

# MAINSTREETNOW

The Journal of The National Main Street Center | WINTER 2015

# TEAM BUILDING



**A GAME PLAN FOR TEAM MAIN STREET**

**National Main Streets Conference** | Atlanta, Georgia | March 30-April 2, 2015

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# MAINSTREETNOW

*Main Street Now* is published as a benefit of membership in the National Main Street Network, a membership program of the National Main Street Center, Inc., a subsidiary of the National Trust for Historic Preservation. For information on how to join the National Main Street Network, please visit [www.preservationnation.org/main-street/join/](http://www.preservationnation.org/main-street/join/).

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## National Main Street Center, Inc.

Patrice Frey  
*President and CEO, NMSC*

### EDITORIAL STAFF:

Linda S. Glisson  
*Managing Editor*

Rachel Bowdon  
*Editor and Content and  
Education Manager, NMSC*

DESIGN:  
*Frank. Strategic Marketing*

### CONTACT:

TELEPHONE: 312-939-5547 ext.37234

EMAIL: [mainstreet@savingplaces.org](mailto:mainstreet@savingplaces.org)

WEBSITE: [www.mainstreet.org](http://www.mainstreet.org)

### SOCIAL MEDIA:

TWITTER: [NatlMainStreet](https://twitter.com/NatlMainStreet)

FACEBOOK: [www.facebook.com/  
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## National Trust for Historic Preservation

Stephanie Meeks  
*President*

David J. Brown  
*Executive Vice President and  
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**The National Main Street Center** inspires and enables the building of economically vibrant and enduring communities and commercial districts through investment in their historic and distinctive places.



# A BAKER'S DOZEN



Debunking  
Myths about  
Main Street  
Boards



BY  
Donna Ann Harris  
CMSM  
Heritage Consulting, Inc.



Myths take many forms. They present a preferred reality, one that is often far removed from our daily existence. Myths can be presented as positive or negative, such as “a popular belief or tradition that has grown up around something or someone” or “an unfounded or false notion.”<sup>1</sup>

In my work with Main Street towns throughout the country, I am constantly amazed at the many outright myths about board service, fundraising, and committee activities that still exist in Main Street organizations. Bound up in this confusion are some mistaken notions about the relative activities of the local Main Street board and staff.

One of the Main Street movement’s great strengths is that it empowers local townspeople to make noticeable changes in their downtowns. For many Main Street board members, this is the first time they have served on a nonprofit board and if they aren’t familiar with your state’s chartered nonprofit board legal and fiduciary duties, it can be a serious problem. The common myths and “urban legends” discussed in this article can take hold very easily because so many Main Street board members have no prior training in board service.

The national Main Street movement has codified basic aspects of a local program’s organizational structure. These include the creation of four committees, formation of a nonprofit board of directors or an independent committee of an already existing organization with its own budget and oversight, and paid staff. However, the job of interpreting and training local programs on each state’s nonprofit laws and Main Street board roles and responsibilities has been left to the state, county, and citywide coordinating programs.

<sup>1</sup> <http://www.merriam-webster.com/dictionary/myth?show=0&t=1371134682>

This article describes and debunks 13 of the worst board myths I have uncovered over the years. It is designed to spark discussion in local Main Street board rooms and promote best practices for nonprofit board service.

## BOARD SERVICE

As part of a state-chartered nonprofit corporation, board members have three basic legal duties: duty of care, duty of loyalty, and duty of obedience. **Board Source™**, a national nonprofit organization whose mission is to advance the public good by building exceptional nonprofit boards and inspiring board service, defines these three duties:

- The **duty of care** describes the level of competence expected of a board member and is commonly expressed as the duty of “care that an ordinarily prudent person would exercise



in a like position and under similar circumstances.” This means that a board member has the duty to exercise reasonable care when he or she makes a decision as a steward of the organization.

