Kansas
Department of Agriculture
Division of Conservation

Board Meetings

Module IV

What you will learn in this module

- Board Meeting Purposes.
- Open Meetings Act Provisions.
- Board Meeting Roles.
- Conducting Board Meetings.
- Meeting Minutes Basics.

Board Meeting Purposes

- To conduct the affairs of the conservation district such as:
  - To discuss & make business decisions.
  - Determine policies & monitor policy implementation.
  - Plan/direct/evaluate district goals/programs.
  - Carry out financial responsibilities.
- To facilitate communication between board members and staff.
- To increase the knowledge of board members regarding district operations.

(cont.)

Board Meeting Purposes (cont.)

- Special Meetings may be called to deal with district business that can not wait until next regular meeting.
  - State reason for declaring meeting.
  - Only the specific business for which the meeting was called can be discussed.
  - All other requirements for regular meetings apply.

Open Meetings Act Provisions

- As a political subdivision of the state and an entity which receives or expends public funds, each conservation district must comply with the Kansas Open Meetings Act (KOMA).
- The purpose of KOMA is that “a representative government is dependent upon an informed electorate…”
- The intent of having open meetings is so that the people represented by the conservation district board always have an opportunity to attend a meeting in order to be more knowledgeable in district operations.

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Open Meetings Act Provisions (cont.)

- Board meetings must be open (and accessible) to the public, except for special circumstances as specified by law (executive session).
- Provide meeting notification/agenda to anyone requesting such notice.
- Telephone conference calls are allowed if the requirements of the act are met.
- Secret ballots are not allowed.

(cont.)

Open Meetings Act Provisions (cont.)

- Applies to conservation district meetings including informal discussions before, after, or during recesses.
- A meeting as defined by the statutes is:
  - a gathering, assembly, telephone call or any other means of interactive communication (including emails);
  - a quorum (applies to three board members discussing business); and
  - for the purpose of discussing the business or affairs of the body.

(cont.)

Open Meetings Act Provisions (cont.)

- Executive (closed) Sessions are permitted for specific purposes, subjects including:
  - Personnel matters of non-elected personnel (district employees & to discuss employment applications);
  - Consultation with the district's attorney (attorney/client privilege);
  - Employer-employee negotiation (to discuss conduct or status of negotiations, may have authorized bargaining representative present, but not employee); and
  - Preliminary discussions relating to acquisition of real property.

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Open Meetings Act Provisions (cont.)

- Executive (closed) Sessions:
  - Must first convene an open meeting before board members recess into executive session.
  - Binding action may not be taken during the executive session.
  - The decision to hold executive session is discretionary.
  - Only board members have the right to attend executive session, others who can assist in discussion may be discretionarily admitted.

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Open Meetings Act Provisions (cont.)

- KOMA requires a specific procedure which must be followed for an executive session.
  - Formal motion, seconded, and motion carried.
  - Motion must contain statement of
    - Justification of closure,
    - Subject(s) to be discussed, and
    - Time and place open meeting will resume.
  - Example motion: "I move we recess into executive session to discuss personnel matters of non-elected personnel in order to protect the privacy of the parties involved. We will reconvene the open meeting in the conference room at 8:30 p.m."

Board Meeting Roles

- Chairperson:
  - Presides at meetings.
  - Calls special meetings when necessary.
  - Appoints Pro Tem Treasurer when Treasurer is absent.
  - Handles discussions in an orderly way.
  - States each motion before it is discussed, puts all seconded motions to a vote, announces the outcome.
  - Avoids taking sides & votes only to break a tie.
  - Signs approved minutes.
  - Signs checks (one of three).

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Board Meeting Roles (cont.)

- Vice Chairperson:
  - Performs all the duties of the chairperson in his/her absence.
  - In case of resignation or death of the chairperson, succeeds the chair person until the board is reorganized.

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Board Meeting Roles (cont.)

- Treasurer:
  - Reviews claim vouchers with supporting documentation and signs (or initials) claim vouchers validating claim.
  - Presents Treasurer’s Reports at meetings.
  - Signs checks (one of three).
  - Leads budget development discussion.

(cont.)

Board Meeting Roles (cont.)

- All Board Members:
  - Assist in developing agenda.
  - Attend board meetings (a legal obligation).
  - Arrive promptly. (Notify office if unable to attend.)
  - Come prepared.
  - Participate.
  - Keep meetings timely and running smoothly.
  - Have a working knowledge of parliamentary procedures.
  - Report on meetings/workshops attended.

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Board Meeting Roles (cont.)

- District Staff (normally District Manager/Secretary):
  - Develops agenda with board input.
  - Gathers and prepares materials for meeting.
  - Issues all notices of meetings.
  - Mails meeting materials, i.e., previous minutes, agenda, reports, and significant correspondence, to board members.
  - Records minutes (may sign minutes).
  - Oversees board activity ensuring compliance with applicable laws and district policies.

(cont.)

Board Meeting Roles (cont.)

- District Staff (normally District Manager/Secretary):
  - Reports on district activities and district related meetings/workshops attended.
  - Signs checks (one of three, if no board secretary).
  - Mails minutes and attachments to State Conservation Commission (within 10 days) and to others requesting.
  - Follow-ups to ensure implementation of board decisions.

Conducting Board Meetings

- Must have 3 board members (a quorum) present to transact business. Conference calls are legal as long as have speaker telephone available in a location accessible to the public.
- Must abide by KORA.
- Should have an agenda to follow.
  - Is a step-by-step order of points to be covered.
  - Serves as a guide to keep meetings in line with the purpose of the meeting, as well as the goals and objectives of the district.

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Conducting Board Meetings (cont.)

