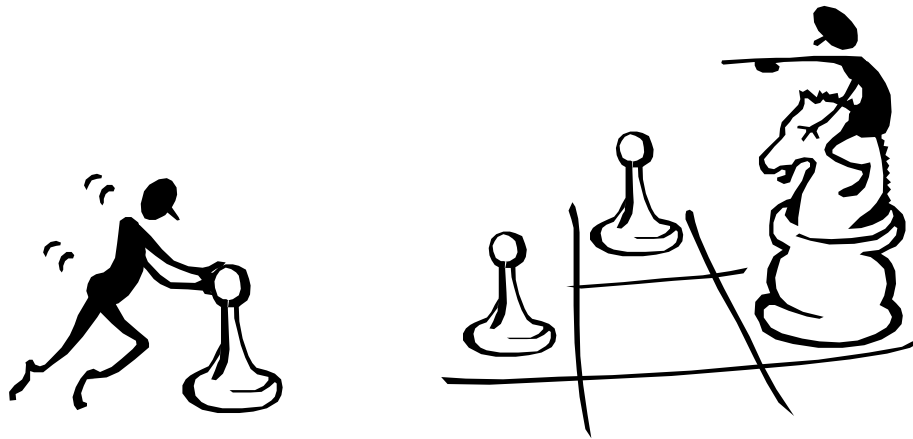
- Being informed about the latest developments in their field.
- Providing background information and making professional recommendations on important issues.
- Expressing both pro and con arguments on issues.
- Understanding the County Council's, County Manager's, and Department Director's goals and being informed of actions that have been taken.
- Alerting B&C members of possible negative reactions concerning the B&C's recommendations.
- Making sure appropriate staff action is taken after a B&C's recommendation is made.
- Developing a rapport with the chairperson and B&C members.
- Assisting with the presentation of the B&C recommendations to Council.

Unfortunately, some of these actions can create friction with B&C members. Both parties need to remember that the goal is to maintain a close working relationship and foster a partnership between B&C members and County staff.

## B&C MEMBER RESPONSIBILITIES

Here is a list of important B&C member duties and responsibilities:

- To meet, as necessary, to accomplish the B&C's assigned duties.
- To perform other responsibilities as required by the enabling legislation of a B&C.
- To hold public meetings and hearings, as may be required, and in conformance with the New Mexico Open Meetings Act.
- To submit an annual Work Plan to the Council documenting B&C activities during the previous year, communicating its members' perceptions of the needs of the community within its area of responsibility, and defining the B&C's plans for the future.
- To make recommendations relative to needed policies, ordinances, and programs to achieve the Council's goals. ("Minority" recommendations can be prepared when there's a difference of opinion between members of the B&C.)
- To act responsibly and professionally with respect to information obtained as a B&C member.
- If requested, to cooperate with the County's designated custodian of records to make the B&C public records open for public inspection. "Public records," as defined in NMSA 1978 Section 14-2-6, are "all documents, papers, letters, books, maps, tapes, photographs, recordings, and other materials (including e-mails) regardless of physical form or characteristics, that are used, created, received, maintained, or held by or on behalf of any public body and relate to public business, whether or not the records are required by law to be created or maintained."
- To refrain from any action which constitutes a conflict of interest. As defined in the County Charter: "Any elected official, County employee, committee member or advisory board or commission member who has a financial interest in the outcome of any policy, decision, or determination shall not vote or act on the issue in which he or she has such an interest." Each B&C member is expected to excuse himself/herself from any B&C discussions or actions that could be interpreted as representing a conflict of interest.
- To attend scheduled County meetings when such meetings relate to the work of the B&C. The B&C Chair or designee should attend the monthly B&C luncheon.
- To review all relevant background information provided in preparation for regular or special meetings or work sessions of the Council.
- Develop rapport with other Board members and staff.



## PARTS OF THE WHOLE: TEAMS

It is important to understand your B&C's place in our community, that is, the board's relationships to local elected policy makers, citizens, other B&Cs, and the staff.

Once the B&C members understand their role and how the job will be done, the group needs to learn to communicate clearly and work together as a team. To get anything accomplished, requires that each B&C member, including the B&C Chair cooperate with other members. While seemingly simple, this can be one of the most challenging aspects of serving on an advisory B&C. Cooperation can be essential to marshalling the votes necessary to make a recommendation. This means learning to compromise, give and take, and sort out common goals.

The Council selects people with diverse backgrounds and experiences to serve on Boards and Commissions. Moreover, the appointees may have different values and agendas. As a result, there can be built-in conflicts even before the group ever comes together.

A team represents the highest level of cooperation. B&C members are encouraged to learn to appreciate differences and discover that the power of teamwork is infinitely superior to individual contributions.

## **RELATIONSHIP WITH OTHER BOARDS AND COMMISSIONS**

B&Cs shall, when possible, cooperate fully with other B&Cs on matters of mutual interest. If there appears to be an overlap of responsibilities involving multiple B&C's and departments, these should be addressed as they come up. The County Manager, affected Department Directors and B&C Chairpersons should meet to determine which B&C should take the lead on the issue(s). They will take into consideration the B&C responsibilities and the public's perception of which B&C might be the most appropriate body to collect public input.

## **RELATIONSHIPS WITHIN THE BOARD OR COMMISSION**

The types of problems confronted by B&Cs can be very frustrating. Keep in mind that each member's ability to work together as a board is very important to the community. As B&C members try to make the best possible decisions on issues, the following recommendations may help you get over the hurdles of conflict and disagreement:

Separate the people from the problem and address issues, not personalities. You and your colleagues aren't questioning each other's good intentions or personal integrity. You are discussing options for making the best possible decisions. Don't think about what you may not like about the person sitting across the table from you. Instead think about what he or she is saying, about the points that person is trying to make. If a colleague seems to be attacking your integrity, try to get that person back on track by asking him or her to make the point.

Focus on mutual interests and shared goals. When your B&C seems to bog down, sometimes it is helpful to step back and think about mutual goals. Remember that you are all serving the same community.

Invent options for mutual gain. Is there a compromise with which everyone will feel satisfied? Think about all that has been said throughout the debate. Can the best aspects of everybody's ideas be incorporated into a plan? Ask your colleagues why a particular approach is not satisfactory and what approaches would be acceptable.

Be open, honest, and willing to listen. Examine your own approach to dealing with conflict. Are you really listening to what your colleagues are saying? Are you thinking about the implications? Don't be afraid to state your concerns. Be honest in revealing what you see as available options and by explaining what you see as shortcomings in others' suggestions.

## WHEN THE PROCESS BOGS DOWN: THE NATURE OF CONFLICT

It is a rare B&C that never experiences conflict. After all, a B&C is comprised of individuals with different experiences, educational backgrounds, jobs, expertise, and feelings. B&C members often find conflict highly frustrating; however, members should understand that part of their job is to channel conflict into good decisions. The diversity that causes conflict to arise can be the key to successful B&C work. Remember, the assigned staff liaison is also a B&C member.

B&C members are encouraged to view the conflict preceding a group decision as healthy debate. Conflict should cause you to ask questions, to seek explanations, to demand justification, to challenge, and to be challenged. It should prompt all participants to examine every angle of every argument, option, or approach.

When conflict is minimal, little effort may be required to reach a decision, but the B&C still needs to ensure that issues are fully considered. Conversely, when conflict is great, reaching consensus may be very difficult. Ultimately, conflict may result in sound, collaborative solutions comprising the best aspects of all the ideas generated. If issues are thoroughly aired, each B&C member will be committed to the solutions reached, and the cohesiveness of the group will increase.

A variety of techniques can be used to resolve conflict on citizen advisory B&Cs. The most common techniques are those used to make a decision, thus bringing closure to an issue: voting or negotiating a compromise. Problem-solving techniques are used to find a solution that each member views as the best possible. B&C members should understand the difference between making a decision and creating a solution by working together.

**Decision Making.** When conflict is minimal or nonexistent, B&Cs often vote to make a decision. Yet, even as simple and common an approach as voting can cause problems for a B&C. For example, problems are likely to occur if members have strong feelings about the issue being voted on, particularly if they feel the issue was not sufficiently discussed and debated.

