

## DEPARTMENTS

# Ethics Inquiries

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## The Intrusive Elected Official

**Scenario:** The county board of supervisors has been in constant turmoil since a recent election, evenly split on most policy issues and requiring frequent votes by the chair to break ties. The newly elected faction on the board has been negative about the county government. To complicate matters, a county resident has filed a harassment complaint against one of the supervisors in this faction, which the county administrator promptly turned over to the sheriff's department to investigate. Furthermore, some citizens have questioned whether this same supervisor was qualified to run for election because of questions over his residency.

In addition, two other newly elected supervisors have prompted complaints from staff: one is suspected of providing confidential information to a group that has sued the city; the other came into county offices and went through the personal effects on a staff member's desk, tried to intercept telephone calls to staff, and went through mail in the staff's in-box.

The county administrator is struggling to balance her obligations to protect staff, her need to respond to media questions about the newly elected officials, and her personal frustration about dealing with such difficult dynamics on the board of supervisors. She is especially troubled about the negative comments about staff and the role of government.

**Response:** One mark of a professional is how that individual deals with such trying circumstances. Some principles in the ICMA Code of Ethics may help the county administrator maintain her professionalism in dealing with the board, staff, and community: open communication, seeking to improve the quality and image of public service, and handling any problems on the basis of fairness and justice.

Regardless of her frustration, she needs to keep her focus on any actions that may be improper or illegal, rather than on individual personalities and inappropriate comments. She will want to continue to treat all members of the governing body equally and impartially, even though she has had to refer at least one complaint to another authority to investigate.

One way in which she can demonstrate her policy of open communication with the board is to address any concerns she has about the way individual supervisors are treating staff by talking about these concerns at a regular board meeting, in executive session. The county attorney can be helpful by reviewing the board's obligations to maintain confidentiality when there is a sensitive matter such as a pending lawsuit.

Likewise, the attorney can review with the county its legal liability risks regarding potential employee complaints about personal harassment, or employees' inability to do their jobs. The county administrator can remind supervisors to let her know of any

concerns about employee performance so she can discipline employees when necessary. She may want to use the framework of the ICMA Code of Ethics to reinforce her professional obligations to the board, staff, and community.