- The **duty of loyalty** is a standard of faithfulness: a board member must give undivided allegiance when making decisions affecting the organization. An individual can never use information obtained as a board member for personal gain; he or she must always act in the best interests of the organization.
- The **duty of obedience** requires board members to be faithful to the organization's mission. They are not permitted to act in a way that is inconsistent with the central goals of the organization. A basis for this rule lies in the public's trust that the organization will manage donated funds to fulfill its mission.<sup>2</sup>

<sup>2</sup> Bruce R. Hopkins, *Legal Responsibilities of Nonprofit Boards* (BoardSource 2003). Used with permission from [www.boardsource.org](http://www.boardsource.org). For more information about BoardSource, visit [www.boardsource.org](http://www.boardsource.org) or call 800-883-6262. BoardSource © 2013. Content may not be reproduced or used for any purpose other than that which is specifically requested without written permission from BoardSource.

Use a formal training program to teach your Main Street board members about their responsibilities as soon as they are nominated. Many states, through their Attorney General's office or state charities registration office, have excellent literature that explains what it means to be on the board of a state-chartered nonprofit organization.<sup>3</sup> Other states have excellent statewide nonprofit service organizations that provide training and literature about nonprofit and charitable board service.<sup>4</sup> Main Street executive directors should familiarize themselves with their state's nonprofit legislation to understand the basic expectations for board members.

If your Main Street organization is a Downtown Development Authority (DDA) or a Business Improvement District (BID), the state enabling legislation will identify the specific roles and responsibilities of board members of those organizations. The focus of this article is on state-chartered nonprofit corporations. Your city, county, or state coordinating program can help you locate appropriate materials to educate board members about their duties and responsibilities. Coordinating program staff may also be able to attend one of your board meetings to provide Main Street board training.

The following common Main Street board myths are divided into three sections: serving on the board, raising funds, and working with the program and committees. Let's hope that your board does not believe any of these!



**MYTH 1**

**“All I have to do is show up for an hour a month at a board meeting.”**

**BEST PRACTICE:** Make sure board members understand their legal duties as nonprofit board members and have them sign an agreement.

Showing up at meetings is only a small part of a board member's responsibilities. This myth runs contrary to the board member's duty of care. Board members can affirmatively exercise this duty by reviewing the board packet before attending a meeting; reading the board minutes for accuracy; participating actively at board meetings; gathering adequate information before making decisions; and examining alternatives when a major decision looms. Expect your board members to read and understand the organization's bylaws. They should make sure the board adopts and adheres to the policies they create,

<sup>3</sup> Many states produce legal handbooks for nonprofit organizations. Here are two examples: <http://www.minnesotanonprofits.org/nonprofit-resources/nonprofit-legal-handbook> and <http://www.attorneygeneral.gov/uploadedFiles/Consumers/nonprofitbooklet.pdf>.

<sup>4</sup> The Foundation Center has collected all the statewide nonprofit service organizations in each state. See the list here: <http://foundationcenter.org/gainknowledge/map/start-up-associations.html>. The Minnesota Council on Nonprofits has an especially helpful web site with a variety of sample documents and helpful hints that would be useful to anyone in the nation: <http://www.minnesotanonprofits.org/>

including policies on conflict of interest. Clearly, showing up at a board meeting for an hour a month does not provide enough time to attend to the business of the organization. ■



## MYTH 2

“I don’t have to read the minutes, the financial statement, or audit (if we have one). Other board members do a fine job explaining them at the board meeting.”

**BEST PRACTICE:** At least once a year, the treasurer, auditor, insurance agent, and accountant (CPA) should review their reports at a board meeting to ensure common understanding.

As part of their duty of care, board members need to read, understand, and question materials sent to them. For example, if board members (or staff) do not understand the financial statements or an audit, encourage them to speak up!

In order to judge the program’s financial performance, board members must understand the organization’s financial statements even if they have little or no financial background. Have your treasurer, accountant, or bookkeeper review the financial statement in plain language, at least once yearly, so that every board and staff member knows which line items offer key information about the organization’s financial position. When board members know what to look for in the financial statement, they can ask better questions and better serve the board as fiduciaries of the organization’s assets.