Further, voting produces winning and losing factions on a B&C. A member or members who frequently end up on the losing side may begin to feel less and less a part of the group. Finally, the losing members won't feel a part of the decision that was made and the B&C may begin to polarize. A chairperson who consistently uses the vote to make decisions must be prepared to deal with the feelings of those on the losing side.

The second technique for making decisions, negotiating a compromise, often is used when B&C members have developed firm positions about an issue. Negotiating requires more time and effort than does voting. In particular, negotiating requires



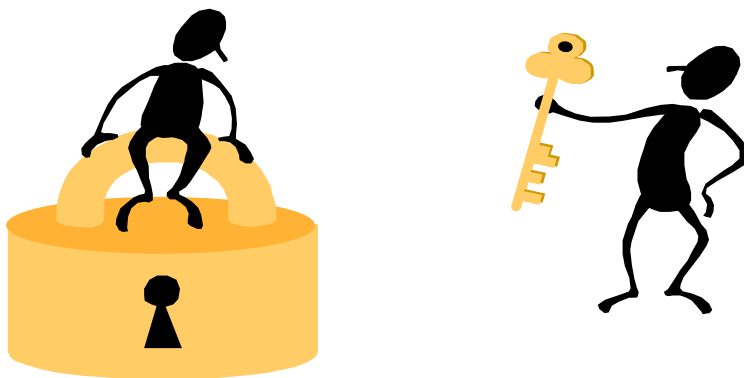
communication skills and cooperation among B&C members. Ideas must be presented clearly and each participant must be willing to listen to possibilities for compromise. The best compromise is one that all members can support.

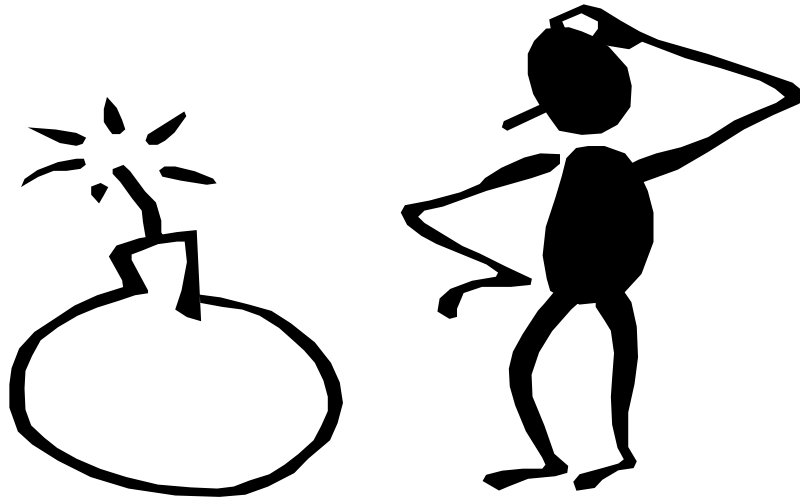
Participants must realize that negotiation is a process of give and take. B&C members should be encouraged to think about their positions, set priorities, and decide which demands they are willing to exchange for something more important. In most cases, an acceptable compromise can be reached because each party will have to give up something.

**Problem Solving.** Solving a problem is much more involved than the above two methods for resolving conflict. When B&Cs are faced with serious conflict, they should go beyond simply reaching a decision to expending the time needed to actually solve the problem. Trying to force a decision when the level of conflict is high may produce a poor decision, sacrifice the group's cohesiveness, and exacerbate conflict on the B&C and in the community.

Problem solving requires finding a solution that satisfies every member of the group. This implies that every group member must participate in the problem-solving process. It may be necessary to schedule a special meeting to resolve a particularly difficult conflict.

There is no easy resolution of conflict that sometimes surrounds issues of importance. When conflict does arise, finding a solution is necessary to allow an advisory B&C make sound recommendations that each member will support. The most important thing for B&C members to remember is that they are colleagues, that they are part of the same team, and that each team member has a unique contribution to make.





## SURPRISES

Most people rarely like to be caught by surprise. Within the public setting, surprises are particularly deadly. Being caught unprepared or unaware is embarrassing. One of the most important rules is: If possible, never spring a surprise on anyone at a public meeting. If you are going to make an earthshaking statement or request make sure that the groundwork has been laid. In addition, don't pressure staff or other B&C members for an immediate answer to a question for which they haven't prepared.

## RELATIONSHIP WITH THE COMMUNITY

One duty of B&Cs is to provide public information for and to receive public comments from individuals or groups interested in its area of responsibility. B&Cs can use a variety of techniques to involve and inform the public. Specific guidelines on each format are provided in the County's "Public Involvement Manual". Your staff liaison can provide a copy.

## RELATIONSHIP WITH THE MEDIA

B&Cs must recognize that local government is a source of news for the local media. In this connection:

- Consider all public statements in light of how they would appear in the newspaper.
- Remember that you are viewed as a spokesperson for the County of Los Alamos even though it is not in an official capacity.
- Consider responding to letters to the editor very carefully. What is the potential for escalating a controversy? And, will such a response resolve the problem?
- If possible, avoid saying "no comment." Indicate why you cannot comment at this time or that you will be able to comment after the meeting or at a later time. See #1 on the next page.



## Working with the Media

By Julie Habiger

Being a member of a B&C can expose you to more attention from the media than you might otherwise receive as a citizen. Chances are, you already know the "logistics" part of being on a B&C and the fact that your meetings must be open to the public with a published agenda - this means the media can attend and report on your meetings. However, what happens outside the meetings if you are approached by a newspaper reporter or TV news team, wanting your comments and thoughts about an issue? Here are some tips:

1. Sometimes it's okay to say "no comment". While you should keep an open, communicative relationship with the media, or anyone in the public, you need to remember that it's tough to communicate all the facts in a conversation to someone who hasn't got the history you have in studying the issues brought forward to your B&C. Avoid off-the-cuff answers to questions that might assume the person asking the questions is knowledgeable in the subject matter.

2. Remember when you speak, you're part of a larger majority. There's a reason why B&Cs boast a certain number of members -- it allows for a diverse range of opinions and viewpoints. For that reason, it's not appropriate to speak to the media in a manner that would indicate that your personal opinion represents that of all your fellow members. Presenting a common front is important in making your B&C work as a team, so taking the extra time early on in dealing with an issue to discuss how you will present your findings and recommendations to the public is just as important as the decisions you make.

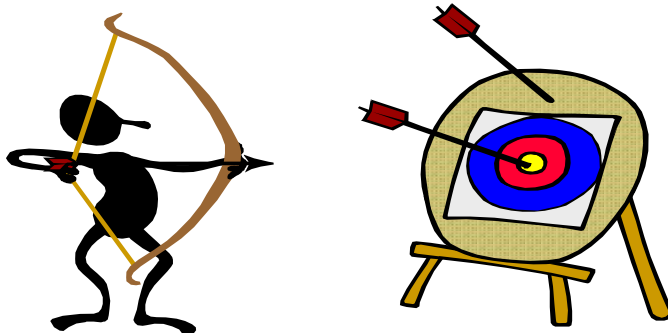
3. Be open and honest in your response, but remember it's okay to say "I don't know" or "Let me find out and get back to you" if you really don't have all the answers. Reporters work under tight deadlines and they need responses quickly. You need to appreciate their time schedules, but don't let their desire to have the whole story in a few minutes prevent you from taking an extra five minutes to check your facts. Better yet, if you don't feel comfortable, point them in the direction of someone else who might be better suited to deal with their questions; that could be the Chair of your B&C, your County staff liaison, a member of County Council, or the County Attorney's Office.

