



Module 1. Working Together

This training module has 4 parts:

- **Why are we here? A discussion of the role of the planning board and its members.**
- **Ethical behavior and conflicts of interest**
- **Meeting management and public hearings**
- **Resolving disputes and communication**



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Why Are We Here?

- **Planning boards are the advocates of the general public interest.**

Your unique role as the planning board or commission is to represent the general public interest as you make recommendations and decisions regarding public policy that will affect the future development of your community, not the interest of a specific group or point of view. This may require that you make decisions that may not be advantageous for you individually or for the group that you most closely associate with (neighborhood advocates, business interests, environmental interests, etc.) but are best for the most citizens. Your role is to buffer the influence of politics in the decision making process, and to apply rational, forward-thinking analysis to the everyday business of building your community. Though political pressure is an inescapable part of all public deliberation, the planning board must advocate for the good of the community at large, while staying the course despite the shifting political winds.

- **How do we know what the general public interest is?**

Information:

Clear information should be the basis of most decisions. Information you will use can include prior documented policies and plans that have been adopted, the physical characteristics of the site in question, its size, topography, utility access, street access, neighboring properties and their uses, the cost of public services and the proposed use that the property is to be put to. Count on your professional staff to provide the factual underpinning for your decisions.

Interests:

Each sub-group of the public who are affected by the decision has some interest in its outcome. Some interests are strongly represented in your deliberations (the profit of the landowner whose property is being considered for development, for example). Other interests will not (i.e., the long-term interest of the taxpayer to keep costs of maintaining streets at a manageable level). The ideal solution is one where all interests are addressed.

Intuition:

An experienced, educated planning board member is much better prepared to "make the call" on a tough decision where the competing interests each have compelling arguments and the facts are inconclusive. A planning board member should not rely on intuition alone. Do your homework. Read your backup material. Go see for yourself. Ask questions. Attend training sessions and the NCAPA-sponsored workshops and conferences.

• Various roles in planning and development.

Below is a summary of the roles typically played by elected officials, appointed boards, professional staff and other "players" in the public decision-making process. These roles may vary considerably from jurisdiction to jurisdiction:

Elected Officials:

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| The Buck Stops Here: | They must weigh an issue and make decisions for which they must answer directly to the voters. |
| Board of Appeal: | Sometimes decisions of both staff and administrative boards can be appealed here. Final decisions can be appealed only to the courts. |
| Administrative Decision-Makers: | The elected board may grant approvals and permits according to standards it has adopted. |
| Politicians: | Every decision must be weighed considering its political as well as practical and financial aspects. |
| Budget: | Elected officials set tax rates and spend these resources for the benefit of the community. Their decisions are affected by financial implications. |

Appointed Board Members:

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| Advisors: | Elected officials cannot receive, digest and understand all the information they need to make decisions on complex issues. Their appointed boards are the citizens they count on to distill the facts into a reasoned concise recommendation. Though they often represent a broad spectrum of expertise in land use matters, planning boards also include non-experts who bring the values of the "regular" citizen into the decision process. |
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- Decision-Makers: In some cases planning boards are the final decision-makers for special and conditional use permits, variances, subdivision plats and site plans. They do not have to answer to a voting public, but the elected officials who appoint them do.
- Represent the Public: Appointed boards represent a cross-section of the community, and should keep in mind that in a world filled with special interests, their role is to represent the community at large.

Professional Staff:

- Information Resource: A competent professional staff or professional consultants should be able to provide both appointed and elected officials with the facts they need to make informed, rational decisions.
- Technical Experts: Professionals are hired for their special knowledge and skills. They cannot make decisions for their appointed and elected officials, but their expertise can be invaluable in placing information in perspective, and in handling administrative tasks requiring professional judgment.
- Record Keepers: A good staff keeps good records, and can retrieve information from these records to help boards and commissions keep some sense of history and accountability about their activities. These records are critical when legal challenges arise.
- Advisors: Experienced professional staff should be able to make recommendations based on fact and policy, seasoned with professional judgment and history.
- Educators: Professional staff should be able to provide their elected and appointed officials with educational resources appropriate to the issues they are facing. Rarely do new board members come armed with all the knowledge needed for his or her new job.
- Decision-Makers: Staff issues permits and other final approvals where there are objective criteria that can be measured.

