

Three Common Problems with Boards and Councils and Some Common-Sense Solutions

The job of managing a city or water or sewer district includes managing daily operations, managing employees, and managing customers/citizens. An employee (manager, administrator, office staff, superintendent) may not think about “managing the board/council” that hired the staff. But make no mistake about it, employees often have a dual management role. They must manage all the operations of the district or town, PLUS employees often manage the bosses, because the bosses are part-time volunteers who most likely do not have any grasp of the group dynamics of boards/councils. Managing a board/council is definitely an art – and not a science. It requires equal parts psychologist, educator, cheerleader and sergeant at arms. Unfortunately, sometimes the nature of the board/council takes a collective turn for the worse and managers or other employees have to concentrate on managing a problem board. While this article is not critical of boards or councils, I believe that the discussion will help both the boards/councils and staff. Let’s begin with the three common types of problem boards/councils and some practical solutions.

Managing a board/council is definitely an art – and not a science.

Problem: A burned-out Board/Council

Symptoms – Members don’t show up at meetings and when they do they seem content to simply go through the motions. Or they are overwhelmed by tough decisions such as rate increases or territorial disputes and do not know how to respond, so they take no action.

This is one of the most difficult situations to deal with because the manger/administrator will have to pour energy into this board/council. Getting all the members to attend all the meetings is the first step. It’s necessary to keep them informed and motivated. It frequently requires sending reminder emails before the meeting and then calling the truants up and specifically asking them if they are going to attend the meeting. Perhaps it’s time for the board/council to consider adoption of a missed meeting policy if the entity’s lawyer agrees. Many states have adopted laws that allow elected board/council members to be removed for cause if they miss too many meetings. This is an extreme measure but worth considering when local water systems and cities cannot make a quorum for regular meetings. Even if no such law exists, it may be possible for the board/council to adopt a voluntary attendance policy. Check with your lawyer. Even if this is not possible, a follow-up email from the board president or mayor asking about the absent member may help. Guilt and peer pressure can help attendance and those board/council members who do

show up faithfully at meetings deserve to have their time valued.

It is possible that the same board/council has served for so long that there is a certain degree of institutional boredom. If the board/council shows up but doesn’t seem motivated and just goes through the motions, it’s time to take a different approach. I would encourage managers to draft opinion papers for them about the key issues and set out possible solutions. Unilateral communiqués via email from staff to the board/council members should not violate the sunshine laws or open meetings laws; check with a lawyer. This is an ever-changing area of law. Try inviting outside experts to the meetings including engineers, local legislators, lawyers, the state rural water association or other organizations, or people from neighboring systems who have faced similar problems. One water district board with very poor morale even agreed to attend the monthly meeting of another, more dynamic, district as “guests”, so that they could see the manner in which those meetings were handled. Some small cities in Kansas have also done this. Board/councils in Kansas have an excellent opportunity to learn about utility management through the KanCap board/council training program. And it’s very beneficial when employees and board/council members attend training together. Boards/councils and staff members should see themselves as a unit – not separate entities.

Graphic by Linda Windler



These part-time volunteer board/council members have families, jobs and plenty of other stresses in life. In order get the most out of them at meetings, staff need to make the most out of the time in between meetings. The old days of board/council members appearing at a meeting with no advance information should be long gone! They should be receiving a short, weekly email that highlights any operational issues that may have occurred – a heads-up that this item will appear on the agenda or needs to be discussed. This will save time at the meetings and prevent the meeting from getting bogged down in factual discussions of operational issues. And it goes without saying that there should always be an agenda – not to be confused with a meeting notice – ahead of time. That board/council should know exactly what they will be discussing and have access to any supporting documentation that needs to be reviewed ahead of time. Many people take longer to read and comprehend written material; they are uncomfortable doing the reading

board/council that is ready to act in an informed manner and stay focused on the relevant issues.

during a meeting. Giving those individuals the opportunity to review information in advance, including minutes of prior meetings, can help get the most out of the board/council members.

Remember, the goal is not to discuss or attempt to resolve the problem outside of the meeting. That **WOULD** violate open meetings laws. Include a reminder in the weekly update that it is an update – not an email discussion. The goal is to have a prepared, informed and motivated

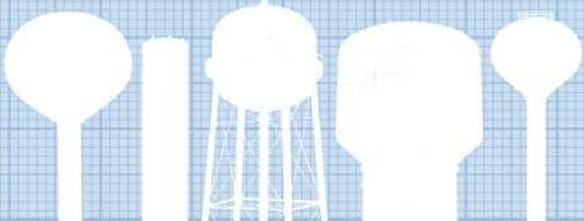
Problem: A timid board/council

Symptoms: A Board/Council that is under attack from the public over a controversial topic or is afraid to initiate needed but unpopular actions, and is overwhelmed by public response, so meetings spiral out of control and little work is accomplished.

