

# HOW TO NAVIGATE DIFFICULT SITUATIONS WITH BOARD MEMBERS AND STAFF

A brief discussion of the reasons behind the growing tension between professional managers, their staff and the governmental boards they service and an outline of possible actions that can be taken to address the issues.

## I. CHANGES IN LOCAL POLITICS OVER THE LAST 50 YEARS

### A. Demographic and Social Shifts Need to Be Understood

1. Increased diversity: Significant migration has led to more racially and ethnically diverse urban populations, impacting local politics at a neighborhood level.

2. Evolving electorate: The electorate has become more diverse, with a decline in religious affiliation among voters, who have increasingly aligned with the Democratic party, while a growing segment of religious voters has become more Republican.

3. Geographic differences: Demographic changes have not occurred uniformly, with faster shifts in coastal and border states compared to the Midwest and other regions.

### B. Impact of Social Media

1. Resource Constraints: Effective social media management requires dedicated staff, time, and training, which can strain already tight local government budgets and human resources.

2. Misinformation and Rumors: The speed at which information spreads on social media also means that rumors and false information can circulate quickly, requiring proactive monitoring and correction by local officials.

3. **Policy and Legal Compliance:** Government social media content is considered a public record and is subject to record retention laws and public records requests. This necessitates having clear policies and archiving software in place to ensure compliance.

4. **Navigating Public Opinion and Criticism:** Government agencies must be prepared to handle criticism and negative comments while remaining professional and staying on message. There is a potential risk of public relations crises if online interactions are not handled appropriately.

5. **Digital Divide:** While social media has broad reach, not all citizens have equal internet access or digital literacy, which means traditional communication channels cannot be entirely abandoned to ensure inclusivity.

### **C. Conflicts Between Professional Management and Elected Officials**

Conflict between elected officials and professional staff in local government is a common challenge that arises primarily from ambiguous roles, differing priorities (political vs. technical), and power struggles. These conflicts can significantly hinder effective governance, delay crucial community services, and erode public trust. Common Causes of Conflict include:

1. **Unclear Roles and Responsibilities:** A lack of clarity between the policymaking role of elected officials and the administrative/management role of professional staff (like city managers or department heads) is a primary source of tension.

2. **Differing Priorities:** Elected officials often focus on immediate, politically popular issues and campaign promises, while professional staff prioritize long-term, fact-based solutions and consistent service delivery across the community.

3. **Council Member Interference (Crossing the Line):** Individual council members may bypass the city manager and give direct directives to staff, undercutting the manager's authority and creating confusion and conflicting orders for employees.

4. **Micromanagement:** Elected officials sometimes delve into day-to-day administrative details that are the responsibility of the professional staff, rather than focusing on high-level policy and community goals.

5. **Resource and Budget Disputes:** Disagreements over budget allocations and resource distribution, especially when council sets general priorities but then individual members push for separate, unbudgeted projects, put pressure on staff and finances.

6. **Communication Breakdowns:** Ineffective communication channels, a lack of transparency, or staff feeling unable to speak up in meetings can lead to misunderstandings and frustration.

7. **Conflicts of Interest:** Actual or perceived conflicts of interest involving personal financial gain or nepotism on the part of officials can severely damage relationships and trust with impartial professional staff.

#### **D. Impact of these Conflicts**

1. **Delayed Decision Making:** High levels of conflict impede the ability of the governing body to make informed and timely decisions, leading to stagnation on important community projects.

2. **Reduced Public Trust:** When disputes become public or hinder service delivery, citizen confidence in the local government erodes.

3. **Wasted Resources:** Duplication of work (e.g., when officials conduct their own research on issues professional staff have already studied) wastes time and taxpayer money.

4. **Staff Turnover:** A toxic work environment with power struggles and a lack of respect can lead to low morale and high turnover among professional staff.

## II. STRATEGIES FOR MANAGEMENT AND RESOLUTION

- A. **Establish Clear Roles:** Local government codes and rules should explicitly define the roles of elected officials (policymaking) and professional staff (administration/implementation).
- B. **Open and Respectful Communication:** Foster an environment where all parties can communicate openly and respectfully, with ground rules for interactions in public meetings and private discussions.
- C. **Mediation and Neutral Facilitation:** Use a neutral third party (internal or external) to facilitate discussions, especially when conflicts are deeply entrenched, to ensure all sides are heard and understood.
- D. **Focus on Common Goals:** Remind all stakeholders of the shared objective: the welfare and progress of the community.
- E. **Provide Training:** Offer conflict resolution, ethics, and emotional intelligence training to both elected officials and staff to equip them with the skills to handle disagreements constructively.
- F. **Develop Clear Procedures:** Establish formal procedures for handling concerns and complaints, ensuring they go through the proper channels (e.g., a council member with an issue speaks to the city manager privately, not the staff person).
- G. **Document Decisions:** Keep written records of decisions, roles, and responsibilities to avoid future misunderstandings.
- H. **Lead by Example:** Leaders should model calm, professional, and ethical behavior, as their conduct sets the tone for the entire organization.

