Public Comment at Meetings of Local Government Boards

Part One: Guidelines for Good Practices

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An interested citizen regularly attends board meetings and offers many comments and criticisms. What is the best way to allow him to speak and yet keep the meetings moving?

An angry group of citizens hold up banners and chant slogans during a council meeting. Can the board restrict the demonstration? How can it be kept under control without infringing on the citizens' constitutional rights?

At a public meeting, a citizen charges a government employee with malfeasance. How can the charge best be handled?

Being in the public eye as a governmental official—county commissioner, town councilor, school board member, or citizen member of a health, planning, or similar government board—brings with it the joys and the tribulations of dealing with citizens and citizen groups in public meetings. It may seem that citizens come to a meeting only when they want to demand action on a problem. Board members want to be responsive to citizens' concerns, but, as responsible stewards, they must constantly keep in mind the general public good. In addition, they must conduct the board's business in ways prescribed by law. Nevertheless, governmental officials need feedback from the community and therefore should welcome citizens' comments and complaints.

This two-part article addresses public comment at regular meetings[1] of local government bodies in North Carolina. Public officials need to understand what the law requires government boards to do and forbids them to do as they listen to citizens. Public officials also need to understand the principles of good communication and effective management of meetings. Part One of this article addresses how boards can foster positive exchanges with citizens. It reports on an Institute of Government survey of how North Carolina governmental units provide information about the government, including details on how citizens may speak at board meetings, and it applies general guidelines on citizens' comments to three particularly difficult situations that can arise when citizens address local government boards. Part Two, which will appear in the next issue of *Popular Government*, will discuss the law on public forums and free speech. It also will report on the ways in which municipal and county boards and boards of education typically receive citizens' comments.

Local government bodies, both elected and appointed, are always on the hot seat for several reasons beyond their control. First, they are more accessible than state and federal officials. Even if local policies and practices are guided by rules set in Raleigh or Washington, citizens who dislike those policies and

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practices may take out their resentment on local officials. Second, most citizens perceive that local government has a more direct impact on their day-to-day concerns than either the state or the federal government. Most decisions affecting schools, law enforcement, solid waste disposal, roads, recreation, land use, and human services are made at the local level, and they directly touch the lives of people. While state and federal bodies gain attention for large—even global—issues, they usually act at some distance from the daily concerns of citizens, with little immediate effect on the nitty-gritty matters like garbage collection, youth violence, or traffic congestion. Third, citizens tend to come to board meetings only when they are riled up about something—only when something has gone wrong in their lives that they think can be helped by a particular action by their local board.

Today citizens are increasingly disenchanted with governmental performance,[2] but it appears that Americans have greater confidence in their local officials to "deal with problems facing their communities" than they do in state or federal government.[3] Moreover, confidence in local government appears to be holding steady, while confidence in the problem-solving capabilities of some religious organizations, nonprofit groups, and local media has declined markedly in recent years.[4]

Unfortunately, citizens' confidence even in local government is low. Only 24 percent of respondents in a national poll said they had "a great deal" or "quite a lot" of confidence in local government's ability to deal with problems facing their community, but 44 percent had a high confidence in their local schools to handle problems. Churches and voluntary organizations also received higher "confidence scores" than local government.

The only general public-opinion figures for North Carolina local government are more than fifteen years old. In 1980, 58 percent of citizens rated the performance of their mayor as excellent or satisfactory; 12 percent said it needed improvement; and 25 percent said the performance of their city council or board of county commissioners needed improvement. In a Southern Focus poll covering several southeastern states that was conducted in spring 1995, nearly 40 percent believed that local government was doing an "excellent" or "good" job. Another 40 percent rated local government performance as "fair," and 14 percent said it was "poor."

Thus citizens who come to a meeting of a local public board may be skeptical about stating their concerns and sharing their ideas. Many North Carolina public officials lament that they hear only from the citizens dissatisfied with local government, and citizens at public meetings may doubt that they will be understood or have any impact on the problem they face. It seems critically important for boards to know both how the law says they must behave toward citizens at board meetings and how they can make participation by citizens as constructive as possible.

Public officials should recall that public comment is only one indication of how citizens perceive the fairness and the receptivity of their government. A recent study by the Institute of Government[5] identified such factors as "fairness," "citizen influence," and "a problem-solving approach" as criteria by which citizens measure the quality of their government. The study showed a significant gap between what citizens expected in terms of their ability to influence board decisions and what they actually received in terms of response.