Other Players in the Public Decision-Making Process:

- Lobbyists: These are professionals hired to make sure information provided to decision-makers has the appropriate "spin" to benefit their clients. Information provided by

lobbyists may be helpful to provide a complete picture of the issue, but it is important to remember that they are hired to achieve a specific result for their clients.

Neighborhood Groups: Organized neighborhood groups may have a community-wide perspective and provide a valuable "barometer" of public attitudes, but their concern may be limited to the interests of their specific neighborhood and decline with distance from it.

Property Owners: They have a specific, financial interest in the outcome of public decisions, and are very concerned about their own tract of land and how the decision affects it. Property owners may have a broad understanding of how their property relates to property around it, but this is the exception rather than the rule.

State Legislature: Legislators set policy and enact rules that affect communities state-wide (water-supply watershed rules, for example) and that sometimes affect communities individually. The legislature is a source of revenue as well as rules, but the dollars rarely come without strings attached.

Federal Government: Washington establishes a regulatory framework that affects local and state decision-making on such issues as environmental protection and highway construction. The federal government provides revenue for special projects, generally filtered through a state agency. The hand of the federal government rests very lightly on planning boards, whose decisions are affected to a greater extent by local and state regulations.

• **In summary:**

Planning boards are the primary advocates for the general public interest in the public decision-making process. The role of the board itself is generally one of advisor to the elected officials, but most planning boards have some limited power to make final decisions. Others will participate in the decision-making process, with a variety of motivations and points of view.

Ethical Behavior and Conflicts of Interest.

- **Public service brings with it a special responsibility to the citizens you represent.**

Since you are in a position of influence over the lives and property of others, and because you are doing this in a public format for your community, **you are subject to a special, and more stringent set of standards regarding your personal behavior.** Most people are honest and careful about their actions, but in an effort to be helpful it is easy to forget the limitations placed on you by your position as an appointed public official. Acting in a forthright and ethical manner will help you be an effective and fair planning board member.

- **What is a conflict of interest?**

There are no statutory guidelines defining conflicts of interest for appointed officials. If there could be a direct financial benefit to you or your family that will result from an action or recommendation of your board, you should not participate in the decision. What if your benefit is indirect? For example, if your board recommends approval of a comprehensive plan amendment that encourages new areas be opened for industrial development, and you happen to be in the real estate business specializing in siting industrial developments, should you participate? If one of your competitors is attempting to gain approval of a development that may directly compete with one in which you have an investment, should you vote on the competitor's project? These are not easy questions to answer. Some localities have adopted ordinances defining conflicts of interest. Review your local law to ensure that you are aware of what's expected.

- **When in doubt, disclose your potential conflict.**

Discuss it with your board members and with your city or county attorney at a public meeting and collectively decide whether the situation warrants excusing you from the vote on an issue.

- **Adopt a specific set of guidelines for what constitutes a conflict of interest in your community.**

Many cities and counties adopt rules of ethics for their elected and appointed officials. Publish them so that expectations of members are clear. Review them annually when you elect officers for the next year. Include them in your by-laws. Be very clear about what constitutes a conflict of interest. Be specific about what level of participation is appropriate for a member with a conflict. Some boards require that the member leave the chamber. Others simply require that they not participate in the deliberations or vote, but do not require any physical removal from the table. Most rules of ethics require that the entire board vote to excuse a member regarding a potential conflict. Some communities require financial disclosure of any real estate holding that may raise ethical questions. Be sure to review local ordinances to ensure that your by-laws do not conflict with ordinances that set standards for ethical behavior by appointed boards.

