

# Village of Riverside Procedure Manual For Boards and Commissions

## INTRODUCTION

The Village of Riverside thanks you for choosing to participate in Village government. Resident involvement helped create the character and values that have made the Village and our community what it is today. The Village's advisory boards and commissions tap into our greatest natural resource – our residents. It is your commitment to the community that allows the Village to continue to be a vibrant, diverse community represented by its citizens. Elected officials and administrative staff have come to depend upon these commissions as a vital source of information critical to sound policy making.

In order to assist you with your service, we have developed this Procedure Manual. This Manual is designed to explain the role of commissions in Village government for commission chairs and members, and the rules and regulations that govern the activities of commissions and their members.

### **Qualifications:**

Any Riverside resident may apply to be a Commissioner on a Village Commission. Experience in a field related to the work of the commission is helpful but not mandatory. (Any special requirements for service can be found in the commission's enabling legislation.)

### **1. Chair**

Chairs are most often appointed from among the existing members of a commission due to the prior experience and background that an existing member will have regarding an applicable commission. The President encourages outgoing chairs and existing commission members to assist the President by identifying candidates who would make a good chair. Anyone who is eligible to be appointed to a commission is also eligible to serve as the chair.

The Village President reviews the recommendations of the prior chair and staff liaison, but may also choose to name someone else to the position, then forwards their proposed appointee to the Village Board for confirmation. Chairs are appointed only by the majority vote of the Village Board in the same manner as it approves the appointment of commission members.

#### **A. Duties of the Chair**

The chair is responsible for conducting meetings in accordance with the procedures in this Manual. The chair is also responsible for coordinating the work of the commission with the staff liaison. The chair is also the spokesperson for the commission before the Village Board when necessary. Due to the additional duties of the chair, the chair is expected to attend every meeting of the commission unless there are special circumstances which prevent his or her attendance.

The duties of the chair are as follows:

- Work with the staff liaison to ensure that the agenda for the meeting has been created and properly posted by the staff liaison and the Village Clerk.
- Poll members prior to a meeting to determine the likelihood of a quorum.
- Conduct the meeting in accordance with the Open Meetings Act\* and basic parliamentary procedure.
- Ensure that staff prepares and keeps meeting minutes in accordance with the Open Meetings Act.

#### **B. Other duties**

- Represent the commission before the Village Board when necessary. When commission recommendations are presented to the Village Board for final action, the chair is welcome to attend, but is not required to do so unless the staff liaison informs the chair that his or her attendance is necessary to advance the commission's work. Often, the Village Board is interested in hearing directly from the chair about the work of the commission.
- Ensure members attend all meetings in accordance with the attendance policy.
- Recommend a successor chair at the end of their term.
- Work with the Village Clerk and Village staff to ensure that all members complete Open Meetings Act training in a timely manner.
- Provide the President with information on the expiring terms of members in enough time to allow their reappointment or the recruitment and appointment of a new member.
- Provide the President with input into whether an existing member should be reappointed based on the member's attendance, active participation in meetings and ability to work respectfully with others regardless of their opinion.

#### **C. Voting Rights**

- Chairs have the same voting rights and responsibilities as any other member of the commission.

### **2. Members**

#### **A. Duties**

Members of a commission are expected to understand the work of the commission, the rules and procedures in this Manual, to read and review materials provided to them, regularly attend and participate in meetings and deliberate and vote as necessary to carry out the business of the commission.

#### **B. Appointment**

The Village President will make a recommendation based on the applications received, referrals from chairs, or referrals from Village Board Trustees. Members are appointed by majority vote of the Village Board. Once appointed, commissioners will receive notification from the Village Clerk of their appointment including information on the swearing-in process, contact information for the staff liaison to the commission, and the term start and end date. Commissioners should contact the staff liaison to determine the first meeting for their appointed office.

Prior to participating in any meeting, commissioners are required to sign and take the oath of office administered by the Village Clerk.

### **C. Removal**

A member may be removed from a commission for the following reasons:

- Failure to maintain regular attendance as described above;
- Violation of the Village's Conflicts of Interest and Ethics Ordinance, including failing to recuse oneself when legally required to do so;
- Failure to complete Village-mandated training;
- The existence of a conflict of interest which necessitates the member's recusal from a majority of the commission's work;
- Inappropriate conduct or language that interferes with the commission's ability to accomplish its work;
- Disrespectful behavior to visitors appearing before the commission, fellow commissioners or Village staff; and/or,
- Moving out of Riverside.

