

Chapter 10: SWCD Meetings

The governing body of an SWCD consists of five (5) supervisors (three (3) elected and two (2) appointed), who meet monthly to transact district business.

Sec. 1 Conducting the Meeting

Timeliness

The meeting should be scheduled for a specific day each month (e.g. the third Thursday of each month), at an agreeable time with everyone. It is always a good idea to visit with all the supervisors, Conservation Partnership members and employees when developing a meeting schedule.

Preparing and Following an Agenda

All effective good meetings have an agenda of items to be discussed to guide the group through the issues at hand, and keep them on track. The agenda should be prepared at least a week days in advance of the meeting and mailed to each of the supervisors, staff, partnering agencies, and associate supervisors. A copy of the draft minutes from the previous meeting should accompany the mailed agenda along with any materials that may help the members prepare for the topics on the agenda.

The SWCD's Business Plan's annual action items or (or Annual Plan of Work) which ever your district uses to track progress toward planned goals and actions, or any other sources that may contain information and items that should be discussed at the upcoming meeting, should be reviewed prior to preparing the agenda. A majority of the more important agenda items for each monthly meeting should be derived from these sources. The agenda should also include minutes from previous meeting, financial report, upcoming events, agency reports, a limited comment period for guests (3-5 minutes listed with board option for more time if needed), introduction of guests, signing of financial claims and review of plans. Items in an agenda should try to flow from the most critical (e.g. guest speaker, important decisions, brain storming sessions) to the least important (e.g. signing of claim forms, and routine agency reports). A well planned agenda will make for a much more productive meeting, and yield a sense of pride and accomplishment for the participants.

During the meeting, the agenda should be closely followed to keep the meeting flowing and on task. Everyone is busy, and their time is valuable. Diversions away from the planned agenda items wastes everyone's time, and may prevent important agenda items from being addressed properly. Occasional re-ordering of agenda items for the convenience of one of the members or presenters is acceptable, as long as everyone concurs.

Gaining input from everyone

It is important that all the supervisors, associate supervisors, district staff and partnership staff have the opportunity for input. The leader of the meeting should make sure that no one is able to hijack the meeting and dominate discussion. They may even need to draw out members, who are not very vocal, by asking direct questions to seek their opinion on

matters before the board. Better results and progress will be made from a board that values diverse input from all of the members.

Section 2: Legal Issues

Accessibility

The District Law (IC 14-32) requires that SWCD meetings be held in accessible (Americans with Disabilities Act (ADA) compliant) locations. It is crucial that attention to this detail be given when holding regular as well as special meetings and the District Annual Meeting. For more information, see Chapter 9, Section 10 “ADA Guidelines” of this manual.

Quorum (IC 14-32-4-16)

A majority of the governing body (i.e. elected and appointed five (5) supervisors) at a monthly district meeting constitutes a quorum. Therefore, at least three (3) of the official supervisors must be present.

Making Motions and Voting

Only members of the governing body (supervisors) may make motions and vote on motions before the board. This does not preclude associates and staff from providing input on issues being discussed. They simply may not make an official motion or vote on a motion before the board.

A majority of the governing body (i.e. three (3) supervisors) must agree in order to make a determination on any matter of business. This means that if only three (3) of the supervisors, which constitutes a quorum, were in attendance at a meeting, any motion or business before the board would have to receive a unanimous vote to pass.

Minutes

Detailed minutes of meetings are not required by law, however certain information is required to be recorded about each meeting and board action. This minimum record is called a “memoranda” in the law. The memoranda, or detailed minutes (if kept) must include: (a) date, time and location of the meeting (b) a list of SWCD supervisors who were present and absent (c) the general substance of matters discussed, and (d) the votes of governing body members, if roll-call votes were taken. All memoranda and/or minutes must be available for public inspection and copying “within a reasonable period of time after the meeting.” Additionally, the financial report, claims submitted, and financial transactions should be a matter of record within the memoranda/minutes. (More information on required record of decision made at district meetings is included in the Public Access Handbook cited at the end of section 3 below. This document is also linked to our division website

Sec. 3 Open Door Law Requirements

The Open Door Law was enacted in 1977 to permit the citizens of Indiana access to meetings held by public agencies. By providing the public with an opportunity to attend

and observe meetings, the public may witness government in action and more fully participate in the governmental process.

For detailed information concerning Indiana's Open Door Law, please refer to the "Handbook on Indiana's Public Access Laws" produced by the Office of the Public Access Counselor. The Handbook is included in the back of this manual and is also available through the following website: http://www.in.gov/pac/files/pac_handbook.pdf.