Board members should rely on the advice given to them by the professionals they hire. The organization’s CPA or auditor should review the audit and any management letter before the board approves them each year. Another good practice is to ask the insurance agent(s) that writes the officers and directors policy (I hope you have this insurance!), as well as the general liability policy or fidelity bond, to make a brief report. The agent should explain what these policies do and do not cover so board members are fully informed about the organization’s risk management.

Reports by the treasurer, auditor, CPA, and insurance agent should take no more than an hour each at board meetings over the course of the year. Board members need to be fully informed about the program’s insurance policies and the money they are entrusted to spend to fulfill the organization’s mission. ■





### MYTH 3

“When I come to board meetings, I vote to support my own family and personal business interests.”

**BEST PRACTICE:** Individual board members should act in the best interest of the organization, not in their own interest.

Many Main Street programs ask representatives of other organizations to serve on their boards to get input from a diverse range of downtown stakeholders. This is one of the great strengths of a local Main Street program. However, a Main Street board member must give undivided allegiance to the Main Street organization when making decisions affecting the program. They must not act to serve their own best interest or that of other organizations they represent. The board, as a whole, must act in the best interest of the corporation.

Occasionally, this duty may be at odds with a board member’s personal financial situation or the finances of other organization(s) they represent. Board members must never use information obtained via their position for their own personal gain. If there is a real or perceived conflict of interest, the board member in question should follow the organization’s conflict of interest policy (You have one right?) and recuse him or herself from decision making, The board member should not participate in the discussions or the vote and should leave the room during these activities.<sup>5</sup>

The minutes of the meeting should note the recusal actions taken by the board member who has a real or perceived conflict of interest. See [a sample of a conflict of interest policy](#) recommended by the Internal Revenue Service.<sup>6</sup> Another best practice is to require board members to sign an annual conflict of interest statement that says they have read the conflict of interest policy, understand it, and will abide by it.

The [Donor’s Forum](#) in Illinois offers a whole set of nonprofit policies that your board should consider enacting, including a conflict of interest policy. See them here. The [Solution Center](#) of the Main Street Center website also has several articles about conflict of interest, access these by using your member log in. ■

5 The IRS conflict of interest policy is located on page 25 of the instructions for filing IRS form 1023. This version is for hospitals but it can be easily adapted to other nonprofit organizations. Also see *The Main Street Board Member’s Handbook, Second Edition*, pages 33-35 about dealing with conflict of interest in your downtown organization.

6 The IRS highly encourages nonprofits to have conflict of interest policies in place and will ask if the board follows them. These questions appear on the IRS 990 EZ or IRS 990 form.





MYTH 4

“I can talk to the press anytime about what goes on at board meetings.”

**BEST PRACTICE:** The board should identify a spokesperson and draft a policy about board interactions with the press.

The boardroom needs to be a place where candid discussions can take place and differences of opinion can be aired safely and confidentially. However, once the board members have reached a decision and are ready to share it with the public, the board should speak with one voice. Even if they disagree with the decision, board members are expected to support it as part of the duty of loyalty.

Your board may wish to institute an agreed-upon communications policy that identifies the press spokesperson for the organization—either the board president or the executive director, whichever is appropriate for your organization. The policy should state that all questions from reporters

should be directed to the spokesperson with a polite “I am sorry I cannot answer. Our spokesperson will answer your questions.”

If a board member contacts reporters to leak information or complain about board activities, the board president, as a peer, should meet personally with the offending individual and remind him or her of the board’s press communication policy. The board president should explain the consequences of additional inappropriate behavior, as outlined in the bylaws. Finally, the executive director should be bound by the communications policy as well; he or she should not voice an opinion to the press unless it is consistent with board decisions. ■



MYTH 5

“The executive director takes the minutes at the board meetings. That’s the way we’ve always done it.”

**BEST PRACTICE:** Review your bylaws about the role of the secretary of the organization and insist that this officer take the minutes.