## **3. Commission Functions and Duties**

The Village has a broad range of commissions that are formed based on state law or Village ordinance. This enabling legislation also describes the commission purpose, composition, and responsibilities.

The majority of Village commissions exist to advise the Village Board on policy level decisions based on facts developed at the commission level. A few have final decision-making powers as established in the applicable Village ordinance or state statute. Commissions are not authorized to perform staff level duties or tasks.

### **A. Annual Work Plans**

Each commission is responsible for preparing an annual work plan outlining its projects for the upcoming year and any new initiatives proposed by the commission that are anticipated to occupy more than 5% of the commission and staff's time. Projects should be consistent with the commission's enabling legislation and any specific instruction from the Village Board as conveyed to the commission by its staff liaison. The commission chair and staff liaison are responsible for drafting the Work Plan. Although a commission's work plan is expected to be an honest projection of activities for the year, it is understood that a work plan is not a fully detailed description of all activities or an exact schedule of when work plan items will be completed.

After the draft work plan is written, the chair must present it to the full commission for review and input. The commission will revise it if necessary. Following commission approval, the staff liaison must bring the work plan to the Village Board for adoption and approval. The Village Board may approve, reject or modify the work plan, and may also assign additional tasks to a commission during the course of a given year.

## **B. Public Events**

A commission may host a public event in accordance with the commission's enabling ordinance, Village Board direction, and the annual work plan. A commission may request the use of meeting space at Township Hall or may hold events at other available locations. The staff liaison will be responsible for securing the venue for any public event, either by a contract, permit or other reservation process. Publicity for a public event held by a commission must be coordinated through the staff liaison. Costs related to public events must be included in the Village budget. The purchasing of services or supplies must follow the Village's procurement procedures.

## **C. Publications**

Some commissions present awards or provide public information and produce promotional, informational or marketing materials. In the event there are written or visual materials that need to be created or published in connection with these initiatives, the staff liaison will work with the Village Manager to ensure the final product is presented in a manner consistent with the Village's publishing and branding standards. The Village Manager will also be responsible for determining if the material is appropriate for distribution on the Village's website, Facebook page or other social media outlets. The staff liaison should include expenses related to printing or other costs as part of their annual budget request.

## **D. General Duties**

Each commission has a chair, members and a staff liaison. In the broadest sense, the role of an individual commissioner is to bring their experience and wisdom to the Board/Commission and deliberate with other members to reach decisions that fulfill the purpose of the particular commission.

Below are some general tips and expectations:

- Behave courteously during meetings and treat other members of the body, the public, and Village staff with respect.
- Observe good parliamentary practice. The Chair's role is to run an efficient meeting while allowing all points of view to be heard and to have a full discussion. Assist the chair by being concise in making your points and not interrupting others.
- Arrive to meetings on time and let your staff liaison and chair know if you will be absent. Unexpected absences can cause a meeting to be cancelled, delaying the business of the commission, if not enough members are present to establish a quorum.
- Come prepared. Review proposed minutes, agenda packets, and other information ahead of time to allow for informed deliberation.
- Represent your commission appropriately. As an appointee, people may perceive you to speak on behalf of the Village or your commission. Do not speak for your commission unless appropriately authorized to do so.

### 3. Commission Support

#### A. Staff Liaisons

Each commission has a staff liaison. The staff liaison is the Village employee whose area of responsibility is most directly connected with the role of the commission. The staff liaison provides services and professional input into the work of the commission.

Staff liaisons are assigned by the Village Manager and are non-voting members of the commission.