Whatever the size of the community, local boards need to find ways of ascertaining the concerns of people who do not come to public meetings. Why do they not come? Are the board's regular business meetings scheduled at such a time that family and job obligations prevent people from attending hearings and board meetings? There will always be a few vocal people who easily express themselves at government board meetings. Perhaps a balance needs to be achieved between these ready speakers and other citizens by especially encouraging participation by the citizens who do not usually state their views. Given the negative feelings many citizens have about public officials and the workings of governmental agencies, a special effort to secure citizens' comments may have a long-term benefit for the community.[6] Improved citizen participation at board meetings may yield important information for board members and help educate the entire community.

Encouraging Constructive Public Comment

Making Information Available

Keeping the citizens informed about the local government is an important step in maintaining a cooperative relationship with the public. Last year the Institute of Government surveyed local governments about how they communicate with their citizens. Dozens of public information officers and clerks from school districts, counties, and municipalities shared their informational brochures and policy statements.

The following paragraphs describe some of the ways in which North Carolina local governments provide information for their constituents.

Davidson County's board of education has an easy-to-read brochure welcoming citizens, describing board meetings, explaining how to express concerns, and presenting brief biographies of the five-member board. The brochures of both the Davidson County school board and the Guilford County commissioners include a useful diagram of the seating arrangement and the names of the board and the staff.

The Clinton city schools include a one-page summary of information for citizens in their systemwide activity calendar. A section titled "Do you have a question?" encourages parents to seek information and to share their concerns with teachers and principals on most matters. A chart lists twenty-five common topics—bus transportation, student health program, students' special needs, and so on—and indicates two contact people for each subject by position or name. The Clinton schools' grievance policy clearly describes, first, how to seek direct negotiation of difficulties and then how to bring a grievance to the board.

Rocky Mount has a very complete directory of city boards, commissions, and committees, most of which are open for citizen comment and membership. It briefly explains the responsibilities and the membership of each public body—from mayor and council to the inspection services advisory committee—and then lists the names, addresses, and telephone numbers of all members, their length of service, and the dates on which their terms expire. It also states when a board member is ineligible for reappointment.

Newton's brochure reports the meeting schedules of the board of aldermen and ten other boards and commissions, and gives departmental telephone numbers. The brochure also gives information on tax rates and municipal utilities.

Guilford County's brochure notes that while members of some boards must have specific skills or training, the board of county commissioners "desire to reflect a broad participation in appointments [to boards and commissions], including male and female citizens, persons from all geographic areas of the County, and persons representing diverse racial and age groups."

The Chapel Hill–Carrboro school board's informational brochure notes its desire to enable people with various disabilities to participate in board meetings.

Possibly reflecting its rapid growth, Cary offers a brochure that focuses on the process for commenting on rezonings, development plans, and changes to the unified development ordinance. The town council's agendas for all regular meetings contain a "public speak-out" item that allows comments on any topic, whether or not it is on the agenda. The time limit for speakers is five minutes each.

Some local government boards briefly summarize their last meeting before they formally approve the minutes of that meeting. The Stokes County board of education provides a one-page summary of board action and other events at the meetings even if there was no formal board action on a topic. Its general brochure includes photographs and short biographies of the five board members and the superintendent, and notes that there is a regular public-comment period at each meeting. Summaries of meetings, quickly prepared and easily distributed, can help citizens stay informed.

Some government units produce brochures that explain their budgets. Guilford County's summary of appropriations and revenues for its $360 million budget includes tax rates by jurisdiction—county, city or town, and fire district. The county also produces a monthly calendar of meetings of all local governing boards, municipal as well as county.

Using telecommunications technology, High Point displays the schedule for its council meetings on a cable television bulletin board and places the council's agendas on its Internet home page. The home page includes information on the city's budget, revenues, and expenditures. A printed brochure welcomes High Point citizens and visitors to the city council meeting, encourages participation, and describes how to address the board. The brochure states the time limits for speakers, notes the need for speakers to give their name and address, and asks them to be courteous and succinct. It also describes the difference between ordinances, resolutions, and motions; states the conditions for going into closed session; and explains the quasi-judicial actions the council takes on property matters.[7]

What Is "Constructive"?

Most public boards strive for balance on citizens' participation at regular business meetings. Since the meetings concern "the public's business," gaining citizens' remarks and responses to questions is an essential part of keeping government open to the public. On the other hand, the meetings must be controlled so that the board can conduct its business in an orderly fashion and make timely decisions in order to meet legal, budgetary, and programmatic needs.

Within the legal requirements and prohibitions (to

be discussed in Part Two), there are several ways public bodies can handle citizens' comments during meetings. What *does* contribute to encouraging input that will be productive in the eyes of citizens and public officials? This section presents five general guidelines for creating a productive atmosphere at meetings and then specific steps to be taken before, during, and after the meeting. A later section of this article deals with ways of handling the difficult situations that may arise during the citizens' comment period of a board meeting.