Public Meetings

- Defined as a gathering of a majority of the governing body (supervisors), so 3 or more
- Must be handicap accessible
- Cannot vote by secret ballot (except for supervisor elections at Annual Meetings)
- May be photographed and recorded
- Anyone may attend and observe, but they are not guaranteed the right to address the board. The board may ask for any discussion, if they wish.

Public Meeting Exceptions

- The following are not considered to be a meeting, no matter how many supervisors are present:
 - Social or chance gathering
 - On-site inspection of a project or program
 - Traveling to or attending another meeting
 - Political caucus to plan strategies
- The critical point is that no decisions may be made at these events. This must happen at a public meeting.

Executive Session

- Public is excluded, but specific people may be admitted to carry out the purpose of the session.
- Allowed for the following reasons:
 - Interviews
 - Job performance evaluation
 - Purchase or lease of property
 - Collective bargaining and litigations
- The critical point is that no decisions may be made during these sessions. This must happen at a public meeting.

Emergency Meeting

- Allowed if it relates to:
 - Actual or threatened injury to person or property
 - Actual or threatened disruption of the agency's activities
- Related decisions may be made at this meeting.

Meeting Notification

- Notices for public meetings and executive sessions must be posted at the SWCD office at least 48 hours before taking place. This must include the date, time, location and topics.
- It is good to inform all media, by January 1, of all regularly scheduled public meetings and to let them know of any additions or corrections to this schedule (within 48 hours), but it is not required unless the media has specifically requested, in writing, information on all meetings.
- Notices for emergency meetings are not required to be posted or relayed to the media (unless the media has specifically requested, in writing, information on all meetings).
- The 48-hour notice does not include holidays or Saturdays and Sundays

Public Record

- Boards are not required to use an agenda, but if they do, it must be posted 48 hours before the meeting or session.
- Boards are not required to take detailed minutes, but if they do, these must be available to the general public. The minutes must include the same information as listed below for a memorandum.
- Boards are required to keep a brief memorandum (if not detailed minutes) of the meetings, and this must include:
 - Date, time and location of the meeting
 - Names of the governing body members (supervisors) present and absent
 - General substance of all matters proposed, discussed or decided
 - Record of all votes taken

Sec. 4 Parliamentary Procedure

Parliamentary procedure, such as “Roberts Rules of Order”, should be used for maintaining order at meetings; however, it may conflict with state laws in some cases. In the event there is a conflict where the Indiana Code (IC) and Robert’s Rules do not agree, an SWCD must follow the Indiana Code/state law first. For example; state law requires a quorum of 3 supervisors present to conduct business. It also requires a majority of the board of supervisors to agree to pass anything, not just a simple majority of those present at the meeting, as with Robert’s Rules of Order.

When properly used, parliamentary procedure provides an orderly process by which an organization can be governed by the will of the membership. Parliamentary procedure is based on the right of the majority to decide a course of action. However, the decisions made must not infringe on the rights of any member. In addition, meetings must be properly called, with advance notice to the members; a quorum must be present; and action must be taken with a proper vote. Decisions made either by consensus or vote should be recorded in the meeting minutes.

When there is not consensus on an issue both those for the issue and those opposed have the responsibility of being willing to hear and allow debate from all sides of an issue. The minority has the responsibility of causing the majority to evaluate the aspects of

every issue before a decision is made. The majority have a responsibility to listen and consider the minorities few. And in the end the minority has the responsibility of joining the majority in supporting the decisions made by the entire body once a decision is made.

It is a good idea for everyone to be somewhat familiar with the rules of parliamentary procedure. That knowledge can help one become an active participant, confident of his/her ability to interact in public forums. However, one should always use that knowledge in a constructive manner. Those who question every decision, constantly “rise to a point of order,” or insist on strict observance of every rule at an otherwise amicable meeting are often seen as impediments to progress.

Parliamentary procedure should be utilized in the conduct of SWCD meetings. It provides for order and the opportunity for input in a fair manner. The rules most commonly used are summarized on the next page. They are adequate for most situations.

If you want to know more about parliamentary procedure, a good reference is “Robert’s Rules of Order.” Copies should be available in your local library.