The staff liaison has the following duties:

- Prepare and post the agenda for each meeting at least 48 hours in advance of the meeting as required by the Open Meetings Act. The agenda shall be prepared in cooperation with the chair.
- Create the agenda packet in advance of the meeting and distribute it to the chair and commission members.
- Keep minutes during meetings or arrange for a minute taker at meetings.
- Make sure minutes are prepared in draft form and distributed to the commission for review and adoption at its next meeting.
- Deliver approved minutes to the Village Clerk for proper record-keeping and posting in accordance with the Open Meetings Act.
- Reserve and set up meeting rooms for commission meetings.
- Coordinate communication and public information materials with the Village Clerk and Village Manager.
- Coordinate any other necessary administrative support.
- Provide professional input into the work of the commission.
- Work with the commission chair to create the necessary agenda commentaries and related materials to submit commission recommendations to the Village Board of Trustees for final action.
- Make all purchases for the commission in accordance with Village purchasing policies and ordinances.

- Questions about staff liaisons shall be addressed to the Village Manager. Commissions may request staff support, but may not assign work or direct the work of the staff liaison. Questions from the commission should be directed to the staff liaison through the commission chair.

#### **4. Conducting Commission Meetings**

Most commissions have one regular meeting per month on a fixed date established at the beginning of the year. Commissions may also hold special meetings, which are any meetings other than the pre-scheduled regular meetings. The Open Meetings Act is the State law that sets forth the basic legal requirements for how these meetings must be conducted. It is the responsibility of the Chair to see that meetings are conducted in accordance with the Open Meetings Act.

##### **A. Public Notice/Agenda**

The Open Meetings Act requires prior notice to the public. This notice consists of the agenda. The agenda must be posted at least 48 hours in advance of the meeting. The notice must be posted at the location of the meeting, as well as on the Village's web site.

##### **B. Public Hearings**

Certain commissions are required by ordinance or state law to hold public hearings. The notice, publication, and hearing requirements for public hearings are in addition to the Open Meetings Act requirements. Commissions that hold public hearings should refer to their own rules and regulations which contain additional notice requirements for public hearings. If there is any doubt about the propriety of a commission holding a public hearing, the chair should contact the Village Manager.

##### **C. Meetings**

According to the Open Meetings Act, the definition of a "meeting" includes not just the regular and special meetings of the commission, but also "any gathering of a majority of a quorum of the members of the board, held for the purpose of discussing public business." The Open Meetings Act controls any such gathering, in addition to the regular and special meetings of the board.

##### **D. What is a Quorum?**

In order to conduct a regular or special meeting, a quorum of the commission must be present. The word "quorum" simply means a majority. For purposes of the Village's advisory boards and commissions, a quorum is a majority of the members of the board or commission who are currently appointed, rather than a majority of the number of members on the commission as established in the enabling ordinance. For example: if the enabling ordinance of the ABC Commission specifies that it has 13 members, but it currently has 11 members, a quorum of that commission is six. Half of its current membership (11) is  $5\frac{1}{2}$ , so it must have six members present to achieve quorum. If another member is appointed, it will then have 12 members. Half of its membership would then be six members, so seven members would have to be present to achieve quorum. This is the quorum unless the Village ordinance sets a different number as a quorum for that particular commission.

For any commission with five members, the necessary quorum to conduct business is three.

#### **E. What happens when there is no quorum at a meeting?**

According to Robert's Rules and the Open Meetings Act, when a quorum of members is not present for a meeting and only a majority of a quorum is present, the commission may only take one of the following actions:

- Take measures to achieve a quorum. This means calling members to see if they are running late or waiting for them to arrive. Members are expected to arrive at meetings on time. However, commissions should wait at least 10 minutes after the scheduled meeting time before adjourning the meeting for a lack of a quorum.
- Take a recess (wait for members to appear).
- If no quorum is present, discussion can occur but no votes may be taken.

#### **F. Canceling a Meeting**

If the chair or staff liaison discovers in advance that a quorum will not be present, the meeting may be canceled in advance. The Village Clerk should be notified of the cancellation, and if the meeting was to be held in a location other than Village Hall, the host of the meeting site should also be notified. A sign should be posted on the door of the room to notify the public that the meeting has been cancelled. Any staff present at the location of the meeting, such as the Village Hall security guard, should also be notified.

#### **G. Electronic Attendance at meetings**

In some cases, members of a commission may attend a meeting electronically. First, it is necessary that a quorum of the members of the commission be physically present at the meeting in order for the meeting to be conducted. If so, then other members may attend electronically.