### **III. KEEP BLOOD PRESSURE DOWN AND KEEP MOVING FORWARD**

To clarify roles between elected officials and staff, a local government should focus on establishing clear legal frameworks, providing ongoing training, defining communication protocols, and fostering a culture of mutual respect and shared goals.

#### **A. Formalizing Roles and Responsibilities**

1. **Review and Codify Roles:** Explicitly define the distinct roles of the governing body (policymaking, goal-setting, budget approval) and the professional staff (day-to-day administration, policy implementation, service delivery) in the local charter, municipal code, or administrative policies.
2. **Establish the Chief Executive's Authority:** Clearly state that the mayor or city manager/chief administrative officer has the authority to hire, fire, and supervise all staff members.
3. **Formalize Interaction Protocols:** Adopt formal procedures or "ground rules" that mandate all official council-staff communication regarding operations or individual performance go through the city manager, rather than individual council members directing staff.

#### **B. Training and Orientation**

1. **Mandatory Orientation:** Provide comprehensive orientation programs for newly elected officials that cover their roles, responsibilities, the legal framework of the government, ethical conduct, and established communication protocols.
2. **Continuous Learning:** Offer ongoing training and professional development opportunities for both officials and staff on topics such as conflict resolution, effective decision-making, and the nuances of the representative versus trustee roles.

3. Joint Training Sessions: Conduct periodic joint workshops or retreats with the governing body and senior staff to review roles, discuss priorities, and build understanding and trust in a neutral setting.

**C. Enhancing Communication and Collaboration**

1. Create Systems for Constituent Concerns: Implement an efficient system where elected officials can refer constituent concerns to the appropriate staff for action, while still receiving credit for the resolution. This prevents officials from feeling the need to ombudsman the issue themselves.
2. Link Daily Work to Strategic Goals: Ensure that all agenda items and staff reports explicitly reference the council's adopted strategic plans and long-range goals. This reinforces that the daily work is a direct implementation of the governing body's policy direction.
3. Establish Clear Performance Evaluation Processes: Define a meaningful process for the governing body to evaluate the performance of the city manager or chief executive, ensuring accountability for the administration's performance.
4. Model Respectful Behavior: Encourage leaders to model calm, professional, and ethical behavior, fostering an environment where all parties can engage in constructive debate without public criticism of individuals.
5. Seek Legal Counsel: When roles are unclear in a specific situation, seek formal legal advice from the agency's attorney to clarify authorities and responsibilities based on the applicable state and local laws.

**IV. SPECIFIC EXAMPLES OF CONFLICT AND ETHICAL QUESTIONS**

- A. **The Rogue Supervisor** – This is the person that has her own agenda and believes that when elected her role is to straighten out the County. She uses her personal

Blog and Facebook page to explain to the public what is wrong with the administrative staff pointing out their incompetence. She has no real support on the Board but there are several other anti-government types that are on her bandwagon. She is constantly coming in to the office demanding documents and screaming about conspiracies. Most of the Board including the Chair want nothing to do with her. Now she has begun an open records campaign followed by complaints to the state and local DA that you should be prosecuted for open record violations.

- B. **The Incompetent Elected Official** – Tommy Terrific is loved by everyone. He is Mr. Community service and now he has run for and is elected County Treasurer. He has no idea what the job involves but he won the election and now you have to deal with him. The Chair of the Finance Committee has told you as the manager it is your problem not his and that he expects the work product to be correct and complete. Internal staff are ready to quit because they are constantly correcting things that the new Treasurer puts out on the County Web page and things he says at Board meetings regarding the budget and expenses. The final straw is that he insists that he must personally sign every check and that he will do that on Friday mornings only. He also has told the local press that he has uncovered an unauthorized withdrawal of several thousand dollars and suggested that you or your office are responsible. He says this because he saw a memo on your desk when he came in one day when you were not there about checks that were written to you and other staff members. In reality these were legitimate reimbursements but he is now claiming that your claims are a cover up.
- C. **The Power Play** – The newly elected Board Chair has asked you to hire his daughter to work in the finance office where there is an opening. He has indicated that you are not to tell anyone about this. You say no and he responds that you will regret taking that position. He begins a campaign of undermining you with the Supervisors. He purposely withholds mail and then swears that he had given it to you but that

you are so incompetent that you must have lost it. He goes to one of your senior deputies and tells her that she should gather dirt on you and if she does she will have your job because you will definitely be fired.

D. **Pushing Board member(s)** - Two Committee Chairs from the County Board

Committee direct you to include a closed session on the agenda, but the topic does not meet the allowances for an exemption from open meetings. When you send them, the statutory language listing the exemptions and request that they provide the specific statutory exemption and language for the notice. They tell you that this is your job not theirs and that you had better get it done they are tired of your condescending attitude. You go to Corporation Counsel for help and she tells you that the Committee Chairs have the right to ask for a Closed Session and that you had better figure out language that will work to meet their needs.

E. **The Legal Scholar** - Board member attends a police/fire commission meeting and when the commission goes into closed session, the board member ushers him/herself in... even though the commission is not a body under the board and the board has no authority. When reminded that the board has no authority over the commission, he/she becomes agitated and “corrects” you, saying the board members have authority and oversight over every committee of the organization.