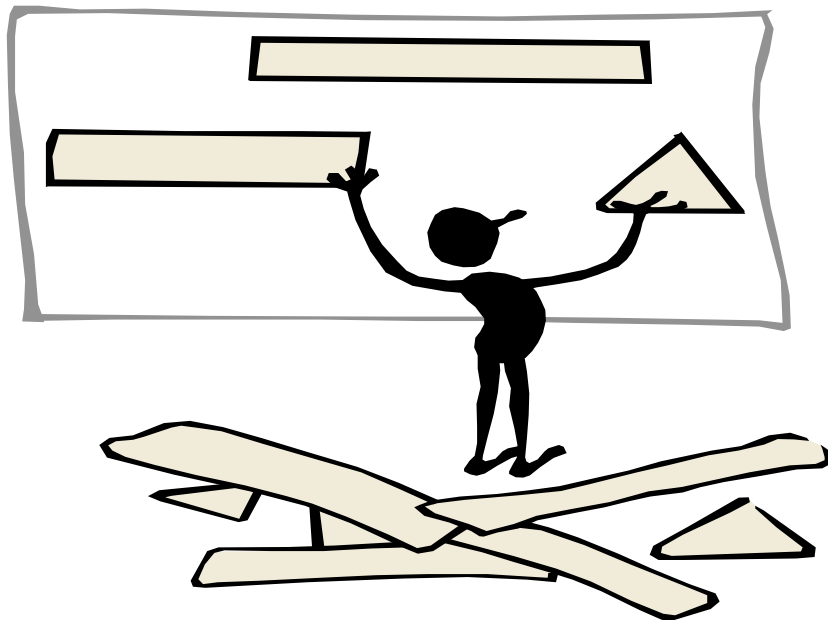
4. What you say today to one person could be said to the world tomorrow.

Unfortunately, when there is a volatile situation, when emotions run high or people feel they are personally being attacked, many rash statements are made in haste. If you're feeling that way, then this is not the time to talk to the media. You might say or do something you'll regret later. Reports go out on the wire all around New Mexico and the U.S., so your comments could be far-reaching and have tenfold greater "damage control" potential than another day when you might answer differently. Offer to reschedule a time when you, not the reporter, are feeling more appropriately in control of the interview.

5. Beware of leading questions. This goes back to the old adage of "look before you leap" or in this case "weigh your answers carefully before you speak." Most of the time the media has a specific angle to a story, and they are looking for you to substantiate or provide additional information relative only to that perspective. Leading questions start with phrases such as, "Would it be fair to say that...". "Is there any truth to the rumor that ...", "What have you heard about ..." followed by a specific story angle that the reporter is working on for their TV or radio station or newspaper. Other tactics are for the reporter to state their opinion and ask you to substantiate it. Here's an example: "The Wen Ho Lee case must have been very disruptive to life in Los Alamos -- how has the County dealt with this disruption?" This question leads you to answer based on the assumption that the reporter, not you or the County, has already decided that there was indeed a disruption, when in fact there might not have been any issues at all that impacted the County! Finally, it isn't uncommon for members of the media, acting on a hunch, to try to "fish" for a story by asking leading questions simply to find out what you do or don't know about a topic. The reporter will try and make their questions come across as if "surely you must know about this" (and thus you feel compelled to offer an answer rather than appear to look ignorant about the situation).

The bottom line in dealing with the media is this: be honest and do your best to be informative -- just remember to think before you speak, and weigh what you do or don't know in answering their questions.





## THE B&C SUPPORT SYSTEM

To be effective, a B&C needs a strong support system. Here are seven critical elements in this support system.

- An agenda that provides order and information.
- Staff reports that are clear, concise, and informative.
- Minutes that are timely, clear, and succinct.
- Operating procedures that help rather than hinder the group process.
- A chairperson skilled in facilitating decision making with a diverse group.
- Meetings that begin on time, adjourn at a reasonable hour, and result in clear recommendations or actions taken.
- Meetings that are scheduled to maximize B&C member and public participation.

### 1. THE AGENDA

The agenda is one of the most important tools of the B&C. It is defined as a list, outline or plan of things to be considered. It focuses the discussion at a meeting by specifying topics and the order in which they will be taken up. The B&C chairperson, in consultation with the staff liaison, traditionally sets the agenda for each B&C meeting. Please reference the B&C Rules (Section II of this manual) for specific guidelines related to agenda items. See also: [Exhibit A - Sample B&C Agenda](#)

As required in the County's current annual Open Meetings Resolution, all B&C's must comply with the following regulations provided in the NM Open Meetings Act (NMSA 1978 Section 10-15-1 - Revised 2013) related to B&C agendas:

*"Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain such an agenda. Except in the case of an emergency or in the case of a public body that ordinarily meets more frequently than once per week, at least seventy-two (72) hours prior to the meeting, the agenda shall be available to the public and posted on the public body's web site, if one is maintained. ...Except for emergency matters, a public body shall take action only on items appearing on the agenda. For purposes of this subsection, an "emergency" refers to unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body."*

## **2. STAFF REPORTS**

Staff reports, written or oral, are an indispensable part of the B&C process. They are used to:

- Frame issues
- Provide facts and focus
- Provide chronologies
- Identify issues and alternatives
- Present the staff's position
- Make a recommendation

## **3. B&C MINUTES**

The minutes represent an official record of the B&C's discussions and actions. A draft of the minutes must be prepared within ten working days after the meeting. Both draft and official copies of B&C minutes are open to public inspection.

Official B&C minutes:

- Record B&C actions
- Communicate background to the County Council
- Provide perspective on issues
- Provide a historic record of the proceedings
- Provide summary of items that need follow up

The New Mexico Open Meetings Act (NMSA 1978 Section 10-15-1) requires minutes of open meetings to record at least the following information:

- a) *the date, time and place of the meeting;*
- b) *the names of all members of the body in attendance and a list of those members absent;*
- c) *the substance of the proposals considered; and*
- d) *a record of any decisions made by the body and of how each member voted.*

According to the NM Attorney General's OMA Compliance Guide, this means that minutes must contain a description of the subject of all discussions had by the body, even if no action is taken or considered. This may be a concise, but accurate, statement of the subject matter discussed and does not have to be a verbatim account of who said what. It may be useful, although it is not required, to also record the other persons invited or present and who participate in the deliberations." (Emphasis added)

#### 4. PROCEDURAL RULES

B&Cs rely upon rules to facilitate meetings. These rules provide the process for conducting meetings in an orderly, efficient and fair manner. Rules may be formal or informal. Council-approved Rules and Procedures for all County Boards and Commissions are provided in Part II of this Orientation Manual.

##### PREPARING MOTIONS

B&C meetings are usually conducted according to basic parliamentary procedure (Robert's Rules of Order.) The chairperson directs the meeting, and his/her rulings must be followed unless overruled by the body.

When a member wishes to propose an action for the B&C to consider, the member makes a motion. A motion generally goes through the following steps:

- The member asks to be recognized by the chairperson.
- After being recognized, the member makes the motion  
"I move that we..."
- Another member seconds the motion. "I second the motion."
- The chairperson may re-state the motion and asks for discussion.
- After the B&C has concluded its discussion the chairperson then asks for public comment.
- When the chairperson feels that there has been enough discussion, the debate will be closed and the chairperson asks, "Are you ready for the question?" or "Is there any further discussion?"
- If no one asks for permission to speak, the chairperson then puts the question to a vote.
- After the vote, the chairperson announces the decision.  
"The motion is carried" or "The motion is lost".

## A FEW COMMON MOTIONS:

- Introduce an Item: "I move that..."
- Delay Consideration: "I move to table the motion until..."
- Close Debate: "I call the question."
- Limit or Extend Debate: "I move to limit or extend debate to..."
- Request More Study: "I move to refer this to staff for further study."
- Amend a Motion: "I move to amend..."
- Object to Procedures: "Point of order."
- Reconsider a Vote: "I move to reconsider the vote on..."
- Adjourn Meeting: "I move to adjourn."

## PHRASING AND DIVIDING MOTIONS

Phrasing a motion can be difficult and corrections may be necessary before it is acted upon. Until the chairperson states the motion, the B&C member making the motion may rephrase or withdraw it.

B&C members may wish to write out motions beforehand or ask staff to prepare a draft for difficult ones. If a motion gets too complicated, ask staff to prepare the wording.

In making a motion, avoid including more than one proposal in the same motion. This is especially important when B&C members are likely to disagree. If a B&C member prefers to see proposals divided and voted upon separately, the B&C member can ask the chairperson to divide the motion. If others do not object, the chairperson may proceed to treat each proposal as a distinct motion to be acted upon separately.

## **5. CHAIRPERSON RESPONSIBILITIES**

The chairperson is the key to the effectiveness of the group process and can be likened to the team captain. The chairperson provides group direction and sets the tone for meetings.