The board secretary is responsible for taking minutes at board meetings, even if the executive director has taken them for years. This bad habit should stop.<sup>7</sup> Have the board president discuss this with the secretary and explain that it is that officer's responsibility to prepare the minutes.<sup>8</sup> If the secretary is too busy, ask another board member to take on this role at the next meeting or create an assistant secretary position in your bylaws and assign that person the task of taking minutes. ■

All Main Street board members need basic information to carry out their duties as overseers of state-chartered nonprofit organizations. Yearly board turnover is a fact for most local Main Street programs. New board members arrive each year, some with plenty of nonprofit board experience, some with none. Everyone needs to have the baseline expectations explained in detail.

Board training is critical every year because the Main Street Approach<sup>®</sup> has a fundamentally different position on the executive director's role in fundraising than other nonprofits (see page 40). Main Street programs rely on a working board and highly functioning volunteer committees. Newcomers to the board need to understand these key differences. Current members should also receive regular training to refresh their knowledge of board roles and responsibilities. Board training is also important for new executive directors because it reinforces their own understanding about the relationship of staff to the board.

Another way to provide new members with information about the board's role is to create orientation packets or binders containing all current organizational documents. (A sample list of contents for a board orientation binder is included at the end of this article, page 47.) The executive director and a board member should conduct a brief review of the binder with all new board members before their training and first board meeting. ■



**BEST PRACTICE:** Train board members on their roles and responsibilities annually, because, on average, a third of the board turns over each year.

7 *The Main Street Board Member Handbook, Second Edition.* National Trust Main Street Center, Washington DC: 2003, pg. 23.

8 *Revitalizing Main Street, A Practitioner's Guide to Comprehensive Commercial District Revitalization,* National Trust Main Street Center, Washington DC: 2009, pg. 31.

## THE BOARD'S ROLE IN FUNDRAISING

Perhaps the most problematic tug of war between the board and the executive director concerns responsibility for fundraising. Here are five myths on this topic.



### MYTH 7

“The Main Street executive director raises all the money.”

**BEST PRACTICE:** The Main Street executive director should assist the board with the administrative aspects of fundraising.

Kennedy Smith in her chapter on fundraising in *Revitalizing Main Street, A Practitioner's Guide to Comprehensive Commercial District Revitalization*, puts it simply:

“Raising money is a fundamental responsibility of the organization's board of directors. If a staff person is given primary responsibility for raising the money to cover his or her salary—fundraising and not Main Street revitalization—will become that individual's primary interest. Staff should help with some of the administrative aspects of funding, but leave the rest to the board.”<sup>9</sup>

Untrained board members who are uncomfortable with fundraising will insist that the executive director should be solely responsible for raising money. This is clearly an abdication of the board's authority. In Main Street revitalization, there is an important but subtle distinction about the executive director's role in fundraising: the director *assists, but does not lead* fundraising efforts. The board is responsible for maintaining a well-funded organization.

The board may delegate implementation of fundraising activities to various committees if it so chooses. The organization committee might handle membership and fundraising events. The design and economic restructuring committees could raise funds from grants or sponsorship, subject to the annual board-approved work plans. Events organized by the promotion committee should break even. In some cases, these events may have fundraising components or raise revenue from sponsorship, vendor fees, or admission tickets.

The only time the executive director should take the lead in fundraising is for grant-funded projects, to assure that the

<sup>9</sup> Kennedy Smith in *Revitalizing Main Street, A Practitioner's Guide to Comprehensive Commercial District Revitalization*, National Trust Main Street Center, Washington DC: 2009, pg. 38.

highly regulated reporting and accounting requirements are completed.

However, it all comes back to the board members. They must be the leaders in fundraising. ■



**MYTH 8**

**“I give my time to the organization. I don’t have to give money too!”**

**BEST PRACTICE:** Every board member should be expected to make a gift to the organization each year.

All board members should be expected to support the organization with both their time *and* money. This kind of misunderstanding is most typical in the early years of a revitalization effort when board members are, unfortunately, recruiting other board members without much knowledge of the Main Street Approach<sup>®</sup>. All board members of a nonprofit

Main Street program should be expected to make a cash gift to the organization. In 501c3 organizations, community members look to those most invested in the organization—the board—to show commitment to the enterprise before investing themselves. The board president, not the executive director, should discuss donations with each member once a year since a gift should be part of their board service.