Serving on a board/council is not about winning a popularity contest; sometimes boards/councils lose sight of this. In fact, at times it is a thankless job and puts members in the crosshairs for public attack. This is often a challenge for members in smaller communities, where they are not anonymous and may have to run into a hostile member of the public at the

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bank or post office. The strategy for bolstering the morale of this board/council depends in part upon where the attack is coming from. Sometimes it can be one individual who is a chronic problem. One water district had a customer who complained about rust ruining her towels. She sat through EVERY meeting with her tea towels in her lap and printouts of Internet articles on rust removal and complained that the utility wasn't removing the iron in the water at "her" meter. The district spent hundreds of dollars on testing and consulting with the engineers and could find nothing wrong with the iron removal system. She drove the board crazy and made them so nervous that two board members stopped coming to meetings. She was severely impacting

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board morale and made the board reluctant to even discuss plans for a new well in front of her.

So finally the manager asked her if she would run for a board vacancy, because she had literally driven one member off the board. The other board members thought he was crazy – but she accepted and of course, as hard as it is to fill board seats, she was elected. Then the manager suggested that the board president create a special committee to investigate the iron problems and appoint her to chair it. Then at EVERY meeting she had to report on HER failure to find a problem, because as a member of the board she could not demand that the manager attempt a solution that would cost thousands of dollars (such as her idea of running new connecting lines and blending water from all the system's wells). The manager then met with the special committee and suggested that they investigate home water softeners. It turned out that HER'S had been installed by her son and was the source of all her problems. (I am fairly sure that this wily old manager suspected this all along.)

After she had her water softener fixed, her rust problems disappeared. But by this point she was on the board and had actually learned how to be a decent board member. She was never going to win any prizes for Miss Congeniality but she was informed, dedicated, showed up at meetings and she was very willing to stand up to the public if they were out of line! This is an extreme example, but particularly adversarial citizens can be appointed to advisory committees and neutralized to some extent, so that the board/council is able to conduct business. It however can also go the other direction and have disastrous results.

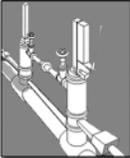
Sometimes it is the public at large that has the board under siege due to a controversial issue or board/council action. The key here is to give the board/council the knowledge that they have the power and the right and the obligation to conduct PUBLIC meetings in a reasonable manner. Too many boards/councils think that freedom of speech allows complete disruption of a public gathering and so they are polite to the point of timidity when faced with an angry public; instead, they need to control the meeting and enforce civil rules of public behavior.

A Board/Council with blinders on

Symptoms – A board/council that meets and handles day to day issues but refuses to deal with the future, such as the retirement of essential personnel, technology upgrades, a rate increase. They meet but defer the really big decisions and do not take the steps necessary to start solving the problem.

Some boards/councils like to micromanage operational issues as a way of avoiding bigger decisions and simply refuse to tackle the hard work. I have watched city council members spend hours bickering over paint swatches and what shade of blue to paint a new water tower yet table a long overdue rate review. The best strategy for this board is the "elephant diet strategy". You know the old joke.

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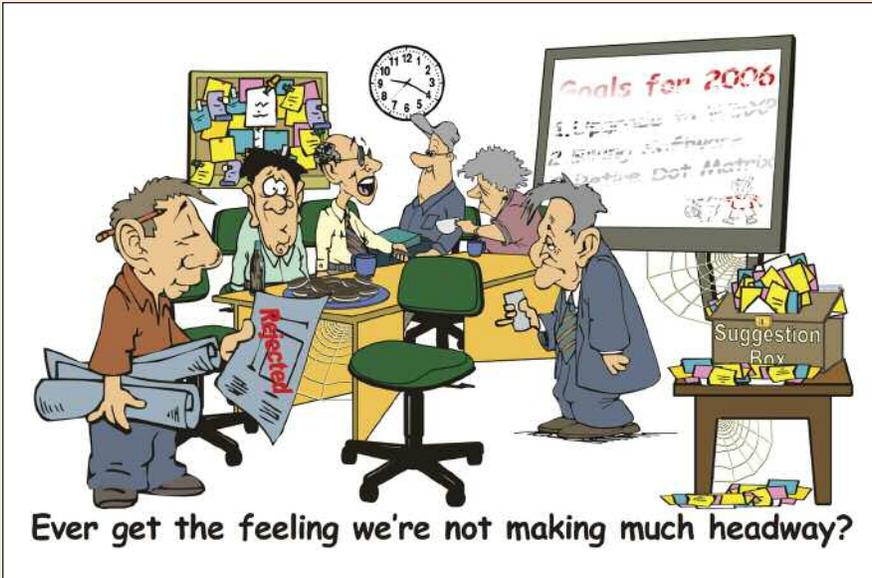
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How To Deal With Disturbances at Meetings

So as manager, the key is to brief the board members and make them aware that the public does not have the right to come into a meeting and completely disrupt it. In fact, this is interfering with their duties as elected officials. It is very important to structure the meeting and to let the board members know that it is appropriate to limit the public comment portion of the meeting to a set period of time, during a scheduled part of the meeting and to basically have a sergeant at arms if you need one. For some reason board members often feel as if they are required to sit and listen to torrents of abuse from members of the public. Perhaps that's because a local utility board or city council is really democracy functioning at the most basic level. But preventing mob rule is essential. I have attended some incredibly heated board/council meetings over leash laws, rate increases and even simple utility expansion. I have been escorted to my car by a sheriff's deputy when members of the public fought a sewer board over extension of sewer service, because a small but vocal group of people came to a meeting and physically threatened anyone from the district who attempted to connect them to the collection main. Obviously I wasn't going to be the one laying pipe, but I did have the task, along with the engineer, of presenting the project to the public.

