

## TOWNSHIP TRUSTEES AS POLICYMAKERS AND LEGISLATORS

People who study legislative bodies usually describe the legislative function in terms of three main duties:

- ◆ Legislative oversight; looking into the affairs of the administrative agencies to make sure the work is being done;
- ◆ Enacting laws that regulate administrative agencies and authorize or require agencies or citizens to do or refrain from doing certain things; and
- ◆ Serving the constituency by listening to voters, bringing voters' needs to the attention of the administrative agencies, and making sure the constituents are getting their due from the government.

We agree with this classification of duties, but also describe the legislative function as one of evaluating and criticizing proposals for change. Individual legislators sometimes generate proposals of their own, but for the most part others make the proposals – administrators, citizen groups, or corporations. The task of the legislator is to take these proposals through the policy and political process, making sure the various affected groups and interests have their say about the suggestions.

The entire township board participates in this task, but it is especially the job of the trustees. Trustees are perhaps better suited to this role than the other township board members because the legislature has not delegated specific duties to trustees. They may thus be more objective about the legislative task than the officers who wear both legislative and administrative hats. The officers may find it difficult to evaluate critically and objectively their own proposals or even those that their administrative colleagues make.

Township trustees may also find their responsibilities difficult because in many townships the officers outnumber them. In townships with four trustees, trustees constitute a board majority, of course, but only if they all see eye-to-eye on issues. In addition, township trustees may find it difficult to be as knowledgeable as the officers, partly because trustees typically spend less time on township business. Hence they are somewhat at the mercy of administrators who usually have more expertise in their administrative areas. (This is a common dilemma for legislative bodies and probably accounts in part for the large staff of state legislatures.)

Another problem for trustees in carrying out their legislative roles is their relatively low profile. Seldom do trustees “make the news.” Citizens, therefore, may not know them very well and may not call on them very often for constituent services. We would not be surprised if some trustees felt they were being left out of township business much of the time.

In order to counteract the “left-out” feeling, some township boards assign trustees specific departmental responsibilities, for example, being the board contact person for the fire department or ambulance service. While this strategy may involve trustees in township business to a greater extent, it affects negatively their ability to carry out the legislative role because they too, tend to lose their objectivity about the department for which they are responsible.

Townships that follow the plan of assigning trustees departmental responsibilities are, by design or otherwise, creating a commission form of organization – an organizational pattern that gives each board member management responsibility for a department. The commission form originated in Galveston, Texas, following a devastating hurricane in 1900. As an emergency measure, five businessmen were chosen to restore order and supervise the reconstruction of the community. Together they constituted the city council but individually had responsibility for administering a department.

The plan, intended to be temporary, became permanent and spread rapidly to cities across the nation. Within less than 20 years, however, cities began to drop the approach because it did not provide for adequate legislative evaluation. Individual commissioners became reluctant to raise questions about departments headed by other commissioners for fear of retaliation. “Logrolling” or mutual back-scratching became the rule. Townships that give trustees extensive departmental administrative or managerial duties run the same risk today.

### **STRENGTHENING THE LEGISLATIVE ROLE OF TRUSTEES**

Given the inherent difficulties of the trustee position, can anything be done to improve the legislative effectiveness of the position? Magic formulas are difficult to find but some steps may be available for township boards.

The first step, perhaps, is to make sure that trustees and other board members understand the “legislator’s” responsibility to monitor administrative actions for compliance with existing policy and law and to evaluate the policies and practices to ensure that they serve the public well. Trustees and other board members, then, have a duty to be policy initiators. Many of us are reluctant to point out flaws in other people’s good ideas – to look for reasons or express doubts why this or that will not work – but unless “township legislators” see critical examination of proposals as central to their task, they may not be doing their job of policy making as effectively as they might.

Second, township boards can strengthen the legislative role of trustees by having them serve regularly as chairpersons of board committees. This will encourage them to become knowledgeable about specific township matters without involving them administratively. Administrative officers on the township board may have more specific knowledge about a committee’s assignment, but not be in the best position to evaluate and criticize proposals coming before the committee. The officers may be proponents of various actions but the trustees should insist that they make their case before the committees and the entire board as well as the public.

A third suggestion is to depend more on written reports to the board and less on spoken remarks. The supervisor, clerk, and treasurer in many townships may discuss a variety of matters on a daily basis and exchange information informally. Trustees are often left out of these discussions and do not have opportunity to contribute their insights before a decision takes final form.

A final suggestion is to enable trustees to gain a spot in the limelight from time to time. This is not for the purpose of bolstering their egos but to permit the public to come to know and recognize them better. With more public visibility, township

trustees may find that citizens will call on them more. Trustees will thus have additional reasons for inquiring into the issues facing township government.

### **Four Trustees or Two?**

Should townships that qualify for four trustees have that many, or should they continue with just two? The voters, of course, decide this question,<sup>57</sup> but we suspect that the township officers may influence voters in one direction or other. What are some of the considerations involved in this decision?

Perhaps the most important consideration is effectiveness of the legislative role – that part we discussed as belonging particularly to township trustees. In terms of fulfilling the role of strong critique and evaluation, four would be more effective than two. Evaluating and criticizing proposals are not easy tasks. It takes a great deal of insight and ability to generate alternative ideas. Raising questions and discussing various responses is usually the process by which we refine proposals. This is a significant burden for only two people. Four trustees together can probably think of more of the questions that ought to be raised. Elected officials, of course, may not like having their proposals challenged. But we think it is better to have a proposal undergo such questioning before adoption rather than dealing with embarrassing errors and weaknesses after the fact.

In terms of representing the constituency, again, four trustees could do the job better than two, especially in townships where the population substantially exceeds the minimum requirement. In lightly populated townships, of course, this may not be necessary. But note that having four trustees does not assure better representation because the trustees are elected at large rather than from districts – they may all represent just one section of the township. Another consideration may be costs, but the additional salary of two trustees does not seem significant for most Michigan townships. Of course, in some townships the role of the trustees may not be very well developed or the workload of the board so light that two additional trustees may simply be redundant.

Finally, township leaders emerge from a number of paths. Some have been members of a neighborhood association or other social, political, or economic group in the township. Others surface by serving on a planning or zoning commission or some other board or committee. Having four trustee positions broadens the opportunity for citizen involvement.