Another best practice is to draw up a Board Member Agreement that everyone signs each year. This agreement should spell out all the expectations for board members, including their board gift. The Main Street Solution Center has several examples, here is one (use your member log in).

I have encountered only a few local Main Street organizations that expect board members to contribute a specific amount—after all, Main Street is a community-based organization, not the opera! Most local revitalization organizations are happy with any gift, no matter the size of the check, as long as every board member makes a donation.

Main Street organizations that are BIDs or DDAs may not have specific requirements for board gifts or fundraising expectations; and this should be clearly communicated to any board member nominated by the mayor and city council, according to the state’s BID or DDA law. Of course, any voluntary donation from these BID or DDA board members will be most appreciated! ■



MYTH 9

"Oh, I couldn't possibly raise money." A variation is: "I'm terrible at fundraising!"

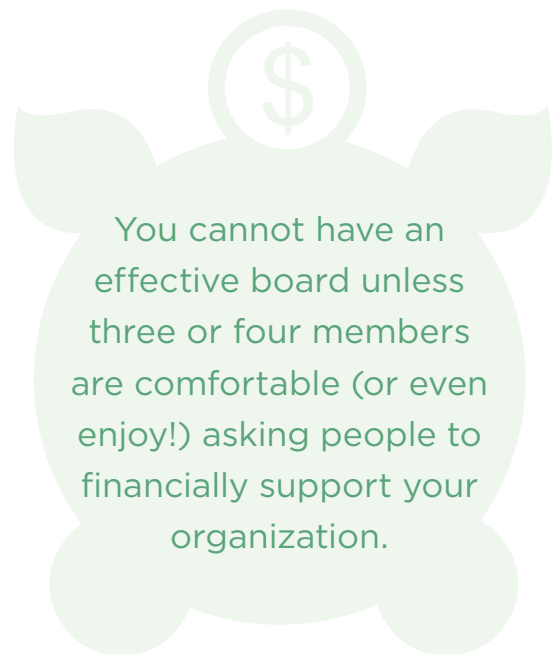
**BEST PRACTICE:** Every board member can do something to raise funds.

Every board member should be involved in some aspect of the larger fundraising process because raising money involves more than making a one-on-one request for funds. Fundraising is a large enterprise that encompasses prosaic activities, such as cleaning up your mailing list and adding names to the e-blast list. Fundraising activities also include public relations, such as speaking to service organizations and clubs in town about Main Street's great projects, writing articles for your newsletter, or updating your Facebook page. In this vein, virtually everyone on the board can do something and should be expected to work hard to support the

overall fundraising effort, based on their particular skills and abilities.

Community activist Hildy Gottlieb first explored the notion of "friend raising," not fundraising, in an article, "Boards & Fundraising: Why Board Members Don't Want to Do It and What They Can Do Instead."<sup>10</sup> This article outlines how you can turn even the most reluctant board member into an enthusiastic worker for downtown fundraising efforts.

You cannot have an effective board unless three or four members are comfortable (or even enjoy!) asking people to financially support your organization. If the Main Street board literally has no one who can regularly be relied upon to meet with potential donors, make finding at least two new board members who are comfortable asking for money your top priority for the next board vacancies. ■



<sup>10</sup> [http://www.help4nonprofits.com/NPLibrary/NP\\_Bd\\_FriendRaising-EngagingFriends\\_Art.htm](http://www.help4nonprofits.com/NPLibrary/NP_Bd_FriendRaising-EngagingFriends_Art.htm).

## THE BOARD'S ROLE IN PROJECT AND COMMITTEE WORK

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There is probably nothing more demoralizing for volunteers and staff than to hold an event and have no board members show up. Volunteers feel unappreciated when they spend hundreds of hours on an event and the leadership of the organization makes no effort to attend. Here are some myths that you can squash with the help of your board president.



**MYTH 10**

**“I sit on the board so I don’t have to go to events or participate in projects”**

**BEST PRACTICE:** Make it clear that board members need to participate in most, if not all, of your fundraising and special events.