- **Pay attention to the perceptions of your customers (the citizens).**

Much of the public has an inherent distrust of government in any form. They may assume you are corrupt. You have to prove them wrong. It is important to remember

that even the appearance of corruption is enough to convince the public that it exists. Education of the public is important to help them understand the competing interests you face in decision-making, and can help reduce this perception.

• Understand the Open Meetings Law .

North Carolina has specific legislation (G. S. 143-318.9-18) that affects all appointed public boards and commissions in the state regarding decision-making in a free and open environment. It states a few simple but important principles:

- **Public decisions should be made in a formal environment, with adequate public notification and with all discussion out in the open.**
- **A majority of a Board or even of a committee of the Board gathered together and "deliberating" about public business is a meeting subject to the Open Meetings Law, which requires it to be open to all, and notice provided to the public of its time and place.**
- **All meetings may be broadcast, and anyone may be allowed to photograph, film, or record any public meeting.**
- **Every public body should keep accurate minutes of all official meetings, including closed sessions.**
- **Closed sessions are only allowed when required:**
 - (1) *To prevent the disclosure of information that is confidential pursuant to the laws of NC and the United States, or not considered a public record;*
 - (2) *To prevent the premature disclosure of an award or prize;*
 - (3) *To consult with an attorney employed by the public body, but not simply to discuss public policy in the presence of the attorney;*
 - (4) *To discuss matters relating to the location or expansion of industries or other businesses;*
 - (5) *To discuss real estate transactions or negotiations;*
 - (6) *To consider personnel issues for a specific individual, not general personnel policy;*
 - (7) *To discuss investigations of criminal conduct.*

• Understand what type of decision you are making.

There are three types of decisions a planning board can make. By understanding the nature of the decision, you will better understand the limitations placed on your deliberations by state statute, and be less likely to fall into an ethical "gray area".

Administrative: Administrative decision-making measures the proposal against a clearly defined set of factual standards and determines whether or not the plan meets them. For example: Is the street width the minimum of 27' from the

back of the curb to the back of the curb or is it not? Significant discretion is not a part of an administrative decision. Approval of subdivision plats is usually an administrative function.

Quasi-judicial: This type of decision requires weighing sworn testimony. Evidence is presented in a manner similar to a court of law. Discretion is involved, as the board must determine whether the proposal is consistent with existing plans and ordinance standards that may be rather general in nature. Only evidence presented at the hearing is admissible. Contact made outside the hearing (this is called *ex parte* communication) is illegal and evidence received outside the hearing is not admissible and may not be considered when making the judgment. Bias and close personal or business relations with any affected party disqualifies a board member from participating. Evidence may be ruled out of order if it is not factual in nature. Special use permits or variance requests require quasi-judicial hearings.

Legislative: An elected or appointed body can take a variety of actions with a broad power of discretion. For example, it may determine that all streets built in the community should have curb and gutter, or may establish criteria by which variances may be granted by a board of adjustment. Planning boards regularly make recommendations to the elected body concerning legislative issues, such as text amendments and policy changes. Re-zonings are legislative in nature in North Carolina communities.

- **Make sure you are fair and even-handed in your deliberations.**

Remember that it is the responsibility of appointed boards to ensure that adequate representation is allowed, and all sides are given a reasonable time to make their case in front of the board.

- **Take action if you believe an ethical question needs to be settled.**

If you, as an individual board member, think that an ethical dilemma has arisen, but are unsure whether you should bring it up, you might wish to suggest that the board review its adopted standards of conduct. If the board has not adopted such standards, suggest that a draft be prepared for consideration.

- **Seek a legal opinion.**

Request a legal opinion from the staff attorney representing the local government if there is sufficient doubt as to whether a conflict of interest exists.

- **In summary.**

Conflicts of interest are rarely clearly defined. It is up to the community to set its own standards for ethical behavior. The standard for what constitutes a conflict and what to do when there is a conflict should be formally adopted and included in the by-laws of the planning board. **Adequate notice, open deliberation and enough time for public participation** will ensure that your board avoids any appearance of unethical behavior and does not violate the Open Meetings Law. **Do not discuss cases outside public meetings.** Be aware of the type of decision the board is considering and ensure that the proper procedures are followed.

