

**2019 Clerks Certification Institute
Agenda
October 21-25, 2019**

Monday, October 21, 2019
Class Location: Room 2601

9:00-10:00 **Registration**

10:00-12:00 **Changing Technology in the Clerk's Office**

Shannon H. Tufts, Associate Professor of Public Law and Government and Director, Center for Public Technology, UNC School of Government

Description: This session will focus on the emerging technologies impacting clerks' offices. There will be a strong focus on social media and its usage, legal and political considerations, and employee usage considerations.

Objectives:

1. Participants will be able to identify 2-3 emerging technology trends which may be applicable to their work environment.
2. Participants will be familiar with the common social media applications used by governments and able to determine the appropriateness of each application to their work environment.
3. Participants will have a basic understanding of the political and legal complexities associated with social media, particularly as related to public records laws and retention.
5. Participants will be able to identify specific employee conduct issues related to social media use and when the government can legally curtail employee behavior in online forums.

12:00-12:45 Lunch

12:45-2:45 **Changing Technology in the Clerk's Office (continued)**

2:45-3:00 Break

3:00-4:45 **Motivating Without Money**

Willow S. Jacobson, Associate Professor of Public Administration and Government and Director, LGFCU Fellows Program, UNC School of Government

Description: Times are tough. Many cities and counties are deferring annual salary and merit increases and still asking people to "do more with less". What can you do to maintain your staff's morale during these difficult times? How can you create a culture that encourages people and creates a positive working environment for all? This session will explore practical ideas you can use in your organization.

Objectives: Clerks will:

1. Be able to identify people's different motivational bases;
2. Be able to identify tools and strategies to improve morale; and
3. Leave class with a tool and techniques to help recognize and reward others.

Tuesday, October 22, 2019
Class Location: Room 2601

8:00-9:15 **Think Fast! . . . Or Maybe Not**

Dona G. Lewandowski, Lecturer of Public Law and Government, UNC School of Government

Description: Our incredible human brains are constantly switching from thinking fast to thinking slow. Both ways of thinking have incredible advantages – and disadvantages – depending on the circumstances. We can become more deliberate in our thinking and make better decisions by learning more about how these two ways of processing operate in our daily lives and how we can more consciously control that operation.

Objectives:

1. Be able to describe and illustrate with examples from daily life the benefits and drawbacks of fast and slow thinking.
2. List risk factors increasing the tendency to rely on fast thinking even when slow thinking is a better tool.
3. Explain the relationship between fast thinking and common cognitive distortions, including explicit and implicit bias.
4. Identify specific strategies for recognizing and responding to situations in which slow thinking is a more effective or appropriate response.

9:15-9:30 Break

9:30-10:45 **Economic Development**

C. Tyler Mulligan, Associate Professor of Public Law and Government, UNC School of Government

Description: North Carolina statutes grant broad powers to local governments for the purpose of conducting economic development activities, including offering location and expansion incentives to businesses. In the case of incentives, where public funds are used for or granted to private entities, the law imposes additional requirements: special procedures for approval, public purpose considerations, and separate rules for public records and open meetings. Municipal clerks play an important role in the process, ranging from walking boards through the procedures to taking minutes in closed sessions. This session will explain the legal requirements about which clerks should be aware.

Reading Assignments: Read Chapter 13, “Financing and Public-Private Partnerships for Community Economic Development,” in Introduction to Local Government Finance (2d Edition). Also review previous sessions in the course on the topics of public purpose, open meetings, and public records.

Objectives:

1. Review statutory authority of local governments to conduct economic development activities
2. Apply rules for public records and open meetings
3. Explain public purpose considerations and special procedures for economic development incentives
4. Compare community development statutes with economic development statutes

10:45-11:00 Break

11:00 – 12:00 **Resilience**

Shannon W. Tufts, Associate Professor of Public Law and Government and Director,
Center for Public Technology, UNC School of Government

Description: Workplace stress is at an all-time high. We are facing a pandemic of medical stress-related illnesses due to our toxic individual and organizational environments. This session will give you the tools to reduce your stress, focus and prioritize your energy, and hopefully transform you into a more productive, more positive contributor in all areas of your life.