First, determining what are "constructive" comments from the public is not a strictly objective exercise. Many citizens approach this question by asking, "Do I agree with it? Did I get what I want? Did the board act the way that I think is best?" Focusing on a specific result is understandable if one assumes that "constructive" = "what is positive for me." But this approach can overshadow other important ways for judging productive exchanges between citizens and public bodies.

Public boards want to conduct well-structured, efficient meetings in which speakers use calm, civil language. But some citizens or citizen groups may believe that dramatic, emotionally charged speech will emphasize the depth of their concerns and help persuade the board to adopt their point of view. Sometimes such language is not a deliberate choice: strong emotions can grow out of perceived threats to a person's health or safety and from feelings of unfair treatment. Since citizens offer their views at board meetings with the aim of persuading those in power to act in a particular way, some people may think that a confrontational style will be most effective: after all, "the squeaky wheel gets the grease." Furthermore, much of today's television entertainment and news coverage highlights how confronting, shouting, and even bullying make people take one seriously and help one get one's way. If "constructive" is judged only in a win-lose, support-or-oppose context, someone is likely to feel pressured, overlooked, or defeated.

There are other ways to judge what is constructive in receiving citizens' remarks. It takes both citizens *and* board members to encourage constructive participation and to create a productive forum. *How* things happen in a meeting can be as important as what things happen. Some components of constructive citizen-board interaction are whether

- all relevant information is shared between citizens and public officials;
- citizens believe their views are understood by public officials, and vice versa;
- the nature of a problem is clarified, even though there may be different perspectives on the causes and the consequences of the situation;
- options for responding to citizens' concerns are created or explained (including legal, financial, or other constraints on potential solutions);
- in the end, citizens and public officials all believe that they have received respect.

Obviously, not all of these characteristics can be easily accomplished through a two-minute citizen presentation and a brief response from the board. These standards for creating constructive public comment go beyond a single presentation or meeting and should be built into a larger design of improving government services to citizens and businesses and involving citizens in public issues.

Although the following practical steps focus on how to *receive* public comment and promote a positive atmosphere, it is important to remember the interactive nature of public comment and board action in building citizens' confidence in government.

Fostering a Productive Exchange

What *can* be done in a regular business meeting to support constructive interchanges? Some small, simple steps can help citizens feel welcome and respected while increasing the likelihood that their remarks will be viewed as constructive by public officials. These steps can be modified to fit the level of formality of a meeting or the general style of the jurisdiction. In some smaller municipalities and more rural counties, where the citizens may well be neighbors or acquaintances, a personal style may be more appropriate than the formal ideas that follow.

One important component for constructive exchanges is information. Public bodies need to make information available to citizens and convey information on a continuing basis in ways that are easily understood. Knowing how to give and receive information effectively is important for public officials who want to create a productive exchange with citizens. The following tips for providing information focus on organization and communication skills:

At the Beginning of the Meeting and Earlier

Have copies of the agenda and other important materials available for people in the audience. This step helps reduce the inevitable gap between the information available to the board members and the

staff about the subjects being discussed, and the information available to citizens.

Provide an information sheet about the conduct of regular business meetings. A simple brochure can help welcome people and give them guidelines for appropriate and timely public comment. The information sheet also should list other ways for citizens to make their views and concerns known. It should explain what people can do when there is insufficient time in the meeting for everyone to comment or when they want to add to their oral presentations (by using the comment sheet and similar vehicles that are provided at the meeting; see the later section on having a comment sheet available).

Prepare a question-and-answer sheet. Citizens are learning about the workings of local government as they observe and make comments. As part of the information brochure or as a separate document, answers to Frequently Asked Questions (FAQs) should be readily available. The FAQ sheet should address

- board meeting days and times;
- the point in the agenda at which general public comment is welcome;
- other ways of contacting staff or elected officials (for example, office hours, telephone numbers, and addresses for written comments);
- the budget process (including at what point comment from citizens will help determine spending priorities);
- the responsibilities and the meeting dates of other public bodies whose work is related to the board that is holding the meeting (for example, for town and city councils, their planning board or transportation board; for boards of county commissioners, the health board or the social services board. Information on school boards, economic development committees, public safety boards, mental health advisory commissions, and area agencies on aging also could be included as a way to inform citizens about services and about opportunities to participate in government);
- whom to contact on common concerns about land use, animal control, and areas of neighborhood conflict like noise, animals, and parking;
- what can and cannot be handled in a public meeting (that is, the limits for public discussion of personnel and legal issues).

Have a comment sheet available. Many people fear speaking in public.[8] A comment sheet circulated throughout the audience allows citizens to share their views without having to speak in front of a large group. The sheet can be useful for citizens who simply have questions for a board or the board's staff. It can also be used to solicit the citizens' views on specific topics.

