

Managing Contentious Situations

In recent years, as municipal budgets have tightened, so have the household budgets of their citizens. Media reports about rising fuel and health insurance costs are constant. As a result, it seems that citizens' patience at the "front desk" and during public meetings has decreased as tax rates have increased.

At the Front Desk

One measure of this shift in civility may be the number of irate citizens that municipal officials and employees encounter each day. As public service employees, one of our most challenging issues is providing civil customer service to an irate resident. What we say and do in this situation accelerates or decelerates the confrontation.

What is an employee to do? Diplomacy must rule! Don't:

- Take the bait by getting angry yourself.
- Take anything that is said personally.
- Try to immediately convince the person that what he or she is saying is incorrect.
- Smile. (You may be accused of not taking the complainant's comments seriously).
- Offer instant solutions. Instead, reserve the right to respond after you have evaluated and researched the concern.
- Let body language send the wrong signals to the citizen. For example, avoid nodding affirmatively, crossing your arms in front of your body, raising your eyebrows, etc.

Do:

- Let the person speak without interruptions.
- Actively listen; take notes.
- Ask clarifying questions at the appropriate time.
- Remember to thank the person for bringing this matter to your attention.
- Remember that it is his or her town – we are temporary custodians of the shareholders' (citizens') assets.
- Conclude the conversation by stating when and by whom a response to the concern will be made.

Even with these best practices in place, if you are one of the few Vermont municipalities with a police department, you may wish to install a silent alarm from the town office to the department's dispatcher. Alternatively, or in addition, you might establish a protocol that your receptionist or other front-line staff can use to call in back-up and warn nearby staff of a dangerous situation. (*Editor's Note: VLCT Loss Control Consultants can offer sample protocols and more specific advice in this area to VLCT PACIF members.*)

During a Public Meeting

Most of the advice listed above also pertains to citizen participation in public board or commission meetings. However, because there is often more than one citizen who wishes to participate in the discussion at these meetings, you should be familiar with your board's rules of procedure for managing public comment and the Vermont Open Meeting Law's section on the public's right to express its opinion.

We'll start with some general advice from VLCT Municipal Assistance Center (MAC) Attorney Jim Barlow: "Selectboard members need to remember that selectboard meetings are meetings *in* the public, not meetings *of* the public." This distinction between regular board or commission meetings and meetings of the public (such as town meeting) permits a board to adopt rules of procedure that accommodate citizen participation *and* allow it to get its work done. These rules are very helpful when a group of upset citizens crowds into your meeting room! (Town meetings and quasi-judicial/public hearings follow their own, specific rules or laws and are not covered here.)

The Vermont Open Meeting Law states:

At an open meeting the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson. This subsection shall not apply to quasi-judicial proceedings. 1 V.S.A. § 312(h)

Boards balance the public's right to express its opinion with their need to accomplish their business in a civil atmosphere by adopting formal rules of procedure. The Municipal Assistance Center's model rules have two provisions on managing public comment:

At the beginning of each selectboard meeting, there shall be ___ minutes afforded for open public comment. By [unanimous/two-thirds/majority] vote, the selectboard may increase the time for open public comment and may adjust the agenda items and times accordingly.

and

Public comment on issues discussed by the selectboard, if not offered during the open public comment period, may be offered during the meeting with the permission of the chair. Such comment, if permitted, shall be limited to ___ minutes, unless by [unanimous/two thirds/majority] vote, the selectboard increases the time for public comment.

For the majority of public board or commission meetings, the flexibility afforded by these rules would allow even a spirited public discussion of town issues and leave everyone with the satisfaction of being heard. But, if the "front desk" pointers listed above –

coupled with a refresher on the rules of the meeting – don't defuse a particularly contentious situation, board members do have a few options.

According to Attorney Barlow, "the chair can remind the attendees that they are acting outside the rules of the meeting, that they have been afforded their full opportunity to participate, and that the board's objective is to complete the business of the town. If the interruptions continue, the board can recess the meeting until folks can get themselves under control, or end the meeting and take the matter up at a later time."

To remain calm when faced with heated comments from a citizen is always a great New Year's resolution to make. Good luck!

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