Objectives: Clerks will:

1. Recognize the signs of information overload and burn-out;
2. Be able to identify personal areas of low performance related to the four dimensions of a healthy being;
3. Be able to identify tools and strategies to actively improve areas of low performance; and
4. Leave class with a tool to help assess their stress and energy sources on a continual basis.

12:00-12:45 Lunch

12:45-3:15 **Resilience (continued)**

3:15-3:30 Break

3:30-5:00 **Public Notices: Review & Practice Problems**

Trey Allen

Description: A number of statutes subject certain local government actions to notice requirements beyond those found in the open meetings law. Clerks are often the officials directly responsible for seeing that these extra notice requirements are satisfied. This session will review some of more common notice provisions and reinforce clerks' understanding of them through a series of practice problems that will require clerks to examine the text of relevant statutes.

Objectives: Clerks will be able to:

1. Identify the precise statutory provisions relevant to notice problems and
2. Use the provisions to identify the notice mandated in a given situation.

Wednesday, October 23, 2019
Classroom 2601

- 8:30-10:30 **Open Meetings: Review & Practice Problems**
Trey Allen, Assistant Professor of Public Law and Government, UNC School of Government
Description: Ensuring that public bodies provide the necessary notice for official meetings is a critical part of a clerk's job. This session will review some of the important legal rules applicable to such notices and reinforce clerks' understanding of them through a series of practice problems that will require clerks to examine the text of the open meetings law and related statutes.
Objectives: Clerks will be able to:
1. Identify the precise statutory provisions relevant to different open meetings questions and
2. Apply a basic understanding of open meetings law provisions to questions regarding official meetings of public bodies.
- 10:30-10:45 Break
- 10:45-12:00 **Drafting Ordinances – Writing What You Mean and Meaning What You Write**
Norma Houston, Lecturer in Public Law and Government, UNC School of Government
Description: Clerks often take the lead in drafting ordinances for their governing boards. In this session, clerks will learn the basic rules for drafting ordinances and practice applying those rules through group exercises.
- 12:00-12:45 Lunch
- 12:45-2:00 **Drafting Ordinances (continued)**
- 2:00-2:15 Break
- 2:15-3:15 **Understanding Trends in North Carolina**
Lydian Altman, Director, Strategic Public Leadership Initiative, UNC School of Government
Description: We don't have a crystal ball to predict our future, but we do have research that helps us understand how the world of local government will be different in the future. Successful leaders look ahead. This session will inform clerks about the issues they'll be facing and provide an opportunity for them to reflect on what that may mean for their communities.
Objectives:
1. Provide context for changes that could be coming to your community.
2. Try on a strategic and holistic view for your work.
- 3:15-3:30 Break
- 3:30-4:30 **Preparing Your Community to Address Trends**
Lydian Altman, Director, Strategic Public Leadership Initiative, UNC School of Government
Description: Big changes lie on the horizon. How might various changes shape the community's future? What is your board's vision of the future and plan for getting there? Could a retreat help your board become better prepared? This session provides insight into what goes into planning, conducting, and evaluating an effective retreat.

Objectives:

1. Consider what a retreat can achieve.
2. Review the elements of a successful retreat.
3. Discover resources to support your retreat planning.

Dinner at 5:00 In Dining Room

Thursday, October 24, 2019
Classroom 2601

8:00-10:00 Difficult Conversations

Peg Carlson, Professor of the Practice in Public Leadership and Organizational Development,
UNC School of Government

Description: Why is it that when it matters most, we often do our worst? It can be tough to communicate clearly when the stakes are high, emotions are strong, and people have different goals. This session will give you tools to help you handle difficult conversations more effectively and with less anxiety, whether you are dealing with board members, staff, or citizens.