Meeting Management and Public Hearings

• Official meetings do not have to last all night.

A clear set of guidelines, a proper agenda, a skillful hand on the gavel and a well-prepared planning board can ensure that meetings are productive, inclusive, open and reasonable in their duration.

Here are important things to remember about having productive meetings:

- (1) Prepare for your meeting. Packets should not be opened for the first time at the table.
- (2) Set an official agenda. Publish it and keep to it.
- (3) Start on time. Limit breaks to 5-10 minutes. End on time.
- (4) Be clear at the beginning of the meeting about the appropriate places in the agenda for public input. Limit each speaker to a reasonable amount of time. Do not allow further comment from speakers after the decision has been made.
- (5) Establish a committee structure that will allow some public discussion on controversial issues to take place at another time.
- (6) Focus on what information is necessary to reach a decision.
- (7) At the end of the meeting formally recap the decisions that were made and assign responsibility for further activity before the next meeting.
- (8) Make sure your chair is trained in meeting management (ask your staff to provide training).

• Set formal rules of procedure.

Many boards adopt Roberts Rules of Order to set a framework for actions to be taken at meetings. Roberts Rules are designed for large public bodies, and can be complex and difficult to understand in a typical Planning Board setting of 5-15 members. It is not necessary to use Roberts Rules. It may be better if a board does not adopt Roberts Rules, but instead sets its own standards for:

- how many members constitutes a quorum
- rules of behavior for those appearing before the board
- rules of behavior for board members
- how votes are taken
- who may make a motion
- what to do in case of a tie vote
- when to cut off debate
- what to do if a member is chronically late
- how to count a vote when a member is out of the chamber

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- what the powers of the chair will be
 - the responsibilities of the vice-chair and committee chairs
 - the appropriate time to bring new issues before the board, etc.

These rules should be formally adopted and reviewed annually.

- **Agree on an annual work program and publish an administrative calendar.**

Work with elected officials to develop an annual work program, and meet with them regularly to discuss your progress. Publish a calendar of regular meeting dates, committee meeting dates, submittal dates and anticipated approval dates for a variety of types of cases that will come before the board. Make your work schedule clear to all who attend your meetings, and help them understand when they should expect the board to act on their case. By doing so, the board can keep its meetings predictable, and can help ensure that progress is made toward the strategic goals established by the elected body.

- **Holding public hearings.**

Public hearings have traditionally been built into local government planning processes to solicit public input . Public hearings are required by state statute for re-zonings and for quasi-judicial decisions. When holding a public hearing make clear what the form of the hearing is, so that procedures are properly followed:

Advisory Hearings

- (1) Recommendation on re-zoning requests.
- (2) Recommendation on special use permits.
- (3) Recommendation on subdivision plats.
- (4) Recommendation on site plans for developments.

Administrative Hearings

- (1) Approving subdivision plats.
- (2) Approving site plans for developments.

Quasi-judicial Hearings

- (1) Approving special use permits.
- (2) Approving zoning variances.
- (3) Hearing appeals of decisions of zoning officials.
- (4) Approving subdivision plats. (in some communities)

Special Procedures for Quasi-judicial Hearings

- Decisions must be based on evidence at the hearing. No *ex parte* evidence (evidence received outside the hearing by any means) may be considered.
- Decisions must be based on standards of the ordinance only.
- No board member may be predisposed before the hearing (have already made up their mind) or have any conflicts of interest.
- Witnesses must be sworn in, and may be cross-examined.
- Deliberation and voting take place after the hearing is closed.
- Complete records of the proceedings must be kept, including a summary of evidence, and the minutes of the discussion.
- Decisions must be accompanied by findings of fact.

• The role of the Chair is a delicate balancing act.