The Institute of Government survey suggests that no North Carolina jurisdiction offers a general comment sheet. Example 1 shows a possible format. Many local governments have sign-up sheets that ask citizens

Example 1: Citizen Comment Sheet

Purpose: To allow citizens to share their views, complaints, or questions in written form. A citizens' comment sheet can be especially important when a group must designate a single spokesperson to address the board but individual citizens may have concerns that need attention.

City of Carolinaboro
Citizen Comment Sheet

Your question, comment, or criticism:

_____

_____

_____

Do you have a solution to propose?

_____

_____

_____

Do you want someone to contact you to address the problem?
___ Yes ___ No

If so, how should we contact you?
Name: _____
Address: _____
Telephone: _____
Best time to reach you: _____

Are there other government services you find confusing or think could be improved? Please describe.

_____

_____

_____

What has worked well in your contact with government agencies (for example, police, development, and health department)?

_____

_____

_____

to identify their concern and to indicate whether others have the same concern. Some jurisdictions have produced flyers describing a grievance procedure. For example, school boards provide a brochure that explains how problems between a parent and a teacher or a principal may be resolved. A comment sheet helps citizens who come to a board meeting as members of a group that can have only one or two spokespersons address the board. They can add relevant information or points that they feel are very important but were not sufficiently covered by their spokesperson(s). The sheet also can be useful for a citizen who merely wants to ask a question of the board or the staff. Since having to reply to these comments might become burdensome for the staff, perhaps a pilot period should be used to test the utility of the comment sheets.

The board should periodically assess whether its policies and practices on citizen participation are working well. Usually such an assessment happens only when a problem arises. A specific controversy may cause the board to evaluate its general procedures, but the controversy may unduly focus attention on one particularly troublesome meeting. Even when things are going well, regularly reviewing how citizens' input is dealt with can reveal new opportunities for more effective meetings.

During the Meeting

The following steps will help the board encourage public participation while moving meetings along smoothly. See pages 10–13 for ways of handling three difficult situations.

Identify which topics are of interest to which members of the audience. Many jurisdictions have either an advance-notice requirement for placing a citizen's concern on the board's agenda or a sign-up sheet for general comments. Still, if the audience is relatively small, it can be useful to ask citizens individually which agenda items are of interest to them, or to call for a show of hands on each item. The presiding official should confirm whether the interested people wish to speak or prefer to observe before deciding whether they want to comment. Quickly determining which topics are of interest to the audience will help the board structure the meeting and apportion time for public comment. At the beginning of the meeting, the audience should be told whether public comment will be taken during the board's discussion of a particular agenda item or at some other point in the meeting.

Announce the limits on public comment. If the agenda provides a specific time for public comment, the chair or another board member should open the period by describing what issues can and cannot be handled during this part of the meeting (for example, that personnel matters may not be discussed in public). Even if written material is available on how citizens should address the board, an oral summary of those rules by the presiding person will help set the tone. Citizens should be reminded of the available agendas, fact sheets about local government, and comment sheets for providing supplementary input to the board. Drawing attention to the comment sheet can be especially useful for gathering comments from a large group of citizens.

Estimate when topics of interest will be considered. If the board takes comments on agenda items one by one, it should estimate when the topic of interest to a particular group will be considered. Such an estimate will allow citizens to relax or leave the room, if necessary, without fearing that they will miss the discussion of their item.

Provide background information. For each topic, and especially for a subject clearly of interest to several people in the audience, the issues involved, the relevant information, and past actions regarding the matter should be summarized. Although such a review may be repetitive for board members, it can help citizens understand the context of the matter before the board. Citizens often say, "I never heard of this before. Why do you have to decide so quickly?" Summarizing how an issue or a problem came to the board's attention, what steps have been taken to investigate the situation, and what legal, budgetary, or practical requirements guide the board's judgment on the options may correct misinformation and provide a better basis for citizens to speak to the choices that the board can control.

This process can help improve the way information about the working of the board and important public issues is shared with concerned citizens. While public notice in a newspaper may be all that the law requires, placing information in libraries, community centers, grocery stores, or other locations frequented by citizens may be more effective. Radio announcements or call-in shows also may be useful.

Listen actively. So, after all this preparation and preliminary information, the first citizen begins to talk. The board members can sit back and relax, right? Yes and no. *How* they listen may be as important as what a citizen hears them say before or after his or her comment. Listening effectively can be difficult when board members want to review material or talk quietly with one another about the next item on the agenda.

Even quiet paper-shuffling could suggest that a board member is not listening or not taking the speaker's views seriously.

There are three facets to active listening:

1. Maintaining eye contact. This practice shows the listener's interest by focusing on the speaker. Staring is inappropriate, but catching the speaker's eye as she or he speaks communicates a great deal to that person.