The chairperson must balance being strong enough to move the meeting along and democratic enough to involve all members in the meeting. To be effective the chairperson needs the support of the members.

Trust is built by evenhandedness and fairness to all the participants. It also means that the chairperson does not use powers of the chair unfairly to win a point or argument.



## THE EFFECTIVE CHAIRPERSON:

- Prevents overly dominant B&C members from having a disproportionate influence.
- Protects B&C members and staff from verbal attacks.
- Solicits opinions, feelings and positions from reticent B&C members.
- Protects new thoughts from being rejected prior to fair evaluation.
- Discourages finger pointing and blame-oriented statements or questions.
- Keeps the discussion focused on the problem.
- Knows how to run meetings utilizing, as appropriate, the principles of Robert's Rules of Order
- Encourages the generation of alternative solutions.
- Delays evaluation and analysis of alternatives until all are on the table.
- Guides the process of screening alternatives and selecting the solution.
- Attempts to obtain consensus.
- Moves the meeting along and does not let the B&C drift off the subject at hand.
- Coaches and helps B&C members develop their skills.

## CHAIRPERSON MISTAKES:

- Uneven treatment of B&C members.
- Failure to maintain a balance between closing discussion in a timely manner and not cutting off discussion before members are ready.
- Allowing the meeting to become too informal or the discussion to drift.
- Losing track of amendments to motions.
- Forgetting to relinquish the gavel when the chairperson becomes enmeshed in an issue.
- Failure to recognize and deal with B&C member objections to procedure or process.
- Failure to protect B&C members and staff from verbal attacks.
- Ignoring input from disagreeing B&C members.
- Not explaining the process being followed to the audience.
- Failure to restate motions before they are voted upon.
- Forgetting to call breaks during long meetings.
- Failure to apply time limits on speakers consistently.
- Not reconvening the meeting at the specified time after a break.
- Not knowing rudimentary principles of Robert's Rules of Order

## 6. MEETING TIMES

Notification of B&C meetings will be made by the staff liaison or the B&C Chairperson in accordance with current Council policy regarding the length of time required for adequate public notice.

All meetings of B&Cs or Commissions will be open to the public except as specified by law.

The B&C Chairperson will be responsible for beginning the meetings on time and adjourning at a reasonable hour.



## 7. EFFECTIVE PUBLIC PARTICIPATION

People presenting an issue to the B&C may have never appeared before a public body. The experience can be intimidating. Anxiety may be displayed through aggressiveness or forgetfulness. Imagine yourself in the position of having to address the B&C. You can help people by:

- Calming and reassuring them.
- Explaining meeting procedures.
- Paying attention and not doodling or reading.
- Actively listening to what they are saying. B&C member questions are not appropriate at the time of public comment.
- Avoiding baiting and lecturing, but don't let this stop you from expressing the reasons behind your vote.

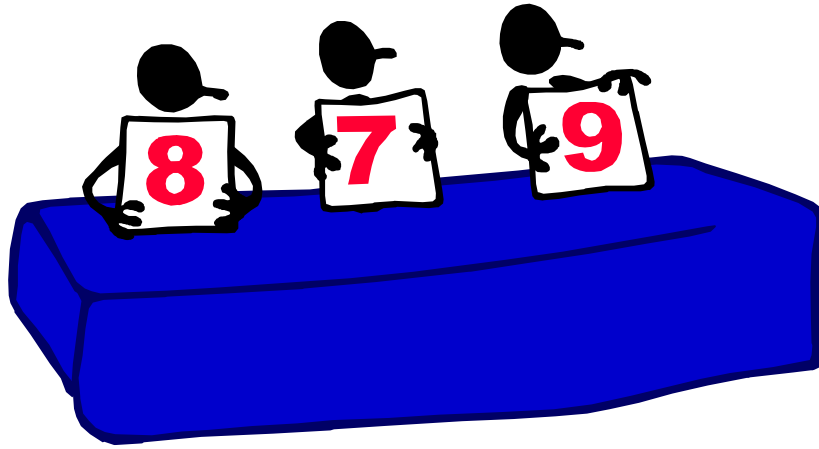
## OPEN MEETINGS ACT COMPLIANCE - ROLLING QUORUM:

The New Mexico Open Meetings Act (Chapter 10, Article 15 Section 1 (B) NMSA 1978) requires B&C business to be conducted in a properly noticed open meeting:

*"All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations, or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act [Chapter 10, Article 15 NMSA 1978]. No public meeting once convened that is otherwise required to be open pursuant to the Open Meetings Act shall be closed or dissolved into small groups or committees for the purpose of permitting the closing of the meeting." (Emphasis added.)*

Discussions among B&C members outside the open meeting can run afoul of this statutory provision. In such instances it may amount to what is called a "rolling quorum." A rolling quorum can be avoided by refraining from discussing B&C business outside the meeting room and avoiding e-mail correspondence and/or phone calls related to B&C business.





## BEHAVIORS THE PUBLIC NOTICES

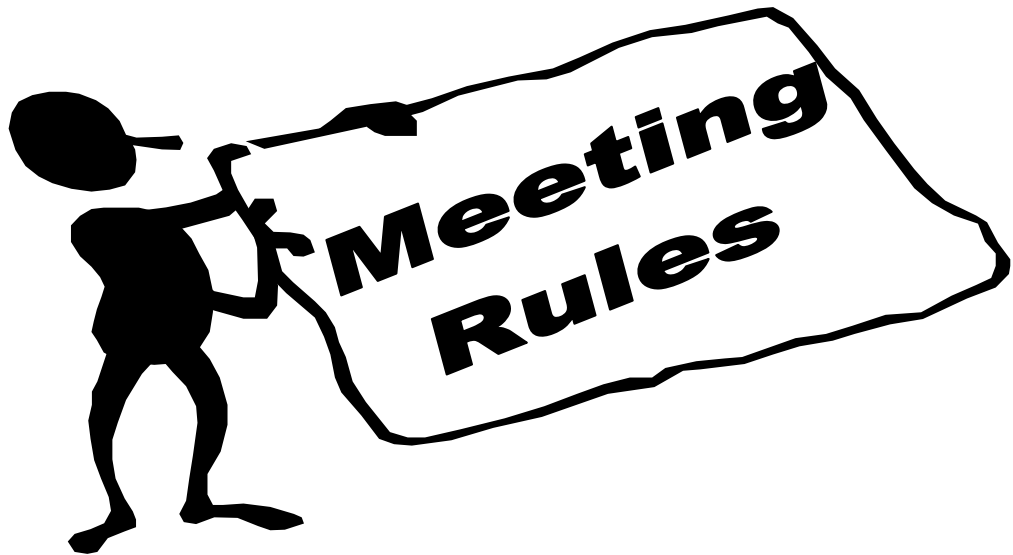
B&Cs develop a personality that is quite observable by audience members. Some B&Cs are characterized as being warm and friendly, while others are known as formal and distant. Both verbal and non-verbal actions help define this group personality. Things noticed include:

- Whether the chairperson effectively manages the meeting.
- Whether the B&C is respectful of the audience.
- Whether the individual B&C members have prepared for the meeting.
- Whether the B&C members really listen to audience concerns.
- Whether B&C members explain technical terms and jargon.
- Whether the B&C sticks to the agenda and doesn't drift.
- Whether the B&C keeps the audience informed of procedures.

## MANAGING DIFFICULT MEETINGS

From time to time, B&Cs are faced with conducting highly charged controversial meetings. These meetings may involve one or more groups with conflicting views. (Please review the "Public Involvement Guide for Boards and Commissions" for more detailed information on conducting traditional public hearings.)

In a difficult meeting, the participants' demeanor may be characterized by aggressiveness and hostility. Such meetings really test the mettle of the B&C and staff. Consider the following:



### BEFORE THE MEETING

- Make agendas and back-up reports readily available to participants.
- Make sure adequate seating is available. Consider moving to larger quarters if necessary.
- Make sure sound and recording equipment is adequate and operational.
- Establish and announce rules before the meeting.
- The chairperson and staff should engage in contingency planning before the meeting.
- The chairperson should alert staff to prepare responses for anticipated questions not already answered in the agenda documentation.