Expectations for board involvement in committee work needs to be spelled out in writing for board members when they are nominated and before they join the board. These rules need to be enforced by the board president, along with his or her peers, not by the executive director. A well-crafted board commitment form will make it clear that every board member must participate in events and projects. Here are two samples from the Main Street Solution Center: a [board commitment form from the Washington State Main Street program](#) and a [form from the Pennsylvania Downtown Center](#).







### MYTH 11

“At the end of the event, it’s okay to just go home; all the clean-up details take care of themselves!”

**BEST PRACTICE:** Create incentives for the “ugly jobs” at your big events.

We all know what happens at the end of an event: the executive director and a couple of volunteers—often family members!—are stuck loading the trash bags into the Public Works dump truck at 10:00 p.m. Vow to give up this task by creating incentives for volunteers who serve only on the “Clean Team” that works at the end of the event. Give top billing to “Clean Team” members in all event publicity: shower these volunteers with the most praise, best perks, special (white!) shirts, and highest honors at the event. Make it really special and exclusive to be on the “Clean Team.”

If creating high-quality perks in your town just doesn’t work, and you don’t have funds to pay for a clean-up crew, consider recruiting school clubs or teams to tackle these ugly jobs. Create a highly compelling reason for them to participate, such as giving their team an

exclusive fundraising opportunity at another event, along with recognition and a photo in the local paper as a special thank you. Consider whether community service hours for school projects or local judicial community service programs might be another source of help for end-of-event clean ups. ■



### MYTH 12

“Committees make to-do lists for the director, right?”

**BEST PRACTICE:** Help the executive director stop taking on committee work.

If committee members are dumping work on the executive director, stop it now by revisiting the work plan and committee member involvement. The executive director’s workload should not continue to grow by picking up committee tasks. Some Main Street directors—you know who you are!—just cannot say “no” to a volunteer. In the hope of preventing burn out, I urge any “dumped-on” executive director to have a frank conversation



with the board president and explain what is happening. The board president, as the director's day-to-day supervisor, should talk with committee chairs about this bad habit. The board should then make specific plans to find additional volunteers to handle the tasks being given to the executive director.

Strong work plans will place responsibility on committee members to implement projects. While the director attends all committee meetings, he or she does not implement the committee's work. If volunteers are giving the executive director lists of things to accomplish, the board president should deliver a strong message discouraging this practice at the next board meeting.<sup>11</sup> ■



**MYTH 13**

“We don’t need to talk to our business owners to get them engaged in the Main Street program; that’s why we have a Main Street executive director.”

**BEST PRACTICE:** Board and committee members should be walking-talking advocates for your local Main Street program, all the time and every day.

Advocating for the Main Street program includes chatting with downtown merchants and property owners.<sup>12</sup> All board members shop or visit downtown at some point every month; at the very least, they can ask merchants how business is doing or whether they enjoyed or participated in a recent event. In making these informal inquiries, board or committee members may get an earful from particularly disgruntled business owners, and these complaints should go to the executive director promptly. Most business owners, however, will be glad to talk about their business and experiences. Keeping up to date with the owners of their favorite shops helps involve board members in the continuing work of revitalizing the commercial district. ■

## FOLLOWING THE MAIN STREET WAY

The board myths in this article should be exposed and debunked by your board if they surface, even today, some 30 years after the Main Street movement began. These 13 bad habits are contrary to good board practice and the long-established Main Street “Way.”

Help prevent the problems that arise from these myths from creeping into your organization as executive directors and board members change from year to year. Read up on good board practices; and learn from your state, citywide, or county coordinating program about policies and procedures you should put in place today to help your board function at peak capacity tomorrow.

<sup>11</sup> *The Main Street Board Member's Handbook*, Second Edition, pg. 54.

<sup>12</sup> *Ibid.*, pg. 31.