2. Being aware of body posture. Although crossing one's arms may be comfortable or a natural reaction in a cold room, this gesture can imply disagreement with the speaker's views. Similarly, leaning back can imply a distant or judgmental stance toward what the citizen is saying. Such a posture may be more comfortable, but sitting squarely or leaning forward slightly will silently say, "I'm listening."

Nodding one's head is another nonverbal way of encouraging a speaker to continue. That gesture shows interest, but it can be misinterpreted. Although it is intended to mean "I am listening," some people might interpret the gesture as "I am agreeing with you [the speaker]."

3. Providing verbal feedback. In a busy meeting, the presiding person may prefer just to thank a speaker for her or his comment, ask whether other board members have a question or a comment for the speaker, and move on to the next speaker. If not every board member has understood the speaker's remarks . . . well, too bad: there are other things to do tonight. Unfortunately, such haste may undercut the effort to provide a constructive atmosphere for citizens' comments. Even if time is short, summarizing the speaker's comments and assuring the citizen that the board understands his or her position are important components of active listening, especially when board members may disagree with the speaker's views. The board chair could make the summary for each speaker, or this task could be rotated among the board members from meeting to meeting.

An effective summary includes the emotional dimension of a citizen's concern. (See Example 2.) Is the person frustrated, confused, angry, or upset? Acknowledging a speaker's emotions or values, in addition to the substance of what the person says, shows understanding of her or his complete message. The chair can summarize the speaker's emotions, even when he or she strongly disagrees with the substance of the remarks, by making it clear that the opinion expressed is the speaker's—for example, "So you feel that . . ." "You believe . . ." "Your view is that . . ." "How you see it is . . ."

It is sometimes difficult to judge which feelings a person is conveying in his or her statement. People show different levels of emotion and expressiveness depending on the situation, their personal traits, or their cultural background.[9] They can be angry and yet speak in a quiet, inexpressive voice—or they can shout and gesture. On the other hand, someone speaking loudly may simply be excited or unaware that his or her voice is raised. The summaries should try to acknowledge the speaker's emotions, but board members should be prepared to correct their impressions of a citizen's feelings or underlying concerns.[10]

Example 2: Summaries of a Speaker's Content and Emotion

MS. JORDAN, A CITIZEN:

"Thank you, Madam Chairman. I'm Dorinda Jordan. I live at 4522 Cool Spruce Avenue in the Tall Trees neighborhood. I'm really concerned about people speeding on my street. There are a lot of children in the neighborhood, and I think it's dangerous. All the time I see people racing up my street and barely missing my children and my neighbors' children on their bikes and skateboards. I think that having a police car along the road would slow people down. It wouldn't have to be there all the time, just during times when kids are out. This would make a big difference to me and my neighbors. I hope we can have greater police visibility to slow down those speeders and make our neighborhood safer. Thank you."

Three Possible Summaries

Summary 1: "Ms. Jordan, you want us to stop speeders in your area, but that means we have to decrease patrols in other parts of the city."

This is a poor summary because it is too brief and implies that satisfying the speaker's concern will hurt others.

Summary 2: "Ms. Jordan, your main concern is to increase police patrols in your neighborhood, the Tall Trees subdivision, and to slow down traffic passing through. Is this correct?"

This summary is better, but it does not capture the emotions behind Ms. Jordan's concern.

Summary 3: "Ms. Jordan, you're fearful that your child and other children could get hurt by drivers exceeding the speed limit in your neighborhood, the Tall Trees subdivision. So you are requesting increased police patrols to slow down the traffic. Is this correct?"

This summary is best because it reflects both the content and the emotion of Ms. Jordan's statement and is checked for accuracy.

Example 3: An Interim Summary of a Speaker's Concerns on Several Apparently Unrelated Topics

"Mr. Sampson, excuse me. I want to be sure I understand what you have said so far. You are concerned about trash collection, loose animals, loud noise from your neighbors, and spending on the new county jail. It seems that you are frustrated that this board and county employees have not done more to address problems you see in these areas. Is this right? Thanks. Please continue."

Be careful in saying what will be done about a concern or a complaint. A citizen who hears that the matter will be "investigated" can interpret that phrase as meaning that "the problem will be fixed." Occasionally it may be better to say not only what *will* be done but also what *will not* be done until more information is gathered, other people are contacted, or a particular deadline for the board passes. Of course, nothing should be promised that cannot be done with reasonable certainty.

It is equally important to be clear about *when* things will happen. "We'll get back to you" can mean different things. A citizen may expect a call in one or two days, while the board member may intend that a letter be sent or that the staff be allowed time to investigate the situation and provide a full response in a week or more.

When possible, the citizen should be directed to a neighborhood council, an advisory group, or a planning or budget process that is appropriate to the kind of comment or issue she or he raised. A comment sheet will allow citizens to get their views on paper and also to know whom to contact.

