

HANDBOOK OF BOARDS AND COMMISSIONS

The Metropolitan Government of Nashville and Davidson County relies on the participation of our citizens to contribute to the success of our city government through their service on Metro Boards and Commissions.

Types of Boards and Commissions

Metropolitan boards and commissions are created by the Metropolitan Charter, Metropolitan Code, or Executive Order. There are several types of boards and commissions:

- 1). Advisory: The role of an advisory board is to serve as advisers on policy matters or to offer expert advice in a particular field.
- 2). Policy Making: Policy board members are often responsible for directing a department/agency, approving budgets, or creating and implementing policy.
- 3). Quasi-Judicial Boards: These boards are given specific power through state law, the Metropolitan Code, or the Metropolitan Charter to hear individual cases and make decisions regarding permits and appeals.

Selection of Board or Commission Members

Board and commission members are appointed by the Mayor and confirmed by the Metropolitan Council. Potential board and commission members must fill out a questionnaire which is available on the Metropolitan Clerk's website (<http://www.nashville.gov/Metro-Clerk/Boards-and-Commissions/Questionnaire-for-Board-or-Commission.aspx>).

The appointee must then appear before the Metro Council Rules Committee for an interview and consideration by the Committee. The appointee is then presented to the full Metropolitan Council for approval by voice vote.

Board and commission members will be asked to complete cultural diversity and sexual harassment training provided by the Human Resource Department. The audio version of the training is available at the hyperlink found on the Metropolitan Clerk's Office website. Board and commission members can also use CDs provided to the board and commission representatives or attend classes taught by Human Resources.

What makes an effective board or commission member?

Each board and commission has a staff representative who is responsible for preparing the board and commission to conduct their business. Prior to each meeting, the board or commission member should be given an agenda and the materials that will be reviewed in the meeting.

An effective board or commission member:

- attends all meetings;
- arrives on time;
- has reviewed the materials prior to the board or commission meeting;
- is knowledgeable of the rules and regulations of his or her particular board or commission;
- is familiar with the Metropolitan Code provisions that address the subject matter and jurisdiction of the board or commission;
- communicates and participates in group discussions;
- listens to all the facts and asks questions before rendering an opinion;
- is familiar with the ethical standards of conduct; and

- does not allow personal feelings or agendas to interfere with their judgment regarding what is ultimately best for the city.

Organization

Boards and commissions have rules and regulations that define the duties and functions of the divisions, officers, and employees of the boards and commission.

(MCL Sec. 2.64.030)

The rules and regulations are filed with the Metropolitan Clerk's Office. (MCL Sec. 2.64.050)

Each board and commission will elect a chair and a vice-chair for a period of one year. The duties of secretary may be delegated to a staff member or one of its members. (MC Sec. 11.105)

Robert's Rules of Order will be used to conduct the business of the board or commission. Please refer to the resource page.

Quorum

The majority of the membership shall constitute quorum. (MC Sec. 11.103)

Open Meetings

Boards and commissions must hold meetings in buildings owned by the Metropolitan government. All meetings are open to the public. (MCL Sec. 2.68.010)

Each board and commission must provide the public adequate public notice of the date, time, location, and the agenda for the meeting.

Board and commission members must be knowledgeable regarding the Tennessee Open Meetings Act (T.C.A. Sec. 8-44-101 thru 8-44-111) also known as the Sunshine Law. This law is triggered whenever two or more members have a substantive discussion of any matter which is pending before that body or may be considered by that body in the future. Chance meetings, phone calls, or electronic communications (such as emails, text message, Facebook postings or messages, Tweets, Tumbler, Instagram, MySpace, etc.) between two or more board or commission members may not be used to circumvent the spirit of the Open Meetings Act. T. C. A 8-44-102(c) Any action taken at a meeting that was called with insufficient notice will be nullified. T.C.A. Sec. 8-44-105

Rules of Ethical Conduct and Conflicts of Interest

Mayoral Executive Order No. 007 states that Metropolitan boards and commissions as agents of government shall operate under the highest levels of "honesty, integrity, impartiality, and conduct." Board and commissions members must avoid misconduct and conflicts of interest when conducting the city's business. The following are situations that might result in the appearance of impropriety:

1. using a public office for private gain;
2. giving preferential treatment to any person;
3. impeding government efficiency or economy;
4. losing complete independence or impartiality;
5. making a Metropolitan Government decision outside of official channels; or
6. adversely affecting the confidence of the public in the integrity of the Metropolitan Government.

Executive Order No. 007 (1)a-f.

If a board or commission member has questions regarding ethics, he/she should consult the Department of Law or the agency department head for guidance. Each department or agency may adopt additional ethical guidelines. These guidelines may not be less stringent.

At the time of application potential board and commission members will be asked to read a document regarding the Standards of Conduct expected of its employees and Board and Commission members. The Standards of Conduct are consistent with the requirements included both in Executive Order 007 and Chapter 2.222 of the Metropolitan Code. Conduct of a board or commission member will be reviewed by the Board of Ethical Conduct should there be a complaint by a citizen that qualifies as an issue to be considered by the Board of Ethical Conduct.

Appeal Process

Each board or commission shall make an announcement at the beginning of the public meeting informing the public of how they may appeal the decision reached by the board or commission. (M.C.L. Sec. 2.68.030)

Legal Counsel

The Department of Law serves as the Legal Counsel to the City and its Departments, Boards and Commissions. These lawyers advise these boards and commissions on how to fulfill their duties lawfully, issue legal opinions requested by the boards or commissions, and defend legal actions that may be brought as a result of action by or against the boards or commissions.

Contact Information of Board and Commission Members

Board or commission members are required by MCL Section 2.64.055 to provide the Metropolitan Clerk a valid home, business or mobile telephone number for publication on the Nashville.gov website. If there is a change in phone number, the board or commission member shall notify the Metropolitan Clerk.

Metropolitan Government Structure

The citizens of Metropolitan Government of Nashville and Davidson County are served by the Metropolitan Council, the Mayor, and other elected officials.

The Metropolitan Council is comprised of forty elected members. Thirty-five members represent districts. Five at-large members are elected countywide by popular vote. The Vice Mayor is elected by countywide election and serves as the President of the Council.

The Mayor is elected every four years by the voters of Davidson County. Under the Metropolitan Charter, the Mayor is authorized to administer, supervise and control all departments (except those expressly set out by law). (MC Sec. 5.03)

Both the Mayor and Council are limited to two consecutive terms of four years each. Both are elected in nonpartisan elections.

Finally, the citizens of Davidson County elect the Board of Education, Assessor of Property, County Clerk, Register of Deeds, Trustee, Juvenile Court Clerk, Circuit Court Clerk, Criminal Court Clerk, Sheriff, District Attorney General, Public Defender, General Session Court Judges, Chancery Court Judges, Circuit and Criminal Court Judges, and Juvenile Court Judge.