# BOARD COMMITMENT FORM

**Create a board commitment document** to share with prospective board members **BEFORE** they agree to be nominated. This board commitment document should detail a board member’s specific responsibilities, including time required and financial obligations. The document should clearly outline expectations and cover at a minimum:

- 1 Any bylaw provision concerning attendance at board meetings. Include the dates of all board meetings, describe what is considered an excused absence, and include a number to call if a board member cannot teleconference into a meeting.<sup>13</sup>
- 2 Making an annual board gift that they consider generous (your program may specify an amount or not). If your program is a DDA or BID, this might not be appropriate.<sup>14</sup>
- 3 A list of all anticipated fundraising events and activities, and key special events where attendance is expected.

- 4 Requirement to serve on one committee and a list of the attendance requirements for committee meetings.
- 5 Attendance at all board planning retreats.
- 6 Attendance at training programs offered by various national and state, city, or county coordinating programs.
- 7 Responsibility to act in the best interests of the organization and requirement to excuse oneself from discussion and votes if there is a conflict of interest.
- 8 Need to stay informed about what is going on by asking questions and requesting information. All board members will participate in, and take responsibility for, making decisions on issues, policies, and other board matters.
- 9 Responsibility to work in good faith with staff and other board members as partners to achieve the Main Street organization’s goals.

You might want to discuss how board members will resolve any conflicts they see between these expectations and the realities of board service. Most often, conflicts should be resolved through a conversation with the board president or executive committee.

Each board member should sign this board commitment form every year, along with the board president. A copy should be kept in the board member’s file in the Main Street office.

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<sup>13</sup> If your bylaws permit board members to participate in board meetings via conference telephone.  
<sup>14</sup> The Mayor with approval of City Council often appoints board members of DDAs or BIDs. There may be no expectation in the organization’s bylaws that these board members make charitable contributions to the organization. If so, make this clear. However, for most Main Street organizations organized as 501c3 organizations, board gifts are a critical revenue source.

# MAIN STREET BOARD ORIENTATION BINDER

## Here are suggested contents for a Main Street Board Orientation Binder:

1. Complete bylaws with all amendments;
2. Current approved organizational budget;
3. Current approved work plans for all committees;
4. Most recent financial statement;
5. Minutes of three or four recent board meetings;
6. Most recent IRS 990 form;
7. Annual reports filed with Attorney General, Secretary of State, or other state entity (if there is one);
8. Most recent annual report published by the organization (if there is one);
9. Current list of board members, with affiliations;
10. Executive director's job description and a brief biography, along with names and titles of other staff;
11. Organizational chart if the organization is part of another entity; and
12. Long-term strategic plan (if there is one).

*Donna Ann Harris, CMSM, is the principal of Heritage Consulting, Inc. Based in Philadelphia, Heritage Consulting practices downtown and commercial district revitalization, historic preservation, heritage tourism, and nonprofit organizational development. This is Donna's sixth feature article for Main Street Now. She can be reached at [donna@heritageconsultinginc.com](mailto:donna@heritageconsultinginc.com).*

*The author thanks the following people who read drafts of this article or submitted board myths to debunk from the Main Street List Serve: Mary Ellen Hern, Beth Cowe-Rowe, Beth Anne MacDonald, Luther Flurry, Kathy Bailey, Megan McGowan, Jennifer Marvel, Moira Nadal, Diane Williams, Judy Tighe, Kate Otto, Robbie Grady and Kelly Larson.*

## Individual Main Street board members should:

- Serve on one committee.
- Attend as many board meetings as possible—call in to the meeting if you cannot attend in person.
- Attend and support most Main Street and third-party events held downtown.
- Financially support the organization.
- Represent board positions without bias.
- Refrain from talking to the press.
- Attend Main Street 101 training.
- Attend board training when offered.
- Attend the National Main Streets Conference.
- Network with merchants, property owners, and other stakeholders.
- Present updates at city council meetings as appropriate.

*Don't miss Donna's sessions at the Main Streets Conference.*

**X Catalyzing Change: What really works in urban commercial corridors?**

Panel discussion with Joane Celestin and Terrine Dates both of the City of Philadelphia Commerce Department.

**X Best Practices for Revitalizing Older Suburban Retail Districts—Crash Course**

with Karen P. Cilurso, AICP, PP, Delaware Valley Regional Planning Commission