Thank each speaker for his or her views. This obvious courtesy is easy to forget when there are many speakers or when a speaker's comments are critical of the board. Showing appreciation for a citizen's views, especially when one or more board members may disagree with them, helps build credibility in the citizen's eyes.

After the Meeting

When the meeting is over, the board should clarify what follow-up steps are needed in responding to citizens' comments and who will respond. Even if it is the manager or a department head who replies to the concern, the board should be clear about when the response will be made and whether it wants a copy of any written reply. Follow-up steps could include contacting the citizen after she or he receives a written response or has talked with the appropriate official. Following up not only ensures that commitments are honored but also helps determine whether the citizen considers the response to be effective.

Handling Difficult Situations

The preceding guidelines will be useful at all times, but what about really tough situations like the following?

Situation 1: A speaker talks on multiple topics and continues past the formal or informal time limit.

Occasionally a speaker goes on and on and thereby causes a problem for the board, which has a whole agenda to get through. In such a situation, simply showing that the board has heard and understands the citizen's comments can sometimes help keep the comments focused and bring them to a close. The chair can always cut off a speaker, especially when a time limit has been announced, but doing so can upset the speaker. Other approaches should be tried before the chair uses that option, as follows:

1. Summarizing. (See Example 3.) If the speaker is talking about several topics, the chair can volunteer to summarize the points made so far. In general, a speaker should not be interrupted, but breaking in to summarize a rambling presentation is one way to show that the speaker is being heard. Sometimes it can also prompt the speaker to return to his or her most important point.

2. Clarifying what the speaker seeks. This task may be difficult, since the person's comments may range from complaints about situations beyond the board's jurisdiction to general criticism about government rules, spending, or responsiveness.

3. Acknowledging the person's goals and feelings. Even when the board disagrees with the speaker's opinion or argument or is unable to address the citizen's concern, recognizing the person's frustration, anger, or anxiety may help provide relief for someone with many apparently disconnected concerns.

4. Clarifying how a citizen can have her or his concern addressed. (See Example 4.) Individuals and groups often believe that it is entirely up to the board or its staff to solve the problems they bring before the board. But as the board clarifies what a speaker wants, it can suggest perhaps several ways of addressing the problem. Pointing out several options helps people

understand that their concerns have been heard and that they do indeed have influence.

5. "Reality-checking." When a speaker asks for a particular action, the board can help that person understand that it may not be able to grant the request by reminding him or her that there may well be serious objections from other citizens if it does so.

6. Reminding the speaker. The board should again state its time limits for public comment and (when appropriate) which matters can and cannot be discussed publicly. The speaker should be asked to understand the board's need to address other agenda topics or give other citizens a chance to speak.

7. Offering the speaker a way to be more involved. Perhaps the board can connect the speaker with a group—among the community's many formal and informal committees, task forces, neighborhood associations, and other organizations—that addresses at least one of the person's complaints.

But some speakers may still continue past the time limit, or repeat points, or bring up new topics. At that point, telling them they must stop is appropriate. Still, treating such people firmly but courteously shows respect for them and helps build confidence throughout the community in its local government boards.

Situation 2: A large group of people attend, express strong views and feelings, and demand action.

The presence of a large group of angry citizens can be stressful for board members. This kind of gathering can be anticipated when the issue is important, when the number of pre-meeting telephone calls increases, or when group leaders say they are organizing their supporters to attend the meeting and press their concerns. How should an agitated group like this be handled?

It is important to allow extra time at the meeting for this kind of situation. By reconsidering which business is essential and which agenda items it can handle quickly or defer, the board can sometimes revise the agenda to accommodate the group(s) of citizens who wish to share their views on an important issue.

One option is to allow a single speaker to address the full board, followed by small-group discussions with one or two board members in each group. When a single speaker presents the group's concerns before the full board and audience, everyone can hear the same general concerns and information. Often agitated citizens' groups gain some degree of satisfaction simply by venting their feelings in an official setting. The board can help to accommodate this desire by suggesting that the group have a few high-energy, articulate people speak on the group's behalf.

Example 4: A Way to Help a Citizen Consider More than One Solution
(drawing on the information in Example 2)

"Ms. Jordan, your concern is that people are driving too fast through your neighborhood and endangering children. Let me suggest some other possible ways to address your concern. One way could be to have police cruisers in the area at particular times, as you suggest. Another is for more visible crossing guards at either end of the street, since going and coming from school places the greatest number of children on the street. A third option would be to involve the Neighborhood Blockwatch group and ask parents and other adults to be on the sidewalk to watch the children at certain times of the day. A fourth option is to check with your neighbors to see whether there may be play space for the youngsters off the street. Another possibility is to have the transportation department check on traffic flow and see whether the timing of traffic signals around your neighborhood contributes to people driving too fast down your street. What do you think about these other possible solutions? Do you have other suggestions?"