### DURING THE MEETING

- The Chairperson should open the meeting by explaining to all attendees the purpose of the meeting, the issues involved, the possible actions, and the procedures that will be followed at the meeting.
- Don't spend a large amount of time at the beginning of the meeting on routine items such as correcting the minutes.
- Have speakers address the B&C and not the audience. Some speakers are very adept at inciting audiences, especially if they are permitted to face the audience.
- Stop clapping and shouting early. Explain the reasons why such actions are disruptive and counterproductive.
- Don't hesitate to use recesses to help diffuse hostility or aggressiveness.
- Consider limiting speakers to a set time such as three to five minutes.

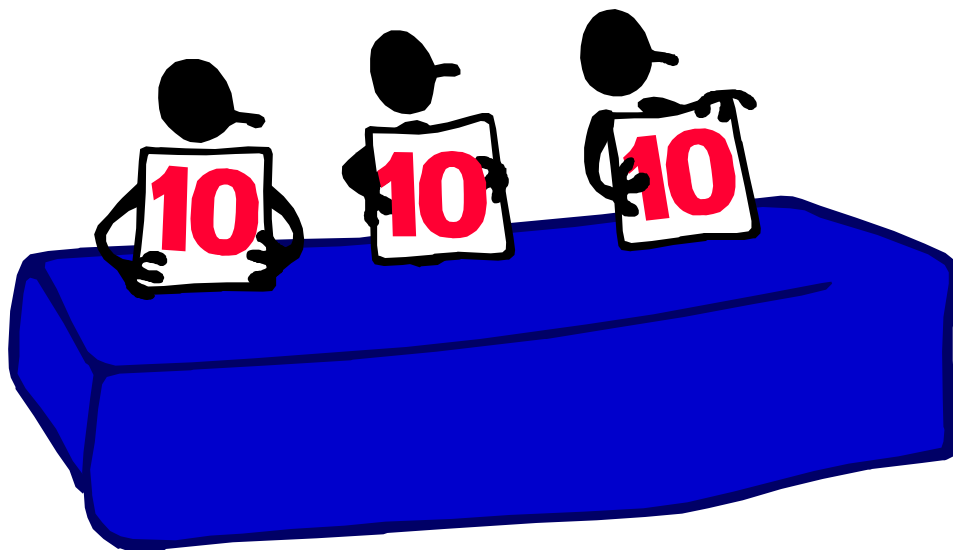
If such a procedure is used, make sure it is applied fairly and consistently.

- Continue items that cannot be decided at the meeting. This should not preclude the B&C from allowing anyone who wishes to speak on the issue from doing so.

## MAKING TOUGH DECISIONS

When confronted with a tough problem, here are some questions to consider to help you think through a pending decision. Not all these apply in all situations.

- Is this a matter of public safety?
- What would the impact on the budget be?
- Who will be hurt by the proposed action? Who will benefit?
- Do I have a conflict of interest in this matter?
- Do others who are involved have a conflict of interest?
- Do I have enough information to make a decision?
- Is the proposed action consistent with County Council's goals and budget guidelines?
- Are we dealing with symptoms and not the actual problem?
- What past practices relate to this issue?
- What is staff's recommendation and, if B&C action will not be consistent with staff's recommendation, why not?



**PART II**  
**LOS ALAMOS**  
**COUNTY BOARDS AND COMMISSIONS**  
**PROCEDURAL RULES**  
**Amended by Council on November 12, 2019**

**I. FOREWORD**

These rules are referenced in the County Code Section 8.15 and adopted as a set of operating procedures for all Boards or Commissions, unless otherwise provided by law. The rules are made to facilitate the orderly transaction of public business and discussions. Quasi-judicial hearings conducted by boards or commissions shall be governed by separate rules. Where there is a conflict between these rules and the quasi-judicial hearing rules, the quasi-judicial rules shall prevail.

These rules shall remain in effect until rescinded or superseded by action of the Council or by an action of the board or commission that is officially approved by Council.

**II. OFFICERS AND MEMBERS**

1. Election. The Board or Commission shall annually elect a chairperson (herein after called "chair") and a vice-chair from among its members. Each Board or Commission will set the time frame for this election. The chair and vice-chair will serve at the pleasure of the Board or Commission and will be eligible for election to subsequent terms.
2. Chair. The chair shall preside at Board or Commission meetings. In addition, the chair shall:
  - a. represent the board or commission in public and, when authorized by the board or commission, speak and act on behalf of the board or commission;
  - b. communicate and follow up with Council on the activities and recommendations of the board or commission;
  - c. keep Board and Commission members informed of events, meetings or other occasions where the Chair acted or will act as the official spokesperson for the Board or Commission;
  - d. ensure that all other Board or Commission members are informed, as soon as practicable, of significant communications directed to the chair. This includes responses from the Council to all board or commission reports or recommendations submitted to Council;

- e. appoint a board or commission member to serve as chair in the absence of the chair and vice-chair when the chair and vice-chair are on travel or otherwise unable to perform their duties;
  - f. meet regularly with the assigned Department Director;
  - g. meet regularly with the assigned Council liaison;
  - h. make appointments to sub-committees or task force groups, subject to approval by the board or commission;
  - i. set the agenda for board and commission meetings in consultation with the staff liaison or department director;
  - j. take responsibility for initiating action on directives from the County Council;
  - k. prepare annually the board and commission work plan, in consultation with the staff liaison and department director, subject to board and commission approval;
  - l. attend the regular board and commission chairs' luncheon or designate another board or commission member to attend;
  - m. call special meetings; and
  - n. assign work to board or commission members.
3. Vice-Chair. The vice-chair shall assist the chair in the performance of the duties of the chair, and act in the chair's place when the chair is absent from Los Alamos County or otherwise unable to perform the duties of the chair.
4. Board or Commission members.  
 Board or Commission members, including the chair and vice-chair, have equal powers and duties except as otherwise specified in the board or commission enabling legislation and these procedural rules. The chair and vice-chair shall participate in discussion and voting on a basis equal to all other board or commission members. In addition to the duties specified in the board or commission enabling legislation, board or commission members shall, to the extent possible:
- a. stay informed of County policies;
  - b. in all public statements, make clear that they speak only for themselves unless authorized by the board or commission to speak for the board or commission as a whole (See Procedural Rules Section VI);
  - c. represent the official policies or positions of the County or the board or commission to the best of their ability when designated as a delegate for such purpose and report to the board or commission on meetings or functions to which they served as a delegate;
  - d. maintain the confidentiality of County records and other information that is made confidential by law, is privileged, or has otherwise appropriately been identified as confidential and may be withheld from public inspection;
  - e. comply with all applicable federal, state and local laws, rules and regulations applicable to public officials and the conduct of public business, including compliance with the NM Inspection of Public Records Act and county policies regarding the inspection of public records;
  - f. respect and adhere to the Council-Administrator structure of the Los Alamos County government and shall not interfere with the administrative functions of the



county or the professional duties of the County staff; nor impair the ability of staff to implement Council policy decisions;

- i. Board or commission members shall not lobby for or against County employment of any person. Providing information is permissible.
  - ii. Board or commission members shall not give direction to any of the subordinates of the County Administrator, either publicly or privately and shall copy the appropriate department head and County Administrator on any written communication to a staff member. Nothing in these rules should be interpreted as prohibiting normal social interaction unrelated to County business between board and commission members and staff
- g. treat staff respectfully; and  
h. abide by quasi-judicial procedures when serving in a quasi-judicial capacity.

5. Ex-Officio Members

Department representatives designated as "ex-officio members" shall attend board or commission meetings and participate in the discussion as a non-voting member. Staff may advocate a particular position on potential board or commission actions consistent with Council policy directives, initiatives and goals.