The chair of the board is the meeting manager. This means the chair must concentrate more on how the meeting is to be run, less on his or her own opinions about the issues under consideration. There is a careful balance that must be achieved to ensure that proper deliberation of all possible options has taken place, and to prevent redundancy from obscuring the issue and preventing closure on difficult decisions. Experience is often the best teacher. A chair who is unwilling to be assertive may find meetings often running well over their allotted time without decisions being reached. Here are a few characteristics of an effective chair:

- (1) **Insist on formal rules of order** and guidelines for ethical behavior, to be agreed upon by the board and formally adopted. Don't be afraid to point out behaviors that violate these rules during meetings.
- (2) **Upon consideration of each case, state:**
 - what the nature of the case is
 - what the relevant standards or criteria for decision making are
 - what kinds of input, observations and facts may be appropriate
- (3) **State the rules of order for public input before the hearing is opened.**
- (4) **Spend more time facilitating the opinions of the other board members** and less time expressing your own.
- (5) **Recap important points raised** or options for action that have been laid on the table for discussion.
- (6) **Start the meeting on time.** Try to encourage people to be brief and not to repeat what has already been said. Provide an option for those who believe they have more to say (allow them to submit additional information in writing, or allow the issue to be further discussed in a sub-committee).

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- (7) **Repeat motions that have been made.** Ensure that all board members clearly understand what they are voting on.
 - (8) **Expect a lot from your board members.** They should read their packet ahead of time and show up to meetings on time. The chair should help those who are not meeting these expectations by discussing responsibilities with individuals outside the regular meeting.
 - (8) **Summarize actions that have been taken,** "de-brief" your meetings and the decisions that have been made, and remind board members of upcoming meeting and deadlines.

• How can we reach a decision?

The actions of a public body are open, inclusive and subject to a wide array of political pressures. It is not surprising that many of the more difficult decisions seem to defy resolution, and debate is often easier than action. Planning boards vary in their individual style of decision-making, but generally subscribe to some combination of these:

Power politics (the "tyranny of the majority")

In this model the majority rules. Like-minded board members vote as a bloc, allowing little discussion. Most decisions end up in a split vote. Decision-making by this method on a regular basis is unusual for planning boards. It is easy and simple but leaves the minority feeling ineffectual, and since they are appointed, unlikely to seek re-appointment. It also does not serve the community well, since these decisions are often ideologically based and hastily made without proper deliberation. The result may not represent the long-term good of the community at large.

Consensus-building

This method of decision-making requires consideration of several options, an attempt to address all interests and points of view, and a decision that ultimately is unanimous. This is clearly the best method of decision-making for the community. It is also the most difficult. Reaching a consensus on controversial issues takes a creative chair, a good staff who can provide timely information, board members who are willing to consider all facets of an issue, and considerable deliberation. Boards should strive toward consensus.

Strong leadership by the chair

Faced with a board that has difficulty reaching closure on issues, or whose members are inexperienced or just plain stubborn, certain chairs emerge in a role that more closely resembles that of the chairman of a legislative committee on the Congressional level. They set the agenda, they limit debate to what falls within their agenda, and they push through the result that they feel is most appropriate. This is clearly an efficient method of operation, and a wise and benevolent chair may be very fair and effective in their role. Other board members may be frustrated with this loss of influence, and there is potential for corruption when so much authority is granted to the chair.

"Horse-trading" among factions

This is an "I'll vote with you this time if you vote with me later" mode of operation. It is a very common method of decision-making for larger boards, where one or two votes cannot sway an outcome, but a "bloc" of 5 or 6 might. Though this political style is more typical of an elected council, planning boards more often resort to "horse-trading" with applicants instead of with each other. Deal-making, particularly with applicants, is potentially dangerous and treads a fine ethical line. It is better to leave the deals to the politicians, and concentrate on developing good public policy based on sound planning principles and the facts at hand.