The small-group approach has several advantages. Assigning a team of one or two board members to meet with each of several sets of citizens allows the board to hear from more people. This technique also promotes an informal give-and-take between board members and citizens that can be very productive. The conversation in these small groups should begin with the board member(s) listening and making sure that the group members all have a chance to express their views. The board member(s) should summarize the concerns and clarify those that are most important. Then they all can discuss whether the board needs other information in order to act, and they also can explore potential solutions. Finally, the full board should reconvene, with board members reporting on the concerns and the possible solutions discussed in the small groups. It is also appropriate at this time to raise whatever concerns board members have about the citizens' demands and how they relate to the legal, financial, or other constraints the board faces.

Depending on the specific situation (for example, what the nature of the issue is, who is affected, and whether the situation involves great risk), it may be necessary to agree on some short-term steps and schedule another meeting devoted solely to the problem. This meeting might take the form of a public

Example 5: Two Ways to Handle a Personal Attack

Scenario 1: Defend oneself and question the citizen.

MS. WILKES [A CITIZEN]:

You, Mr. Anson, you promised not to raise taxes. And then I read that you voted for an increase in the property tax rate. How do you explain such a lie?

MR. ANSON [A BOARD MEMBER]:

You may think we can raise or lower taxes at will. It's more complicated than that. We are in danger of losing accreditation for our schools. And we are squeezed because of the changes in the funding formula made in Raleigh. Now I don't like raising taxes, but in order to keep the school open, I thought a temporary one-cent increase was the best that could be expected.

CITIZEN WILKES:

But you *promised* not to increase taxes! What other promises are you going to break?

BOARD MEMBER ANSON:

That's unfair. Do you have a better idea? Of course not. You're just here to gripe and get attention. Your time is up.

Scenario 2: Pause, summarize, and encourage the citizen to consider other factors.

CITIZEN WILKES:

You, Mr. Anson, you promised not to raise taxes. And then I read that you voted for an increase in the property tax rate. How do you explain such a lie?

BOARD MEMBER ANSON:

Ms. Wilkes, I see that you are very upset with what you view as my changing my position on tax increases. I would be upset too if a politician promised one thing and did another, *if* there was no change in the circumstances of the pledge. Do you know why I and the majority of this board voted in favor of a temporary increase in the property tax?

CITIZEN WILKES:

No, and you bet I'm mad about your lie. You promised not to increase taxes! Do you deny this? What other promises are you going to break?

BOARD MEMBER ANSON:

Ms. Wilkes, you see my action as a flip-flop, right? And because of that change, you wonder if I'm going to change other positions. Is that right?

CITIZEN WILKES:

You're darn tootin', you slimeball.

MR. GARDNER [A BOARD MEMBER]:

Ms. Wilkes, expressing your views is fully accepted here, but insults are not.

BOARD MEMBER ANSON:

Ms. Wilkes, to be clear: you believe that I broke a promise about taxes, and you question whether I'll stick to other commitments. Let me say that while I'm willing to take the heat, I do not appreciate vulgar language. I'm trying to do my best in difficult circumstances. So I'm not asking you to change your views, but I'd like to see whether you are willing to hear more from me and other board members about the choices we faced between keeping the property tax at the same rate and having the schools possibly lose their accreditation because of their financial needs. I just want to be sure you understand the choices we faced, though you may still disagree with my vote.

hearing; it might lead to the formation of an advisory group; or it might result in some other approach.

Situation 3: A speaker verbally attacks or insults one or more board members.

Probably the most difficult situation a board member can face is a personal attack in a public setting. Sometimes the line between defending a policy or a decision and defending oneself is very thin. Personal attacks must be dealt with, but as constructively as possible. The presiding officer, while acknowledging the person's underlying concern, should tell the offending speaker that she or he has crossed the line of acceptable speech. Still, the board needs to remember that unless the person is using obscene language or "fighting words," the speaker's remarks attacking one or more board members, while uncomfortable to the board, are probably constitutionally protected free speech. (The legal limits on protected free speech will be examined in Part Two of this article.)

Five strategies can be helpful in this situation:

1. Taking a deep breath. This old piece of advice still makes good sense. Harsh personal criticism causes stress. Stress automatically causes the body to bring up its defenses. Muscles tighten, palms become sweaty, and breathing rate increases. These physiological changes are natural, understandable, and useful in preparing for fight or flight. But unless the speaker threatens physical harm and the board member actually wants to flee, the body's reaction may cause the board member's verbal response to be unnecessarily defensive. Taking the time to breathe deeply helps counteract the fight-or-flight syndrome and focuses attention on analyzing what the person is saying rather than on immediately defending oneself.