### III. REMOVAL OR RESIGNATION

1. Removal. Board or commission members serve at the pleasure of the County Council and may be removed for any reason at any time by a majority vote of the Council. The Chair of the Board or Commission, the Council liaison, or the County Administrator may recommend consideration of a member's removal to the County Council. The reasons for removal may include, but are not limited to:
  - a. Continuous absences from all regularly scheduled meetings. Members who impair the proper functioning of the board or commission due to their constant inability to attend meetings or to participate in board or commission activities may be removed from the board or commission.
  - b. Misconduct at meetings. Members whose actions seriously interrupt the orderly process of said meetings may be removed from the board or commission.
  - c. Neglect of duty. Members who intentionally disregard duly assigned tasks or repeatedly fail to carry out the responsibilities expected of a Board or commission member may be removed from the board or commission.
  - d. Ineligible to Serve. Members who do not maintain the eligibility requirements for appointment to the board or commission may be removed.
  - e. Insubordination. Members who fail to accept direction from the County Council.
2. Resignation. Board or commission members may resign by giving appropriate written notice of resignation. Notice of intent to resign should be provided in writing to the County Council with a copy to the board or commission chair. The chair shall notify

the entire board or commission, the County Administrator's Office, and the Department Director of the resignation within one week. A board or commission member who resigns his or her position may apply for re-appointment provided the member has not served two terms in succession. (See also County Code Section 8-6 (4).)

#### **IV. BOARD MEMBER INTERVIEWS AND RECOMMENDATIONS TO COUNCIL**

1. Los Alamos County residents may apply to serve on one of many Boards or Commission. Terms for Board or Commission members range from one to five years. Interested citizens may apply for a position on any Board or Commission that has a vacancy.
2. After completing an application, individuals are interviewed by the Board or Commission's Councilor Liaison, Staff Liaison, and Board or Commission Chair ("Interview Committee").
3. The Interview Committee is responsible for making a recommendation(s) for appointment to the County Council.
4. If the Interview Committee does not have a recommendation for appointment, it shall interview more applicants until an agreed-upon recommendation of the Interview Committee can be made to County Council.
5. The Interview Committee shall document its interview process which shall include details about who it interviewed, for which positions, and who was/was not recommended for which positions. This document shall be maintained by the Staff Liaison, and made available to Council upon request.
6. The Interview Committee's agreed-upon recommendation shall be forwarded to and considered by County Council along with all of the applicants' information, including the applications and the Interview Committee's interview notes.
7. County Council may vote on the set of applicants, may remand the list to the interview committee for additional applicants, or take other action as deemed appropriate.
8. Board and Commission Member appointments require a minimum vote of four (4) of the County Council.

#### **V. BOARD OR COMMISSION MEETINGS**

1. Regular Meetings and other meetings.
  - a. Frequency of meetings. The schedule and/or frequency of the regular meetings of the board or commission shall be set by its members or as designated in its enabling legislation.
  - b. Meeting notification. Notification of regular meetings shall be made by the chairman or designee in advance of each regular meeting and in accordance with current council policy regarding the length of time required for adequate public notice. When possible, such notification shall be in the form of the board or commission's agenda following the format provided below. Meeting notification shall also include a description of the accommodations that can be made for disabled individuals.

- c. Open Meetings. The board or commission shall comply with the annual Council resolution regarding open meeting requirements. The meetings of a board or commission shall be open to the public as specified in the county resolution except when the chairman, or a majority of regular members of the board or commission, determines that a topic requires confidential discussion as defined in the New Mexico Open Meetings Act. The chairman, or a majority of members, may call for a closed session for the purpose of such discussion and action. This request is subject to legal review and approval by the County Attorney. All final board or commission decisions must be voted upon in public.
  
- d. Emergency or Special Meetings. The board or commission shall comply with the annual Council resolution regarding special or emergency meetings.
  
- e. Meeting agenda
  - i. The board or commission chair, in consultation with their staff liaison is responsible for developing the board or commission meeting agenda. Agendas for all board or commission meetings will be posted in accordance with the Council's annual Open Meetings Resolution.
  
  - ii. Any board or commission member may request to have an item placed on the agenda. The item will be placed on the agenda as soon as practicable. The board or commission can then:
    - a) decide to take no further action;
    - b) take the requested action or a different action at that meeting; or
    - c) request that staff research the matter and return to the board or commission with information and/or options or a recommendation for action.
  
  - iii. A typed agenda shall be prepared for each board or commission meeting. The agenda shall include the following (in suggested order):
    - a) Call to Order/Roll Call
    - b) Public Comment (Limited to items not already on the agenda and can be limited to 4 minutes per person)
    - c) Public Hearings (if applicable)
    - d) Board or Commission Business
      - i. Approval of board or commission minutes
      - ii. Chairman's report
      - iii. (Other topics)
    - e) Board or Commission/Staff Communications
      - i. Action Items
      - ii. Staff Reports
      - iii. Committee or Sub-committee Reports
    - f) Public Comment

- g) Informational Items - set date/time and agenda for next meeting (if applicable)
- h) Adjournment

iv. Publication of agenda. In addition to the notice in the regular board or commission meeting calendar prepared by the County Administrator's office, it shall be the responsibility of the board or commission staff liaison, or designee, to provide a copy of the agenda to the news media within the time provided under the County's annual Open Meetings Act resolution as a means of notifying the public of all board or commission meetings. A board or commission meeting announcement shall also be posted at the County Municipal Building.

## 2. Conduct of meetings.

- a. Presiding officer. The chair is the presiding officer of board or commission meetings and shall conduct the meetings of the board or commission and see that these procedural rules are observed. In the chair's absence, the vice-chair shall preside.
- b. Robert's Rules. Meetings of the board or commission shall, in general, be conducted in accordance with Robert's Rules of Order, Newly Revised, 10<sup>th</sup> Edition, except to the extent these procedural rules require otherwise. The board or commission may elect to follow an alternative procedure at any time or with regard to any matter for the purpose of facilitating the orderly transaction of public business.
- c. Civility. It is the responsibility of the presiding officer to assure that the board or commission meeting is carried out in a civil manner. The chair may require that any person, including a board or commission member, yield the floor in order to maintain civility. Board and commission members are expected to refrain from making offensive comments.
- d. Order of presentation. For each item on the agenda, other than reports provided in writing, there will usually be a presentation by the staff, committee, citizen or other person who is bringing the matter forward. Board or Commission members will be given the opportunity to ask clarifying questions, as well as an opportunity to make statements. For all business items and public hearings, public comment will be invited on each item prior to voting on the motion with respect to that item.
- e. Motions. If a subject on the agenda will require action by the board or commission, the best practice is to engage in discussion only after a motion is made and seconded. The discussion should be focused on the motion under consideration. The chair may, however, allow discussion prior to the time a motion is made to allow a full discussion of a broad topic.
- f. Recognition to speak. Board and commission members will speak after being recognized by the presiding officer. Board or commission members, other than the presiding officer, shall be recognized to speak in the order in which the members indicate an interest in speaking. Each board or commission member is encouraged to speak only once with respect to the motion on the floor, but the

presiding officer may recognize members to speak a second time on a topic if time allows and the board or commission members wish to make additional comments. The presiding officer may, to assure the timely completion of the meeting, limit the remarks of a board and commission member addressing a particular motion to four (4) minutes. The presiding officer will normally make his or her remarks after all of the other board or commission members have been given an opportunity to speak at least once.

g. Four (4) Minute rule. Any board or commission member can enforce the four (4) minute rule (limiting an individual's right to speak to four minutes or less) as a point of order.

### 3. Voting

a. Boards or commissions shall observe the following procedures in voting:

- i. Only regular members of a board or commission shall have the privilege of voting on matters or questions under consideration by the board or commission
- ii. Each regular member, including the chairperson, shall have one vote.
- iii. Proxy voting is not allowed.
- iv. Members who have a financial interest in the outcome of any policy, decision, or determination shall not participate as a member in deliberations, vote, nor act on the issue in which they have an interest, as stipulated in Article 910 of the County Charter. Otherwise, every board or commission member present shall vote when called upon without abstention or passing.
- v. Votes shall be taken only on issues that have been clearly defined, moved and seconded.
- vi. Except as otherwise provided by law, discussion shall be encouraged after a motion has been made and seconded.
- vii. All votes, except on procedural motions, shall be conducted by roll call vote, by voice or a show of hands.
- viii. Unless otherwise provided by law, a motion shall carry upon the affirmative vote of the majority of the total number of appointed voting members of a board or commission. (See County Code Section 8-6 (4).)
- ix. The results of all votes shall be announced and duly recorded in the minutes.

