

Understanding the Roles and Responsibilities of the Elected Official

By Peter Letzmann

Well, you got elected to office—now what? As a public official in Michigan accepts the office, the following oath is taken: “I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of...according to the best of my ability.” Most of us understand the requirements of the U.S. and Michigan Constitutions, but we may not be familiar with the duties that we swore to faithfully discharge.

It’s been over 28 years since the first edition of this article, when I first provided a checklist to be utilized by public officials before beginning the voyage. I have made hundreds of presentations discussing the roles and responsibilities of elected officials using this article. From the feedback provided by the audiences and an additional 28 years of local government law practice, I offer this revision.

This, by no means is a complete or comprehensive list, but an assembly of frequently occurring challenges, to which you should add and assign priorities as you see fit. Remember, being a public official is hard work and requires discipline. Showing up is half the job, but in this case that is not enough. Now the check list.

First, do no harm. Inattentiveness, neglect, retribution, incompetence, malice, slothfulness, distractions, dishonesty, are all to be avoided.

Know the Requirements of the Law and Best Practices

- Understand and follow, especially: your charter, ordinances, local rules, applicable state and federal laws, and the Constitutions of the U.S. and Michigan. The municipality’s attorney can be a resource.
- Keep up to date. Educate yourself. Go to conferences, read, and just learn. (Check the Michigan Municipal League website and *The Review* for training opportunities.)
- Respect the “separation of power.” There is an identifiable difference between the legislative and the executive functions. Know them, respect them, and operate in your capacity only.



- Do your homework. Read and familiarize yourself with the meeting materials, the issues to be decided, and the background of the issues.
- Be confident in the use of electronic devices.
- Understand how to “surf the net.” Make the Internet, with its far reaching search and speed capabilities, part of your research—but view the information with the appropriate skepticism.

Public Meetings and Public Hearings

- Familiarize yourself with the meeting rules of procedure, including parliamentary procedure.
- Engage in clear communications. Especially important is communications at meetings and with appointees and staff. Communicate in a manner that is simple and straightforward; that there are no misunderstandings. Sometimes the purpose of the communication is not only to debate but to educate.
- Ask questions. Don’t make decisions without having the facts and understanding. Test the opinions of others.
- Allow for appropriate “input” from all. Public comment is required at all public meetings.

Understand the Finances

- Approve the budget. Based on the financial history, projections for the future and the revenues, adopt a budget that best addresses the requirements of law and the needs of the community.
- Have a “rainy-day” fund. Unexpected expenses should be expected.
- Provide for major expenditures by utilizing a “sinking fund.”
- Have a clear understanding of borrowing. Bonds are one method; have a full understanding of the procedures and implications, especially for future budgets.

Working as a Body

- Be a leader among equals. Set the example. Speak up and take a stance for good government, while being part of the team.
- Avoid sandbagging. Don't set up your colleagues or staff to make yourself look good.
- Don't make promises that you cannot keep. Respond with "we'll look into that" rather than "we will fix it."
- Remember you only speak for yourself and not the whole council.
- Learn to build consensus. It's a group effort, even if the law does not always require it. Listen. Avoid alienating your colleagues; build congeniality.
- Work as a body. Policymaking bodies function as a body; that is, they take action by the rule of the majority. The individual is generally powerless.

Making a Decision

- Be familiar with the history, demographics, and the hope and dreams of your community.
- Calculate your proposed actions. In light of past experiences, current circumstances, and future hopes, dreams, and goals, what is the wise thing to do?
- Develop a long-term strategic plan. Include vision (long term), mission (short term), values, and goals of the municipality, the council, and the manager. Avoid just focusing on the short-term fixes.
- Utilize critical thinking—the objective analysis and evaluation of an issue in order to form a judgment.
- Be cautious of special interests. Remember the Constitutional "equal protection;" that is, everyone, not only the "squeaky wheel," gets attention.
- Make objective decisions. The decisions, based on all of the facts, are to be made in the best interest of the community, not an individual or an individual group. That is a fiduciary duty; a legal duty to act solely in the community's interests.

Purchasing and Spending

- Establish and follow a purchasing procedure, including bidding and avoiding conflicts of interest. Delegate the small purchases and approve the major purchases.
- Be aware of what a legitimate expense is and what is an illegal expenditure.

Appointees, Employees, and Officials

- Hire, retain, and compensate appointees. With the assistance of professionals, the selection, the periodic evaluation, and the appropriate compensation is one of the most important duties. And, if it becomes necessary, the dismissal of the appointee should be done properly and without delay.
- Be a morale booster. Encourage the employees, members of the boards and committees, and the volunteers. Acknowledge and thank them for their work. Discipline and criticism is the role of the executive.

Participation, Recruitment, and Succession

- Encourage public attendance and participation at council meetings to create an interest in government, especially among the young. Coordinate with high school civics and university public administration classes.
- Promote applications for positions on the municipality's boards, committees, and commissions.
- Select the best appointees for the boards, committees, and commissions. Not only do they make important decisions and recommendations, but the boards, committees, and commissions are frequently the training ground for new elected officials.

Ethics and Integrity

- Act ethically. Establish a code of ethics and insure that it is enforced equally and against all. Set the example for the rest of your local government and the community. Be like Caesar's wife: not only do no wrong, but don't give the appearance of wrongdoing.
- Respect the democratic process. Follow not only the letter of the law, but the spirit and the intent of the law.
- Do not misuse the public's property, employees, and resources.
- Do not bypass the system, nor permit others to do so.

Accountability

- Take inventory. From time to time, meet with your colleagues to make sure you are still on track to meet council's goals and acting within your values.
- Take responsibility for your actions; don't blame others for your mistakes.

Transparency and Privacy

- Decisions are to be made in public. The Open Meetings

Act and most charters require that most decisions be made in the open. The public has a right to know and there are penalties for violations.

- Keep the confidential information confidential. Improper disclosure may have severe consequences and needless embarrassment.

Evaluation of Services and Appointees

- Be the conduit of complaints, even the anonymous ones. Take complaints willingly, and forward them to the executive department, or proper agency, for resolution. Response to the citizen is essential.
- Periodically evaluate the appointees. Base the evaluation on previously established goals, using objective standards and provide constructive feedback.

Intergovernmental Relations and Cooperation

- Network and work with other governmental and non-governmental agencies. You can learn from others and seek out ways to collaborate.
- Federal, state, and county officials can be helpful and the source of revenues, if they know the needs of your community.

Image of the Community:

- Project enthusiasm and optimism. It's not always easy, especially during difficult times. Smile. Remember that no one wants to work with a whiner and complainer.
- Establish a good relationship with the media. They will find the bad and embarrassing news; don't try and hide it. Tell them the good news, quickly and give them a photo if you have one. You are a public relations agent for the municipality, at all times.
- Work at earning the respect and trust of the public. At all times, officially or unofficially, act, speak, and appear in a manner that does no besmirch the office or your character.

This is my random list of duties and responsibilities (to which you may add your own), and is to be shared with others. I would appreciate feedback so that I may enhance futures lists. Finally, ask yourself, "if good government does not begin with me, with whom will it begin; and, if good government does not begin today, when will it begin?"

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