Kind of motion	Second required	Debat-able	Amend-able	Vote required	Purpose	Statement
<u>PRIVILEGED MOTIONS</u>						
Adjourn	Yes	No	No	Majority	End meeting	I move to adjourn
Take a recess	Yes	No	Yes	Majority	Interrupt meeting for a short time or provide an intermission	I move this body take a ___-minute recess
Raise a question of privilege	No	No	No	None	Obtain action immediately in an emergency	I raise a question of privilege
Call for the orders of the day	No	No	No	None	Demand the chair proceed with the regular order of business	I call for the orders of the day
<u>SUBSIDIARY MOTIONS</u>						
Lay on the table	Yes	No	No	Majority	Set aside an item of business temporarily	I move to table the motion
Previous question	Yes	No	No	Two-thirds	Close debate immediately	I move the previous question
Limit or extend debate	Yes	No	Yes	Two-thirds	Limit or extend the limits of debate	I move to limit/extend debate for ___ minutes
Postpone to a certain time	Yes	Yes	Yes	Majority	Delay action	I move to postpone consideration of this motion until...
Refer to a committee	Yes	Yes	Yes	Majority	Place business in the hands of a committee	I move to refer the motion to a committee to be appointed
Amend*	Yes	Yes	Yes*	Majority	Modify or alter a motion	I move to amend the motion, adding/deleting the words...
Postpone indefinitely	Yes	Yes	No	Majority	Kill a motion without bringing it to a vote	I move to postpone the question indefinitely
<u>THE MAIN MOTION</u>						
Main motion	Yes	Yes	Yes	Majority	Introduce new business	I move that this body...
<u>INCIDENTAL MOTIONS (non-ranking)</u>						
Point of order	No	No	No	None	Enforce rules of the organization	I rise to a point of order
Appeal from the decision	Yes	No	No	Majority	Ensure that a majority of the members agree with the chair's ruling	I appeal from the decision of ...
Suspension of the rules	Yes	No	No	Two-thirds	Facilitate business ordinarily against the organization's rules	I move that the rules be suspended
Division of the assembly**	No	No	No	None	Secure a standing vote	I call for a division
Close nominations	Yes	No	Yes	Two-thirds	Limit the number of nominees	I move nominations be closed
Parliamentary inquiry	No	No	No	None	Provide members with correct parliamentary information	I rise to a point of parliamentary inquiry
Request information	No	No	No	None	Answer questions of members	I rise to a point of information
Withdraw a motion**	No	No	No	None***	Withdraw a motion before it is voted on	I wish to withdraw my motion
<u>UNCLASSIFIED MOTION</u>						
Take a motion from the table	Yes	Yes	No	Majority	Bring before the group a motion previously tabled	I move to take from the table the motion to...
Reconsider	Yes	Yes	No	Majority	Secure a new vote on a motion previously voted on	I move to reconsider the motion to...
Repeal/recind	Yes	Yes	Yes	Two-thirds****	Void previous action of the organization	I move to repeal the action of this body concerning...

* Although an amendment may be amended once, the procedure should be avoided since it often becomes confusing.

** Does not require recognition by the chair.

*** If the chair has not re-stated the motion, the mover may withdraw it without asking for consent. If it has been re-stated, the chair must ask if there is objection to its withdrawal. If none, the chair declares it withdrawn. If there is objection, it must be voted on. If a motion is withdrawn, it is as if it was never made; thus a seconding to withdraw is unnecessary.

**** Two-thirds is required if there was no prior notice of a pending motion to repeal.

Sec. 5 Sample Monthly Meeting Topics

Below are two different meeting agenda samples.

TYPICAL BOARD AGENDA

- I. Approval of Minutes**
- II. Financial Report**
- III. Old Business**
 - I. Annual Meeting**
 - II. Status of Grant Proposal**
- IV. New Business**
 - I. Approve Conservation Plans**
- V. NRCS Report**
- VI. ISDA Report**
- VII. CES Report**
- VIII. RC&D Report**
- IX. Calendar of upcoming events**
- X. Public Comment Period (limited to 3 minutes per guest)**

STRATEGIC AGENDA

- I. Approve Minutes of Last Meeting**
- II. Additional items for agenda**
- III. Financial Report**
- IV. Business Plan Goal 1: Preserve threatened farmland in Hoosier Township**
 - a. Review Progress on Action Plan**
 - b. Adjust Strategies/Actions if needed**
- V. Business Plan Goal 2: Increase riparian habitat in Butler Creek watershed by 50%**
 - a. Review Progress on Action Plan**
 - b. Adjust Strategies/Actions if needed**
- VI. Business Plan Goal 3: Expand tree sale program to fund ½ technician**
 - a. Review Progress on Action Plan**
 - b. Adjust Strategies/Actions if needed**
- VII. Business Plan Goal 4: Recruit 2 qualified supervisor candidates, with professional fundraising skills**

- a. Nomination Committee Report**
- VIII. Old Business**
- IX. Reports**
- X. Calendar or upcoming events**
- XI. Public Comment Period (limited to 3 minutes per guest)**