5. Public comment and testimony. While maintaining a business-like atmosphere, board and commission members will attempt to make citizens attending the meetings feel welcome and comfortable. Citizens or other attendees will be afforded opportunities to speak during public comment periods near the beginning and at the end of each meeting, and to provide testimony at the public hearings. Public comment opportunities will be provided during the meeting for each item on the agenda before action is taken. The presiding officer may apply reasonable time limits. With regard to topics not on the agenda that are raised during public comment, the Board or

commission may not take any action other than to request the topic be placed on a future agenda.

6. Minutes. The board or commission shall keep written minutes of all meetings. The minutes shall include, at a minimum, the date, time and place of the meeting; the names of members in attendance and those absent; the substance of the proposals considered; and a record of all decisions and votes taken which show how each member voted. It may be useful, although not required, to also record the other persons invited or present who participate in the deliberations.
  - a. Draft minutes are to be prepared within ten (10) working days after the board or commission meeting. Copies of the draft minutes must be available for public inspection and should clearly indicate on the draft that they are not the official minutes and are subject to approval by the board or commission. If a board or commission member wishes to request a change to the draft minutes, the suggested revisions must be specifically indicated, verbally or in writing, by page and line number.
  - b. The board or commission must approve, amend, or disapprove draft minutes at the next meeting of a quorum, and the minutes are not official until approved by the board or commission. After approval by the board or commission, the board or commission chair will sign the minutes.
  - c. The signed copy of board or commission minutes shall be maintained in accordance with the county's record retention schedule by the staff liaison. A copy of the board or commission minutes will be sent to the County Administrator's Office to be temporarily maintained for Council review.
7. Implementation of Board or Commission Meeting Actions. The Chairman of the board or commission shall make all board or commission recommendations to the Council by memorandum, e-mail, or formal report. Copies will be sent to the Department Director and staff liaisons including requests for comments to Council on the recommendations. The Chair will report the decision/recommendation of the majority of the board or commission. A significant minority position may be reported if a majority of the board or commission directs its Chair to include the minority position in the report. Whenever the Council wishes, it may request a report of the board or commission. Reports to the County Administrator or Department Director will be in a form as requested by the Administrator or Department Director.
  - a. County departments may provide staff reports to the County Council, through the County Administrator, regarding board or commission actions. Such reports may supplement, agree with, or take positions opposed to, the recommendations of the board or commission. If a staff report is prepared relating to a board or commission recommendation or activity, a copy of the report shall be provided in a timely manner to the chairperson of the board or commission before the report is presented to the County Council.
  - b. Conflicts associated with the relationship between a board or commission and

staff shall be expeditiously referred in writing to the County Administrator.

8. Public Records. The New Mexico Inspection of Public Records Act, NMSA 1978 Sections 14-2-1, et seq. (the Act), requires governmental agencies to make their records available to the public with limited exception. "Public records" means all documents, papers, letters, books, maps, tapes, photographs, recordings and other materials, regardless of physical form or characteristics, that are used, created, received, maintained or held by or on behalf of any public body and relate to public business, whether or not the records are required by law to be created or maintained. Board or commission members should be aware that the documents, **including e-mails**, they have received or created on behalf of the County will generally be subject to disclosure pursuant to the Act.
  - a. It is the general policy of the County to respond in a courteous and timely manner to all requests for public records and information made pursuant to the Act. The County has implemented an administrative policy and procedure (Administrative Procedure Guideline, Index #0280) to respond to requests for documents and information. Board or commission members should make themselves familiar with the policy so that they will avoid possible violation of the Inspection of Public Records Act.

## VI. BOARD AND COMMISSION SUBCOMMITTEES AND AD HOC COMMITTEES

### 1. Subcommittee Purpose and Council Approval

Periodically, a board or commission may establish a subordinate limited-term subcommittee to advise and make recommendations to the board or commission, to perform additional research on, or to gather public input for a particular project or specific topic in the area of responsibility of the board or commission. To create sub-committees or task forces that will include members not currently serving on the board or commission, approval of the Department Director and County Council must be obtained prior to creation.

### 2. Subcommittee Creation.

The motion creating a subcommittee must, at a minimum, set forth the following:

- a. The name of the subcommittee
- b. The purpose of the subcommittee
- c. The deliverable or product, if any, to be presented upon completion of the purpose
- d. The number of members
- e. The term of each of the members
- f. To whom the subcommittee reports
- g. The staff support and resources expected to be provided
- h. The termination date ("Sunset Clause") for the subcommittee

3. Subcommittee Membership.

- a. Number of Members. Except under unusual circumstances, a subcommittee will consist of not less than 3 members nor more than 5 members. Requirements for subcommittee membership will be determined by the board or commission and can include volunteer citizens that are not currently serving as members of the parent board or commission, subject to Council approval.
- b. Residency Requirement. Preference will be given to residents of Los Alamos County in appointment to a subcommittee, but residency will not be a requirement for appointment.
- c. Open Meetings Act. If the number of regular B&C members on the subcommittee is equal to or greater than a quorum of the B&C, then the subcommittee must comply with Council's annual Open Meetings Act resolution.
- d. Councilor Membership. A subcommittee's purpose is to advise the board or commission. In order to assure that advice is provided in a free and open discussion, no currently serving Council member will be appointed to serve on a board or commission subcommittee. Service, even ex-officio, by a currently serving Councilor will not, except in unusual circumstances, be allowed.
- e. County Employee Membership. Charter Section 905.1 limits membership by County employees.
- f. Conflict of Interest. County Charter Section 910 sets forth the restrictions on service arising from conflicts of interest. Compliance with the Charter is required when appointing members to a board or commission subcommittee.
- g. Term of Membership. Ad hoc committees and subcommittees, by their very nature, are generally short lived. Therefore, the term of all members of an ad hoc committee will be the same and no more than six months. The members of subcommittees can serve staggered terms of no more than two years.
- h. Voter Registration Status. Preference will be given to registered voters but registration as a voter will not be a requirement for appointment as a member of a board or commission subcommittee.

4. Subcommittee Reporting Responsibility and Requirements.

- a. The motion creating the subcommittee will specify to whom the subcommittee



specifically reports. All subcommittee communications, reports, or recommendations will be made to the standing board or commission.

- b. The Chairman of the subcommittee will make or prepare subcommittee reports to the board or commission. The Chairman will report the decision of the majority of the subcommittee. A significant minority position may be reported if a majority of the subcommittee directs its Chairman to include the position in the report. Whenever the board or commission wishes, it may request a report of the subcommittee.

5. Subcommittee Staff Support/Resources.

- a. Prior to the passage of a motion creating a new subcommittee or renewing the term of an existing subcommittee, the board or commission will identify with specificity the resources to be committed by the County in support of that subcommittee. The appropriate County Department Director shall have the authority to determine what, if any, administrative or staff support will be provided to a board or commission subcommittee.

6. Subcommittee Term of Existence.

- a. Each subcommittee will have a specific date when its term will end (a.k.a. "Sunset Clause"). The purpose of a limited term is to encourage review for relevancy, duplication, focus, enhancement and performance. Sunset clauses are recognized as useful to reconfirm the need for the services of an existing subcommittee and to assure that administrative support is being supplied in the manner best suited to the subcommittee's needs.
- b. Each sub-committee shall be established for a period of not more than one year; however, the subcommittee may be continued for additional one-year periods upon affirmative vote of the board or commission taken before the expiration of the sub-committee.

7. Board or commission Ad hoc Committees.

- a. Establishment and expiration of ad hoc committees. Boards or commissions may establish an ad hoc committee at any time the board or commission finds that there is a need for "one-time-only" advice to carry out a specified task. Ad hoc committees shall be appointed by motion and vote of the board or commission. At the time an ad hoc committee is established, the task to be completed by the committee shall be clearly stated. The ad hoc committee shall cease to exist upon the completion of the described task or the expiration of six (6) months, or another date agreed upon by the board or commission, whichever is earlier. To reestablish an ad hoc committee once it has ceased to exist, the board or commission must review the assignment made to the ad hoc committee and

reestablish the ad hoc committee, as the board or commission finds necessary or desirable.

- b. Membership. Appointments, on a voluntary basis, to ad hoc committees will be made at the time the ad hoc committee is established unless the board or commission determines that there is good reason to select and appoint members on an alternative basis. Ad hoc committees shall be comprised of no more than three (3) board or commission members. The board or commission may request that staff be assigned to assist the ad hoc committee as a resource, however this request will require Department Director approval; staff members, if assigned by the Department Director, will act as ex-officio members.