The strategy is to encourage the board/council to expect and enforce civil behavior at PUBLIC meetings. People do not have the right to create a public disturbance and under almost every local ordinance I have ever read, yelling and shouting and refusing to follow the procedural rules of a duly elected public governmental entity constitutes disturbing the peace. If people know that they are limited to five minutes of public comment at the end of the meeting and that they are not allowed to disrupt the other portions of the meeting or interject comments into board/council discussions, then the board/council has a chance of conducting business. However, the board/council has to know this first! And the board/council has to implement the procedural rules. Most of the time the public never even bothers to show up at a public meeting. But if there is a volatile topic, a board/council can be caught unawares and be ill-prepared to face a hostile public. So make an announcement at the beginning of the meeting setting out the rules of behavior and do not be afraid to enforce them. Also, do not be afraid to adjourn a meeting if it spirals out of control! Discretion often is the better part of valor. One volunteer fire district meeting became so heated (no pun intended) that the board president adjourned the meeting and the board left the room. They then met with local law enforcement and explained that they were unable to hold a public meeting because citizens were deliberately attempting to disrupt the meeting. The police chief himself attended the next meeting and read the rules of conduct out loud at the beginning of the meeting. When the hot heads attempted to violate those rules and refused to wait until the public comment portion of the meeting, he escorted them out of the building.

How do you eat an elephant? One bite at a time! The manager is going to have to spoon feed this type of board/council to get any work out of them. This is not too surprising. Most boards/councils do not have to deal with large changes on a regular basis. That's especially so in smaller towns and utility districts that may not have had to deal with a construction project or a rate increase for years. Actually, a rate increase is a terrible example because a well-run town/utility should review rates annually. But boards/councils without a long-term plan often find the thought of a large construction project or transitioning to a new radio read meter system or installing new billing software daunting and so they do nothing. One utility board just kept deferring the purchase of new billing software and computer upgrades until finally it became a crisis when the computers crashed.

Anyone involved with change management knows that change is scary to most people and it is even easier for people to ignore the need for change when they have to initiate it! So how to handle long-term procrastination? First, have a short- and long-term plan that includes the issues.

It is incredibly helpful for board members, old and new alike, to be reminded of the big picture.

If there is a plan with one key issue that must be addressed, then start mentioning it in the State of the District/City address. What? You don't prepare a State of the District/City Address? It is incredibly helpful for board members, old and new alike, to be reminded of the big picture. What is the financial status of the district/city? Is there a five-year plan? A ten-year plan? How many customers are there? What are revenues? Are rates covering costs? Are they trending up or down? Are there looming territorial issues?

Are bonds coming due? Are there new federal/state regulations due to go into effect that will impact the budget?

I have always encouraged all utility client managers to present an annual update separate from and usually before the annual budget adoption. This allows the board/council to identify the key issues that need to be addressed in the future and helps in the formation of both short- and long-term planning. Based on the amount of time it takes to develop, fund and complete an infrastructure project, I think of a five-year plan as short-term and a ten-year plan as more long term. The key is to have a plan and a timeline so that the board/council is forced to keep the big picture in perspective and be proactive, not reactive.

Do not expect this board/council to create the short or long-term plan on its own. Instead, present them with a draft plan and let them respond to it. It will at least force them to start either agreeing or disagreeing with a vision of future issues. Getting a discussion started is the first step in getting them to take action. And it may be necessary to get the board/council to

start nibbling on that elephant by breaking down the issue/project into much, much smaller steps that do not even look much like part of the big, scary project.

Break things down

Does dealing with low pressure in one part of the system make people realize that a new well is needed? Does the board/council feel negative at the thought of RFP's, USDA or SRF funding applications, or construction schedules? Take it in baby steps. Break down the entire project into smaller pieces. It may take several months just to gather the readings or customer complaints that demonstrate the low pressure. Next would be an update on state/federal or commercial funding options that are available for system improvements. Explain the calendar that is used for funding. A board/council should not be expected to start the application process for a loan because that is too much, too fast. They need to ease into the process. Create a timeline for the loan application that outlines the necessary steps and simplifies the process. Consider holding

work meetings. I used to watch one manager skillfully ask his board/council to move to put an item on the agenda for discussion on a future date certain. No one would refuse a motion to place an item on the agenda for discussion. Then he would regularly give them information or hold brief discussions in advance of the meeting in order to prepare them to discuss that item. The goal was that by the time the item rolled around on the agenda, the board/council was mentally prepared to tackle the topic.

Getting the most out of the board/council can be a challenge, but identifying the personality of the board/council is a great first step. If the board/council is having problems, these strategies may help the dedicated folks who are willing to serve do the best job they can and serve the public.

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