2. Summarizing. (See Example 5.) One way to disarm an upset person is to summarize his or her strong, critical views. The target board member will not agree with the speaker, but summarizing the remarks so as to reflect the depth and the strength of the speaker's feelings will help the board member control his or her own emotions. If possible, another board member should make the summary, for two reasons. First, the board member being criticized or attacked gains more time to prepare a response. Second, summarizing helps determine whether the attack arose from a perceived malfeasance on the part of the entire board or on the part of only one board member.

3. Asking for clarification. Agitated people often speak in generalizations: "You're all crooks!" "You don't listen to people!" Asking for specific examples may produce a more fruitful exchange than trying to reply to general statements.

4. Expressing one's own feelings. (See Example 5.) No one likes being attacked and put on the defensive, and the target board member should say so in a direct, controlled fashion. The reply may help the board refocus on how best to conduct the public's business.

5. Examining the speaker's main concerns. Setting aside the unpleasantness of the speaker's remarks, the board may want to explain its decision-making process if that process is relevant to the angry citizen's concerns. Finally, it may wish to consider whether to open the matter at issue for further discussion at this or a later meeting.

Summary

People on public boards—elected representatives in powerful city, county, and school positions and citizens who serve on less visible committees—face citizens' comments and criticism in many public meetings. Encouraging citizens to share their views in a constructive way helps rebuild trust in public institutions. Limited resources and state and federal rules may constrain what North Carolina local governments can do to respond to criticism and requests from their citizens. Part Two of this article will address the specifically legal concerns about free speech and acceptable ways to limit public comment. While much is being made about state and national efforts to regain civility in public affairs,[11] local government board members are on the front lines of improving civic engagement in their communities. Helping citizens—including harsh critics—feel welcomed and valued is an important way to create and maintain trust in public service and preserve its legitimacy.

Notes

1. This article concerns comment during the portions of public meetings that are not designated as public hearings. By "public meetings" we mean official gatherings of North

Carolina local government boards. Under the open meetings law, most official actions of such boards must take place in meetings that are open to the public; that is, anyone may attend and observe. But public meetings typically have a predetermined agenda that may or may not provide for comments from non–board members.

2. Many studies and analyses have probed citizens' alienation from government. Among them are Richard C. Harwood, *Citizens and Politics: A View from Main Street America* (Dayton, Ohio: The Kettering Foundation, 1991); David Mathews, "Putting the Public Back into Politics," *National Civic Review* 80, no. 4 (Fall 1991): 343–51; and William R. Potapchuk, "New Approaches to Citizen Participation: Building Consent," *National Civic Review* 80, no. 2 (Spring 1991): 158–68.

3. A 1996 study reported levels of confidence in government as follows: local government, 24 percent; state government, 19 percent; federal government, 16 percent. Frank Benest, "Serving Customers or Engaging Citizens: What Is the Future of Local Government?" *Public Management* 78, no. 2 (Feb. 1996): A-9.

4. Between 1990 and 1994, confidence in religious institutions fell from 57 percent to 40 percent; in voluntary groups, from 54 percent to 37 percent; and in local media, from 34 percent to 24 percent. Benest, "Serving Customers."

5. Margaret S. Carlson and Roger M. Schwarz, "What Do Citizens Really Want? Developing a Public-Sector Model of Service Quality," *Popular Government* 60 (Summer 1996): 26–33.

6. A practical resource that covers many aspects of public participation is James L. Creighton, *Involving Citizens in Community Decision-Making: A Guidebook* (Washington, D.C.: Program for Community Problem Solving, 1992).

7. We thank all of the local and state government officials who replied to our survey. Their materials have been added to the Institute of Government library.

8. David Wallenchinsky, Irving Wallace, and Amy Wallace, *The People's Almanac Presents The Book of Lists* (New York: William Morrow and Company, 1977), 469. Forty-one percent cited speaking before a group as their greatest fear; 32 percent said heights; 22 percent said financial problems; and 19 percent said death.

9. Thomas Kochman, *Black and White Styles in Conflict* (Chicago: University of Chicago Press, 1981). Kochman notes culturally different levels of comfort with emotion-filled speech, breaking in on speakers, and so on.

10. Although designed for training young people to be mediators, a useful checklist for listening effectively is "Are You an Effective Communicator?" in *Peer Mediation Conflict Resolution in Schools (Program Guide)*, by Fred Schrumpf, Donna Crawford, and H. Chu Usadel (Champaign, Ill.: Research Press, 1991), 55.

11. *See* Kevin Merida and Barbara Vobejda, "In Search of a Civil Society," *Washington Post National Weekly Edition* (Dec. 23, 1996–Jan. 5, 1997), 6.