A Couple of Points About Making Decisions:

- **The broader and more long range the decision, the less likely that hard facts will help determine the best solution. General policies and visions of the future are necessary for more far-reaching decisions.**
- **The smaller scale and more site-specific the decision, the more likely that good factual information will be available, but also the more likely that tremendous pressure will be brought to bear by those most directly affected.**

• **In summary.**

Effective meetings are well-planned, prepared for ahead of time by the participants, have clear rules of procedure, start and end on time, have an official agenda and an effective chair. It is important that all issues be fully deliberated, but that the board continues moving toward a resolution of the issue. Decisions are made by a variety of methods. The most difficult and the best is consensus after all options have been considered.

Resolving Disputes and Communication

• Resolving conflicts.

Conflict is inevitable in public discourse because different stakeholders are affected in different ways by public decisions. Here are some tips for handling conflict between board members, and between the board and the public:

- (1) Set the ground rules for what is expected of everyone in terms of listening, showing respect and following procedure. Do not stifle anger, but set limits on it.
- (2) Speak about yourself, your concerns, ideas and beliefs. Don't tell people what to do, or attribute motivations ("You should") to them.
- (3) Try to identify others interests, not argue over positions.
- (4) Brainstorm options. List multiple alternatives to a solution, and discuss them in terms of the interests of the participants.
- (5) Don't talk via proxy. Try to get the parties that have a dispute to speak personally outside of the official meeting, not through their attorneys. Set up a meeting to allow less formal, more face-to-face discussion. Talk directly to the person you are having a conflict with.
- (6) Ask questions. Don't assume you understand anything about the other's position. Make sure all positions and reasons are clearly stated and clearly understood by the other side. Ensure that you are listening actively, not getting ready to retort.
- (7) Seek the help of a mediator or neutral outside facilitator if the discussion is going nowhere. North Carolina has a network of Dispute Settlement Centers throughout the state. Take advantage of their knowledge and skills.

• Why communication fails

Communication breaks down at the same time people stop listening. Listening is an active skill and sometimes takes great self-control, particularly when you are in the heat of an argument and you are firmly convinced of the correctness of your position. Communication can be verbal, non-verbal or written. Here are some general reasons why communication fails:

- (1) Listening becomes selective. You only hear the parts you want to hear. To prevent this from happening, repeat back to the speaker what you think was said.
- (2) Your frame of reference is at odds with others you are trying to communicate with. Try to find some common ground, something everyone understands and agrees with.
- (3) The source of information is discounted as being not credible. Nay-sayers who repeatedly oppose everything with no alternative suggestions are

difficult to listen to carefully. Keep calm. Temper all your criticism with positive suggestions for a solution.

- (4) The speaker is using jargon. Remember that your audience may not be as well versed in the meaning of technical terminology. Be sure to use language that is accessible for everyone who is listening.
- (5) The meeting has gone on too long. If attendees are cranky and ready to go home, very little of use will be communicated. Don't rush through things too quickly. Set a realistic agenda and keep to it.
- (6) The listeners have made premature value judgments. The value of the information a person is trying to bring to you cannot be measured until it is clearly understood.
- (7) Too much communication is going on. If too many people are trying to communicate at the same time, nobody is heard. Make sure to give everyone a time to be heard without interruption. Use flip-chart pads to write and retain lists of ideas.
- (8) The meeting place is all wrong. If a room is too hot, or has bad acoustics, or people cannot see one another, communication is very difficult. Make sure to organize your meeting place to facilitate, not impede communication.

• **Ways to improve verbal communication**

- Think first, then speak.
- Take your time. Don't speak too fast.
- Keep it short and simple.
- Respect your audience.
- Use pictures to support your words.
- Be logical in your presentation.
- Summarize.
- Use feedback, both given and received.
- Be a good listener.

• **Ways to improve non-verbal communication:**

- Consider your body language. A tapping foot displays impatience. Crossed arms may display intransigence.
- Maintain eye contact.
- Consider your facial expression. A scowl or an icy stare could communicate anger.