Objectives:

1. Identify your preferred style of managing conflict and the strengths and weaknesses of that style
2. Understand the mindset we often use in challenging situations
3. Learn a mindset that leads to better results and stronger relationships
4. Learn and practice techniques to prepare for and engage in difficult conversations

10:00-10:15 Break

10:15-12:00 **Difficult Conversations (continued)**

12:00-12:45 Lunch

12:45-2:45 **Difficult Conversations (continued)**

2:45-3:00 Break

3:00-4:45 **Difficult Conversations (continued)**

Friday, October 25, 2019
Classroom 2601

8:00-9:45 Public Records Law: Review & Practice Problems
Trey Allen

Description: As records custodians for their respective jurisdictions, clerks often find themselves responding to requests for information or documents submitted pursuant to the public records law. This session will review some of the important legal rules applicable to public records requests and reinforce clerks' understanding of them through a series of practice problems that will require clerks to examine the text of the public records law and related statutes.

Objectives: Clerks will be able to:

1. Identify the precise statutory provisions relevant to different public records questions and
2. Apply a basic understanding of public records law provisions to questions regarding the inspection or copying of public records.

9:45-10:00 Break

10:00-11:30 Good Government

A. Fleming Bell, II, Retired Professor of Public Law and Government, UNC School of Government

Description: This session will explore what it means for government to be "good." The purposes of government will be discussed, and contrasting views about government's role in our society will be examined. The session will also consider the ethical obligations of citizens and public officials and explore how the attitudes of North Carolina's citizens and officials about their local governments have evolved.

Objectives:

1. Become familiar with the concept of "the good."
2. Understand the concept of a telos, or ultimate goal, for our communities.
3. Learn to understand and empathize with those whose views about "good government" and the proper roles of government may differ from one's own.
4. Examine the ethical responsibilities of citizens and public officials.
5. Construct a framework for "good government," based on personal experiences and the concepts that we have discussed.

11:30-12:30 Graduation (Room 2601)

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Instructor Biographies

Trey Allen is Associate Professor of Public Law and Government at the UNC School of Government, where he researches and writes about the general regulatory and enforcement powers of local governments, local government liability, and board procedures. Trey also teaches and advises extensively on those subjects. His published writings include books, book chapters, and articles, as well as contributions to *Coates' Canons: NC's Local Government Law Blog*. In 2019 Trey received the Margaret Taylor Writing Award for his book *Local Government Immunity to Lawsuits in North Carolina*.

On the programming side, Trey plays a major role in planning and coordinating the School's many educational offerings for clerks to municipal and county governing boards. Annually these offerings include the Clerks Certification Institute, the New Clerks Institute, a three-day academy for experienced clerks, annual conferences for the NC Association of Municipal Clerks and NC Association of County Clerks, and several regional academies conducted around the State with the support of the NCAMC and NCACC.

Trey was previously an attorney at Tharrington Smith LLP in Raleigh, where he represented local school boards. Prior to that he served as a law clerk for Justice Paul M. Newby of the North Carolina Supreme Court and as a judge advocate in the United States Marine Corps. Trey earned a bachelor's degree from the University of North Carolina at Pembroke and a law degree from the University of North Carolina at Chapel Hill, where he was a published staff member of the *North Carolina Law Review*.

Lydian Altman joined the School of Government in 1999. Her prior work with public sector organizations included several years as a director or board member of nonprofit rape crisis and domestic violence agencies, community college administrator, and local government administrator. In her current work with the Strategic Public Leadership Initiative, she consults with elected and appointed leaders to create strategic plans that help organizations set clear priorities, allocate resources to pursue those priorities, and assess progress toward carrying out planned activities. She also facilitates retreats for governmental and nonprofit organizations and cross-sector community groups to help them plan and work together to solve public problems. Many of her project-generated articles have been published in ICMA's IQ Report and PM Magazine, the American Review of Public Administration, Popular Government, and PA Times. Altman holds a BS in industrial relations and an MPA from UNC-Chapel Hill.

Fleming Bell joined the School of Government (then the Institute of Government) in 1982. Prior to that, he worked as a city-county planner in Rockingham and Richmond County, North Carolina. Bell is a member of the Continuing Legal Education Committee of the NC Bar Association, and he has served since 2005 as a gubernatorial appointee to the NC General Statutes Commission. His publications include Ethics, Conflicts, and Offices: A Guide for Local Officials; County Government in North Carolina (co-editor); Construction Contracts with North Carolina Local Government; procedure handbooks for city councils and small local government boards; and articles on citizen participation in board meetings and other topics. Bell earned a BA and JD from Duke University, where he was elected to Phi Beta Kappa and was first in his law school class. He also holds a master's degree in regional planning from the University of North Carolina at Chapel Hill.

