

# BAILIWICK NEWS

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## On the calculated chilling of public deliberation and dissent

By Katherine Watt

Back in November 2018, the Centre Region Council of Governments General Forum adopted a set of rules, drafted by the COG Human Resources committee, to police the tone and content of legislators speaking to one another during public meetings.

I've been wanting to write a parody of the rules, but haven't had time.

A few days ago, COG sent out the agenda for the General Forum's March 25 meeting, which includes a proposed set of rules to police the tone and content of public comments made to the governing body *by private citizens*.

Both sets of rules are absurd, jargon-filled touchy-feely groupthink-promoting garbage, and likely unconstitutional and legally unenforceable.

Nonetheless, if the rules targeting citizen speech are adopted and circulated to the public, they will repel even more people from engaging in the difficult but essential process of holding local government institutions and individual representatives accountable to the citizenry.

Which is no doubt the point.

The fact that this proposal is coming up for discussion means that there are local legislators who believe Robert's Rules of Order – the traditional guide covering the mechanics of running a meeting – leave citizens with too much leeway to make public officials feel uncomfortable. These legislators believe public meetings are social gatherings intended to supply them the shallow, infantile “respect” they feel they inherently deserve.

Public meetings of government bodies are adversarial gatherings at which individuals can try – and might fail – to *earn* each other's respect by openly presenting competing community visions and fighting to obtain legitimate majority decisions: the bruising but necessary adult labor of self-government.

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Counterproposal to promote authentic respect for respect-worthy leaders:

Let's have a monthly open session of General Forum modeled on the weekly Prime Minister's Questions session in the British Parliament. Citizens could take turns lobbing hard questions at COG Executive Director Jim Steff and the current General Forum chair, in a format requiring those individuals to

respond with the substantive facts and moral grounds on which they rest their policy proposals.

With rebuttal follow-up rounds.

We could even do citizen no-confidence votes to remove local leaders unable to withstand that form of political heat.

What an eye-opener that would be.

Instead, we'll probably get a couple more years of COG legislators playing bait-and-switch by claiming at General Forum meetings that deliberation occurred at past subcommittee meetings (most are held weekdays at noon, when most adults are at work), and claiming at committee meetings that they're merely preparing suggestions for future deliberation at General Forum.

That, and yelling “I call the question!” before anyone at General Forum can engage in any public deliberation at all.

Readers repulsed by these attempt to strip Centre Region citizens of our already weak rights to speak freely – using personal insults, profanity and offensive language as we see fit – and to petition our government for the redress of wrongs during COG meetings are encouraged to attend the General Forum meeting March 25 and break as many proposed rules as possible while making public comments on the subject.

Below are reprints of the two sets of new rules.

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### Nov. 20, 2018 COG General Forum Rules for Making Legislator 'Deliberation' Free of Substantive Content

*Complete with insipid cartoon depicting “consensus.”*

The Centre Region Council of Governments (COG) is committed to an environment in which all individuals are treated with respect and dignity. Each individual has the right to participate in a professional atmosphere that promotes equal opportunities to be heard and to participate in the decision making process. At the same time, conducting the meeting is to be handled efficiently, so the time that people invest at meetings is well spent and concludes within a reasonable timeframe.

The COG believes that civil conduct in public affairs promotes participation in democracy. Examples of polite, civil, and respectful behavior towards elected and appointed officials and volunteer committee members persuades citizens to participate and therefore has a positive impact on the quality of our governance.

COG primarily follows Roberts Rules of Order, as applied by the meeting Chair.

## Code of Conduct

- Respect the Chair and his/her role in facilitating the expeditious conduct of business.
- Treat everyone with courtesy and respect.
- Do not make negative remarks about an individual or a municipality. Pejorative remarks are not helpful to finding solutions that everyone can live with.
- Keep the discussion focused on the agenda and the topic at hand.
- No interrupting. Even if you strongly disagree with comments, respect others when they are talking.
- Wait your turn. Raise your hand and let the Chair recognize you.
- Be concise and clear. Keep the discussion focused and to the point in order to respect the groups' time and so that all can participate...remember others may have questions as well.
- Stick to the facts and provide supporting evidence.
- Limit side conversations. Give all members the opportunity to share their thoughts and be heard.
- Respect decisions made by the Committee and/or Board even if you disagree with it.



## Aspirations And Expectations

- Come prepared. Review materials ahead of time, bring something to take notes, and arrive on time.
- Appreciate all issues and ideas as important.
- Accept the fact that there will be differences of opinion. These differences are healthy and when voiced in a polite and thoughtful manner, will help to identify solutions that everyone can live with.
- Participate actively. The key to COG's success is active and informed involvement and participation.
- Listen actively and attentively. Active listening helps to avoid redundant questions and comments.
- Challenge ideas and attack problems.

- Keep an open mind, remain objective. A diversity of thought is important in understanding an issue and its implications.
- Be patient with the process and one another. Group decision making takes time.
- Be aware of your body language and the silent message you are sending. Body language can make those around you feel uneasy, bullied or distracted.
- It is OK to apologize. An effective board is multiple minds speaking with one voice.