- Most meetings are run on the basis of parliamentary procedure or *Robert's Rules of Order*.
  - Parliamentary procedure is a set of rules for conduct at meetings.
  - It allows for everyone to be heard and to make a decision in an orderly manner.

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Conducting Board Meetings (cont.)

- Making a motion:
  - A voting member makes a proposal that the board take certain action or a stand on an issue by stating, “I move we…”.
  - Another member expresses support for consideration of a motion by saying, "I second the motion."
    - Is not an indication that he or she necessarily favors the motion.

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Conducting Board Meetings (cont.)

- Discussing/Debating a motion:
  - Every member has the right to speak.
  - Discussion must be germane to the motion.
  - Only one motion can be brought before the group at a time for consideration.
  - Motions may be amended by saying, “I move we make an amendment to the motion that…”. Amendments must be seconded and voted on.

(cont.)

Conducting Board Meetings (cont.)

- Voting on a motion typically includes:
  - By voice: The chairperson asks those in favor to say “aye” and those opposed to say “no”. A member may move for an exact count or chairperson request vote be taken again and/or counted.
  - By show of hands: Members raise their hands as sight verification of vote with chairperson preceding the same way as by voice.

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Conducting Board Meetings (cont.)

- By general consent: When a motion isn't likely to be opposed, the chairperson says, "If there is no objection…". Members show agreement by their silence. If someone says, "I object," then put to vote.
- KOMA prohibits secret ballots.

(cont.)

Conducting Board Meetings (cont.)

- Productive Meetings:
  - A tentative agenda and other relevant information should be sent to all members prior to the meeting, so board members can come prepared.
  - Indicate an expected action for each agenda item, i.e., “for information,” “for discussion,” “for decision”.
  - Regular board meetings should be held monthly in order for board members to carry out their duties.

(cont.)

Conducting Board Meetings (cont.)

- Productive Meetings:
  - Set meeting ground rules.
  - Start on time.
  - Follow agenda and parliamentary procedures.
  - Set time limits for each activity.
  - Everyone participates, no one dominates the discussion.
  - Participants listen attentively to each other.
  - Assignments are summarized at end of meeting .

Meeting Minutes Basics

- Meeting minutes are important and must be kept for every board meeting.
- Minutes are a legal document of activity.
- Minutes capture the essential information-what took place including any resulting decisions.
- Minutes are meant to be an outline of what happened in the meeting with only the motions recorded verbatim.
- Minutes should be prepared soon after the meeting.
- Minutes are a permanent record and a public record.

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Meeting Minutes Basics (cont.)

- Minutes should include as a minimum:
  - Name of district with date, location (which includes address), and time the meeting was called to order.
  - State whether meeting is Regular or Special.
  - Names and position titles of members and others present. (May list absent members.)
  - Approval of previous meeting minutes (including its date). If corrections were necessary, then state corrections.

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Meeting Minutes Basics (cont.)

- Minutes should include as a minimum:
  - Authorization for expenditure of funds. (Motion to pay unpaid bills with amount approved.)
  - Motions with name of person making it and seconded it, and state if motion was carried or lost;
  - A brief review of each item of correspondence and a record of action taken;

(cont.)

Meeting Minutes Basics (cont.)

- Minutes should include as a minimum:
  - Summary of reports or attach written reports. Include any action taken;
  - Each item of Unfinished and New Business brought before the board with record of action taken;
  - KOMA required executive session information;
  - Date, time, and location of next meeting; and
  - Time of adjournment.

Review Question

1. What is one of the three main purposes of a board meeting?

Review Answer

1. What is one of the three main purposes of a conservation district board meeting?

   to conduct district affairs <u>or</u> to facilitate communication <u>or</u> to increase knowledge regarding district operations

Review Question

2. The Kansas Open Meetings Act (KOMA) applies when how many board members are discussing district business?

Review Answer

2. The Kansas Open Meetings Act (KOMA) applies when how many board members are discussing district business?

   3

Review Question

3. Who is responsible for the keeping meetings running smoothly?

Review Answer

3. Who is responsible for the keeping meetings running smoothly?

   all board members

Review Question

4. How many board member must be present to transact business?

Review Answer

4. How many board member must be present to transact business?

   3

Review Question

5. What are the three typical methods used by conservation districts to vote on a motion?

Review Answer

5. What are the three typical methods used by conservation districts to vote on a motion?

   by voice, by show of hands, by general consent

Review Question

6. How long should conservation district minutes be kept?

Review Answer

6. How long should conservation district minutes be kept?

   permanently

Summary

Board meetings are essential to the operation of conservation districts. This is the only time the conservation district board members meet to take official actions to carry out the functions of the conservation district. These meetings must be open to the public and comply with the provisions of the Kansas Open Meetings Act (KOMA). For a conservation district to be effective, a board must have productive meetings. The minutes are the official record of the transactions and proceedings of the board.

Resources Available

- **Resources**
  - *Kansas Conservation District Handbook,* Administrative Section, Chapter 3
  - *Kansas Conservation District Supervisors Handbook,* Chapter 2
  - *Kansas Open Meetings Act (KOMA) Guidelines*

(cont.)

- **Where to find**
  - Located in each district office and in CSIMS
  - Located in each district office, each supervisor should have a copy, and in CSIMS
  - Located on the Kansas Attorney General website:

    www.ksag.org/files/shared/KOMA.pdf

Resources Available (cont.)

- **Resources**
  - *Robert's Rules in Plain English*, Doris P. Zimmerman
  - *Robert's Rules of Order Revised,*General Henry M. Robert
  - DOC Staff:

- **Where to find**
  - Located in each district.
  - Purchase is recommended.

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