Peg Carlson rejoined the School of Government in September 2015, after serving on the faculty from 1992–2000. Prior to her return to the School, she was an executive consultant with Roger Schwarz & Associates and worked with a wide variety of public, private, and nonprofit organizations as a facilitator, trainer, coach, and consultant to help them build effective leadership teams. She has published articles on developing effective groups, assessing the chief executive's performance, and multi-rater feedback and is co-author of *The Skilled Facilitator Fieldbook: Tips, Tools, and Tested Methods for Consultants, Facilitators, Managers, Trainers, and*

Coaches (Jossey-Bass, 2005). Carlson received a BA in psychology from the University of Minnesota and an AM and PhD in organizational psychology from the University of Michigan.

Willow Jacobson joined the School of Government faculty in 2003. Prior to that, she taught in the Master of Public Administration program at the University of Connecticut and worked on the Government Performance Project and the New Jersey Initiative at the Alan K. Campbell Institute at The Maxwell School of Citizenship and Public Affairs, Syracuse University. She has also assisted with strategic planning for community collaboratives in California and Oregon state government. Currently Jacobson teaches in the Master of Public Administration program and directs the LGFCU Fellows program, which she helped create in 2011. She was also involved in the 2005 inaugural session of the Public Executive Leadership Academy. Her research has appeared in *Public Administration Review* and *Public Personnel Management*. Jacobson earned a PhD from Syracuse University.

Dona Lewandowski joined the faculty of the Institute of Government in 1985 and spent the next five years writing, teaching, and consulting with district court judges in the area of family law. In 1990, following the birth of her son, she left the Institute to devote full time to her family. She rejoined the School of Government in 2006. Lewandowski earned a BS and an MA from Middle Tennessee State University and a JD with honors, Order of the Coif, from the University of North Carolina at Chapel Hill. After law school, she worked as a research assistant to Chief Judge R.A. Hedrick of the NC Court of Appeals.

Tyler Mulligan joined the School of Government in 2007, where he counsels state and local government officials and their partner organizations regarding development finance, community economic development, and revitalization efforts. Mulligan launched the School's Development Finance Initiative, which assists local governments with attracting private investment for transformative development projects, and now serves as faculty advisor for the initiative. Prior to joining the School of Government, he practiced law with Womble Carlyle Sandridge & Rice, PLLC, in Raleigh, where he represented investors and syndicators in structuring investments in real estate and related investment funds, and he represented corporations and local governments in site location and economic development incentive matters. Prior to private practice, Mulligan served as a Navy diver and JAG Corps officer. He is a member of the North Carolina State Bar. He earned a BA in public policy studies, summa cum laude, Phi Beta Kappa, from Duke University and a JD from Yale Law School, where he was awarded the Yale University Elm-Ivy Award.

Shannon Tufts designed and implemented the first local government Chief Information Officers Certification program in the nation and continues to run CIO certification programs for local and state government IT professionals. She created a National Certified Government Chief Information Officer program in 2007, in order to serve the growing needs of public sector IT professionals across the nation. Tufts has taught numerous courses on public sector information systems across the United States, including IT investment strategies, embracing technology, project management, and stakeholder engagement in technology-enabled government. She serves on several federal, state, and local government committees to promote the effective use of technology in the public sector. Her publications in the area of e-government and public sector information technology include *Humanizing IT: Advice from the Experts* with G. David Garson, numerous book chapters, and articles in *Social Sciences Computer Review* and *Popular Government*. She was named Albert and Gladys Coates Distinguished Term Assistant Professor for 2012–2014. Tufts earned a BA from UNC-Chapel Hill, an MPA from UNC-Charlotte, and a PhD in public administration with a concentration in public sector information systems from North Carolina State University.