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- Turn toward the speaker.
 - NEVER speak to someone else, even under your breath, while a person is addressing the board.
 - Understand the feelings of the listener.

• **Ways to improve written communication:**

- Keep sentences simple.
- Keep it short.
- Avoid using jargon.
- Edit ruthlessly.
- Use active rather than passive voice.
- Use pictures or graphics.
- Proof your material.
- Take your time. Write to be understood.

• **Ways to improve listening skills:**

- Use people's names.
- Be patient. Not all people can speak as fast as you might be able to think.
- Review what's been said.
- Consider non-verbal clues.
- Take notes.

• **In summary.**

Conflicts are inevitable in public discourse. Try to find common interests and brainstorm about how to create a win-win situation. The more emotional you get, the poorer the communication becomes. **Communication often fails because listening is not taking place,** or because the environment is not supportive. Communication can be verbal, non-verbal or written. In all cases it is important to be sensitive to your audience, their emotions and how they perceive your interest in their communication. Use feedback. What you say is important but how you say it is more important. **Effective problem solving demands good communication.**

Some Exercises:

Situation 1.

A newly-appointed board member is a developer who is quite active in the community's real estate market. As a board member, he will be expected to review many development projects, including many of his own. He states that he will not vote on any project in which he has a financial interest, but he will also be reviewing plans for his competitors' projects, and he will be passing judgment on a variety of issues brought forward by consultants with whom he does business on a regular basis.

Is this an ethical role to play on a planning board? Why or why not?

Situation 2.

A public planning board meeting has been going on for 3 hours and the agenda is only half through. A line of several neighborhood activists is waiting to speak on a proposal to bring a shopping center onto the main thoroughfare adjacent to their neighborhood. The proponent and her attorney have already spoken in support of the plan, and two representatives of the neighborhood group have spoken against the proposal. The applicant has reminded the board that a timely decision on the development plan will not only allow the developer to get underway before the winter, but will also save the town several hundred thousand dollars in this fiscal year by the construction of a widening to the thoroughfare, which had been planned to be undertaken by the town with tax dollars later in the year. If the plan is not passed forward to the decision-makers at this meeting, the entire deal may fall through and the town would lose the valuable public improvement to the thoroughfare. A motion has been made by one of the board members to cut off debate on the issue and call the question.

What should the board do, and why?

Situation 3.

The Chairman of the planning board is very knowledgeable but impatient and gruff with participants in meetings and with other members of the board. He will cut speakers off in mid-sentence and often calls for a motion before everyone on the board has been able to comment on a case. Some of the board members feel frustrated and angry and attendance at the meetings is sometimes spotty.

What are some of the potential pitfalls for this board concerning their work and concerning their relationship to the public? What should be done about this situation, if anything?

Situation 4.

The East Lake planning board is hearing a request for a special use permit to allow a kennel in a residential district. This is a quasi-judicial hearing, and notice has gone out by first-class mail to adjacent property owners and an ad has been placed in the local newspaper listing the subject, time and date of the hearing. The Chairman of the planning board opens the hearing and asks the first speaker to step up and speak. A board member notes that he has received a letter about this case that has made a very convincing argument against the kennel. The first speaker states that he doesn't believe that kennels make very good neighbors and he also thinks the proposed owner is not being completely honest about the request. The proponent speaks and states why the kennel can meet the standards listed in the Code to allow this special use permit. The Chairman closes the hearing after all the speakers are through. He asks the staff to provide them with more information for their next meeting, when a decision will be made.

Was this hearing properly held? If not, what might be done differently?

Other related subjects:

Ask your professional staff to provide you with more training on these issues:

- **The Role of the Chairman**
- **NC Legal Cases Regarding Ethics**
- **Preparing Rules of Order and Ethical Principles of Behavior**
- **Understanding Personality Types (Meyers-Briggs types, etc.)**
- **Visioning, and Other Techniques to Understand "The Public Interest"**
- **Public Participation in Decision-Making...How Much is Too Much?**
- **The NC Open Meetings Law**

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