## **VII. CLARIFYING STATEMENT**

A board or commission member may attend any meeting, public or private, provided that there is not a quorum of the board or commission at the meeting (if proper public notice has not been given) and provided that, prior to speaking on a matter of the board or commission business, or County business in general, the board or commission makes the Clarifying Statement below:

*"What I say today is my opinion. I am not speaking on behalf of any board or commission or the County and I cannot tell you what action the County or County Council might take in the future with regard to any particular subject."*

This provision is not intended to apply to ordinary conversations or other "meetings" that are not organized or called.

## **VIII. EXPENDITURE OF PUBLIC FUNDS**

Boards or commissions cannot expend funds or create liabilities unless expressly authorized by law or otherwise authorized by the County Council.

## DEFINITIONS

The Charter of the incorporated County of Los Alamos states that:

"The Council may create boards or commissions to advise the Council, the County Manager, or department heads, to hear appeals concerning any County operation, or to make investigations or reports the Council may designate. No B&C or Commission created by the Council shall have any authority except as granted by Council." - Article III Section 305. (Ord. 388 §4, 1994)

The following definitions shall apply to terms used in conjunction with Los Alamos County B&Cs:

**Ad Hoc Committee or Task Force** -- A Committee or task force is established by the County Council or a B&C whose functions are limited to a specific task or project.

**Board or Commission** -- A Board or Commission that is an ongoing volunteer citizen body created by ordinance or Council motion with a specified number of members who serve set terms.

**Board or Commission sub-committee** - a sub-committee created by a B&C that is subordinate to the B&C. The sub committee must be re-affirmed annually by the B&C members.

**Regular Member** -- A voting member of a B&C by virtue of appointment by the County Council.

**Ex Officio Member** -- A non-voting member of a B&C by virtue of office, the County Charter or Code, or by appointment by the County Council, County Manager, or Department Director.

Exhibit A:



**Sample Agenda**  
**Name of B&C**  
**Location of Meeting**  
**Date and time of Meeting**

- I. CALL TO ORDER/ROLL CALL**
- II. PUBLIC COMMENT** (Can be limited to \_\_\_\_ minutes per person)
- III. PUBLIC HEARINGS**  
*(if applicable)*
- III. B&C BUSINESS**
  - A. Approval of B&C Minutes
  - B. Chairman's report
  - C. (List other topics)
- IV. B&C/ STAFF COMMUNICATIONS**
  - A. Action Items  
(List individual items)
  - B. Staff Reports  
(List individual items)
  - C. Committee or sub-committee Reports  
(List individual items)
- VI. PUBLIC COMMENT** (Can be limited to \_\_\_\_ minutes per person)
- VII. INFORMATIONAL ITEMS**  
If applicable, set date/time for next meeting
- VIII. ADJOURNMENT**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Human Resources Department at 662-8040 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the personnel in the Office of the County Manager at 662-8080 if a summary or other type of accessible format is needed.

## **Exhibit B: CRP Recommended Meeting Matrix**

**See table below for clarification and an explanation of the CRP's recommended meeting structure for B&C Chairs, Council Liaisons, and Department Directors:**

<b>Meetings:</b>
<b>All <u>B&amp;C Chairs</u> assigned to a County department should meet together with that <u>Department Director</u> approximately monthly (or as appropriate). The staff liaisons (usually division managers) may be invited to attend.*</b>
<b>All <u>B&amp;C Chairs</u> assigned to a <u>Council Liaison</u> will meet together with that <u>Councilor</u> approximately once per month (or as appropriate).**</b>
<b>The <u>County Manager</u> may be invited to attend either of the two types of meetings described above – depending on the subject matter.</b>

\* The reason for the Department Director's attendance (rather than only the staff liaison) is because the B&Cs sometime deal with the department's policy issues. The individual in a department responsible for department policy should be the one to meet with the B&C Chairs. The CRP encourages Department Directors to invite the B&C staff liaisons (usually Division Managers) to attend these meetings, recognizing that the staff liaisons are very knowledgeable and play a key role in board/department communications.

The rationale for all of the Department's B&C Chairs meeting together with the Department Director was to facilitate the B&C Chairs gaining a Department-wide perspective of the role of the Department in the County government. The CRP did not, and does not, recommend that the Council liaison attend these meetings because of the possible conflict with the County's organizational structure.

\*\* The CRP intended the Council liaison meetings with the B&C Chairs assigned to them be held all together on a monthly basis. They did not recommend that Department Directors attend these meetings. The rationale was that the CRP did not advocate either the B&Cs or the Councilors getting involved in departmental operational issues. In addition, they did not want to recommend something in the B&C operating structure that appeared to circumvent the County's hierarchical structure. Routine meetings between the B&C Chairs, the Department Directors and the Council liaison could appear to invite participation in areas that we did not intend.

The reason for the Councilor's assigned B&C chairs meeting all together with the Council liaison is to provide the broadest county-wide perspective to the B&C Chairs.

**Exhibit B (Page 2):**

**B&C Meeting Guidelines for B&C Chairs, Department Directors, and Council Liaisons**

	<b>Monthly (or as appropriate)</b>	<b>Annually</b>
<b>B&amp;C Chair</b>	<ul style="list-style-type: none"> <li>Meet with the Council Liaison and other B&amp;C Chairs assigned to that Councilor (Section III. C.*)</li> <li>Meet with your Dept. Director and other B&amp;C Chairs assigned to that Department (Section III. B.)</li> <li>Serve as a technical resource for interviews of potential B&amp;C members (Section III. E.)</li> <li>Chair regular B&amp;C meetings</li> </ul>	<ul style="list-style-type: none"> <li>Attend annual orientation with Council, CAO, Dept. Directors, and all B&amp;C members (Section III. F.)</li> <li>Prepare annual report for Council (Section III. H.)</li> <li>Provide information for the County’s annual budget process (Section III. C.)</li> <li>Attend annual appreciation luncheon</li> </ul>
<b>B&amp;C Member</b>	<ul style="list-style-type: none"> <li>Attend regular B&amp;C meetings</li> </ul>	<ul style="list-style-type: none"> <li>Attend annual orientation with Council, CAO, Dept. Directors, and all B&amp;C members (Section III. F.)</li> <li>Attend annual appreciation luncheon</li> </ul>
<b>Council Liaison</b>	<ul style="list-style-type: none"> <li>Meet with all B&amp;C Chairs assigned to you (Section III. C.) Meetings can be conducted individually with each chair, but it’s recommended that you meet all together if possible.</li> <li>Conduct interviews of potential B&amp;C members (Section III. E.)</li> </ul>	<ul style="list-style-type: none"> <li>Attend annual orientation with Council, CAO, Dept. Directors, and all B&amp;C members (Section III. F.)</li> <li>Host the annual appreciation luncheon</li> </ul>
<b>Dept. Director or B&amp;C staff Liaison</b>	<ul style="list-style-type: none"> <li>Meet with all B&amp;C Chairs assigned to your Department (Section III. B.)</li> <li>Serve as a technical resource for interviews of potential B&amp;C members (Section III. E.)</li> <li>Provide an orientation to new B&amp;C members</li> </ul>	<ul style="list-style-type: none"> <li>Attend annual orientation with Council, CAO, Dept. Directors, and all B&amp;C members (Section III. F.)</li> <li>Provide information on the cost of supporting the B&amp;C during the County’s annual budget process (Section III. A.)</li> <li>Prepare annual report for Council (Section III. H.)</li> <li>Host the annual appreciation luncheon</li> </ul>
<b>CAO</b>	<ul style="list-style-type: none"> <li>Attend on a rotational basis the monthly meetings between B&amp;C Chairs and Department Directors (Section III. D.)</li> </ul>	<ul style="list-style-type: none"> <li>Attend annual orientation with Council, CAO, Dept. Directors, and all B&amp;C members (Section III. F.)</li> <li>Host the annual appreciation luncheon</li> </ul>

\* Section numbers given in this matrix refer to the “CRP Recommendations for Board and Commission Operating Structure” accepted by Council on March 13, 2001.)