There are limited reasons a member may attend electronically: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. If a member wishes to attend a meeting by electronic means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

#### **H. Time and Place**

At the beginning of the year, each commission must set the date, time and place of its regular meetings for the year. Additional meetings or rescheduled meetings may take place throughout the year, without being scheduled at the beginning of the year, so long as the regular public notice requirements are followed.

Commission meetings are typically held at the Township Hall. Meetings must be held in a place and at a time convenient to the public. For example, meetings cannot be held at someone's house or at a site that is not ADA accessible. Meetings where a large attendance is expected are required to be held in places reasonably large enough to accommodate the crowd. For

example, if the Planning and Zoning Commission is scheduled to consider a controversial topic, its meeting must be held in a space large enough to accommodate the anticipated crowd.

Meetings are typically held at night in order to accommodate the schedules of the commission members and the public. The Open Meetings Act requires that meetings not be held at odd times of the day, like 5:00 a.m., or on legal holidays. It is the practice of the Village not to schedule regular meetings of any public body on legal holidays or religious holidays.

## 5. Minutes

All commissions must keep written minutes of all meetings, whether open or closed, and a verbatim record of any closed meeting in the form of an audio or video recording. It is the responsibility of the staff liaison to either take minutes personally or to arrange for a minute taker at the meetings.

At a minimum, minutes must include:

- Date, time and place of the meeting; members of the public body recorded as either present or absent, and whether the members were physically present or present by means of video or audio conference;
- Summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
- Minutes should be in summary, rather than verbatim form;
- Minutes need not be a verbatim recording of the comments of each member, but a general description of the business conducted at a meeting, including a summary of the public comments received;
- Time the meeting ended; and
- Commissions and Boards must use the templates created for Village Board and Commission Agendas and meeting minutes. This is to ensure the Village's branding is incorporated into all public documents and that required information for agendas is incorporated in every agenda.

## 6. Approval of Minutes

Following the meeting, the minute taker will prepare formal minutes from the notes taken or recorded at the meeting. The staff member will provide these formal minutes to the commission as part of the packet for the next meeting. Commissions shall vote to approve the minutes of their meetings, amended as necessary, no later than 30 days after that meeting, or at their second subsequent regular meeting, whichever is later.

Any document that was presented as part of the agenda packet for a meeting, or a document received, created, or used by a commission during the meeting, must be submitted with the minutes of the meeting in which it was presented. The documents are kept with staff liaison. The minutes should contain a list of all documents submitted.

## 7. Public Comment

Members of the public who wish to speak may notify the chair before the meeting, or may come forward at the time of the public comment portion of an agenda. The Village requests that each speaker provide their name and address. This information must be noted in the minutes of the

meeting along with a synopsis of the comments. The order of the speakers is left to the chair, but all speakers must be heard except as limited above. The time limits on public comment should be announced before the speaker begins to speak. The board need not allow an individual to speak at the meeting if they were not present during the public comment portion of the meeting.

## **8. Governing Rules**

Beyond the enabling legislation for your commission, a few key resources provide structure for operating a healthy commission. It is important to be knowledgeable about the following:

### **Open Meetings Act**

Illinois' Open Meetings Act requires commissions to deliberate and make all their decisions during a public meeting, including a full discussion of the reasons for those decisions. Commissioners should therefore avoid emailing the entire commission (or a quorum of the commission) about commission business. If commissioners have factual information they wish to communicate to the entire body, they should send it to the staff liaison to request distribution. Commissioners should never "reply all" if they receive such an email.

Sometimes, discussion between commissioners outside a public meeting may be necessary (for example, when developing draft policy recommendations for presentation to the full commission). Such discussions should never involve a quorum. If the matter warrants substantial discussion with multiple commissioners outside of the regular meeting schedule, a subcommittee may be appropriate, the meetings of which would be posted and open to the public.

### **Freedom of Information Act**

In general, Village records are subject to disclosure under Illinois' Freedom of Information Act (FOIA). Email communications about commission business are generally considered to be public records subject to disclosure under FOIA. For this reason, email correspondence regarding commission business should generally copy the staff liaison so that the Village has a record of the correspondence. Commissioners are otherwise responsible for retaining and producing emails and other records related to commission business that they have in their possession upon request of the Village Manager. Note that email addresses used by commissioners may be subject to public disclosure, so commissioners may wish to create a separate email address for commission business if they have privacy concerns.