## Notes For The Chair

- The Chair is responsible for enforcing the Ground Rules. In the absence of the Chair, or in the event that the Chair is personally in violation of the ground rules, the Vice Chair has the responsibility to voice his/her concern and reference the ground rules. If there is a repeat offender, the Chair will follow up with the respective municipality and/or the Executive Committee.
- Start and end the meeting timely.
- Ensure participants are aware of the purpose of the meeting.
- Remind members of the public who speak during the meeting to identify themselves.
- Remind all invited presenters, speakers and citizens of their allotted time. Hold them to it!
- The Chair sets time limits for discussions on agenda items. Keep the meeting on pace.
- Keep the meeting focused on the agenda and discussion focused on the topic.
- Clarify how decisions are to be made. Let the group know up front if the agenda item calls for participant input, is a "group decision" or action item, or is an "information only" agenda item.
- Be a leader. Show interest in other people's contribution and appreciation for their contribution.
- Promote participation. Engage those who may not have had the opportunity to speak; ask if they have input to add to the discussion. For instance, the Chair may say, "I am looking for different perspectives."
- Never take sides or show favoritism.
- When arguments erupt, remain objective.
- At times, conflicts are a necessary by-product of reaching consensus. Rather than begin with solutions, first focus on a detailed analysis of where things can go wrong.
- Seek solutions that everyone can live with.
- Deal with conflict directly. A Committee and/or Board shows integrity by recognizing that there is a problem rather than ignoring it.
- Avoid premature voting merely to arrive at decisions.

- Summarize the decision made or the progress made at the end of each discussion.

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March 11, 2019 COG General Forum Proposal for Further Citizen Marginalization and Dissent Stifling

To speak during the public comment period or on a specific agenda item, you must:

- Sign in on the meeting sign-in sheet
- Legibly print your name, municipality or organization, and specify whether you are here to speak during the public comment period -OR- on a particular agenda item.

Thank you for attending today’s meeting. We welcome your comments. The Centre Region Council of Governments (COG) is committed to an environment in which all individuals are treated with respect and dignity. Each individual has the right to participate in a professional atmosphere that promotes equal opportunities to be heard and to participate in the decision making process. At the same time, conducting the meeting is to be handled efficiently, so the time that people invest at meetings is well spent and concludes within a reasonable timeframe. The following guidelines were developed to help us achieve both.

How Can Meeting Guidelines Help?

The guidelines for speaking at COG meetings are meant to encourage information sharing, free speech, and building consensus, in an orderly fashion. Having a general set of guidelines can also help to discourage contention, unregulated discussion, and chaos.

What Is A Public Comment Period?

A public comment period (also known as citizen comment period) is time during a public meeting dedicated to hearing from the public.

When And Where Are Cog’s Meetings Held?

For a calendar of COG meeting dates, times, and locations, please visit the COG’s website at [www.crcog.net](http://www.crcog.net)

What Is The Best Way To Distribute Written Materials?

You are welcome to correspond with your elected officials at any time. However, if a speaker has written material to share at the COG General Forum meeting, the materials should be submitted to the COG Executive Director at least 7 days prior to the Executive Committee meeting. The COG Chair and Executive

Director meet to discuss the Executive Committee agenda items, and in turn, the Executive Committee determines what agenda items are forwarded on to the General Forum. Materials that are deemed to be inappropriate and/or offensive in manner will not be distributed.

General Guidelines For Speakers

- During the public comment period, the speaker is invited to comment on any items not already on the agenda. Comments relating to specific items on the agenda should be deferred until that point in the meeting.
- The meeting Chair may use their discretion and adjust the allotted time limit per speaker. Please note that written input is not limited in length.
- Speaker(s) will be called upon by the Chair of the meeting when it is their turn to speak.
- When speaking, please state your name and municipality/organization for the record.
- When speaking during a meeting that is being recorded by C-NET, the speaker must speak from the podium using the microphone.
- When speaking on an agenda item, comments must pertain to that agenda item and the action being considered by the body. General comments that go beyond the scope of the agenda item will not be received during this time. General comments and statements will only be accepted during the public comment period.
- Speakers may address the body one time during the public comment period and for a specific agenda item. Any additional turns to speak must be approved by the meeting Chair.
- The speaker may not specifically address staff or other members of the public. Comments should be addressed to the body as a whole.
- Be brief. Keep the discussion focused on the subject and present only new information.
- The speaker(s) is asked not to make repetitive comments. For the sake of giving everyone an opportunity to speak, please refrain from making the same points as other speakers. The meeting Chair reserves the right to limit comments if a speaker is making repetitive comments that are already on the record.
- The speaker may ask questions, although members of the body are not required to provide an answer. It is the decision of the meeting Chair whether a response should be provided to a question raised during the public comment period or on an agenda item. More complex questions may require further research before an answer may be given.

- The Elected Officials will not engage in conversations with the speakers. Public comment period does not include questions for and conversations with the speakers.
- Respect the Chair and their role in facilitating the expeditious conduct of business.
- Everyone is asked to present their comments in a respectful and courteous manner. No profanity or threats will be tolerated.
- Do not make negative remarks about an individual or a municipality. Pejorative remarks are not a helpful way to make your point or express your concerns.
- If any inappropriate comments are made, the Chair will call the speaker out of order. If speaker does not immediately stop, the Chair will call a 3-5 minute recess.
- No audience responses. Refrain from clapping, other distractions, or oral comments made out of turn.
- No interrupting. Even if you strongly disagree with comments, respect others when they are talking.
- The Chair will thank the speaker(s) and note that the body will consider the comments.

March 22, 2019 Email from Katherine Watt to the COG General Forum agenda distribution list

Attached is the extracted proposal for how to further marginalize citizen taxpayers at COG General Forum meetings, stifle public dissent, and thwart citizen petitioning to government for redress of wrongs.

I'd be more enraged than I am, except it just confirms for me that COG will fall apart within a year or two, by virtue of being simply too brittle to survive.

The organization can clearly no longer handle open, full expression of differences of opinion - particularly "negative" comments –

"Saints alive! Public criticism of public acts of public officials? Intolerable! Preposterous! Toss the insubordinate rabble out on its ear! At a bare minimum, give the rabble a five minute disciplinary time-out!"

– and sharing of persuasive argument among legislators themselves or among citizens engaging with legislators.

Well done, HR Committee.

Another nail in the coffin of an irredeemably broken organization.

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