In the Board Room – Administration and Organization

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Attorneys Andy Phillips and Jake Curtis
Josh Schoemann, Washington County Executive
Why are we having this discussion?

• Wisconsin county government structure is unique
  • No public sector comparable
  • No private sector comparable
  • No nonprofit comparable

• Without clarification and understanding of organizational roles, there is confusion and opportunity for discord

• What we do as counties is too important to not take our jobs incredibly seriously
Counties Under the Wisconsin Constitution

• Article IV, Section 22: “The Legislature may confer upon the boards of supervisors of the several counties of the state such powers of a local, legislative and administrative character as they shall from time to time prescribe.”

• Article VI, Section 4 identifies county officers, as well as the conditions of their election, removal and terms of office. The constitutionally specified officers are sheriffs, coroners, registers of deeds, district attorneys, judges and clerks of circuit court, treasurers and county clerks.
Administrative Home Rule

• **Wis. Stat. § 59.03(1):** Every county may exercise any organizational or administrative power, subject only to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county.

• *Limitation Example:* County with County Administrator cannot place appointment authority with board
  
  • AG Opinion January 28, 2010
Organizational Forms of County Government

• County Executive (s. 59.17)
• County Administrator (s. 59.18)
• Administrative Coordinator (s. 59.19)
Full Time Dedicated Positions: 52 Counties

- 12 Elected County Executives (CE)
- 33 Appointed County Administrators (CA)
- 7 Appointed Administrative Coordinators (AC)

Dual Role Positions: 20 Counties

- 10 AC/County Clerks
- 4 AC/Board Chairs
- 3 AC/Human Resources
- 1 AC/Finance Director
- 1 AC/Human Services
- 1 AC/Highway Commissioner
County Executive

- Appoints and supervises department heads subject to board confirmation
- Appoints members to Boards and Commissions
- Submits an annual budget to the county board
- Coordinates and directs all administrative and management functions of the county government
- Has veto authority
  - may veto ordinances and resolutions
  - has broader veto authority than Governor
  - county board can override veto with 2/3 vote
County Administrator

• Chief administrator of the county
• Responsible for coordinating all administrative and management functions not vested by law with other officers
• Appoints and supervises Department Heads (board confirmation)
• Appoints members to boards and commissions (board confirmation)
• Submits annual budget
Administrative Coordinator

• “The administrative coordinator shall be responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.”

• Similar to county administrator but does not have appointment authority and coordinates rather than supervises. (WAIT ... WHAT?)

• Some counties meet the requirement by appointing an elected official.
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<tr>
<th>Executive</th>
<th>Administrator</th>
<th>Admin. Coordinator</th>
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<td>(Sec. 59.17, Wis. Stats.)</td>
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**HOW CREATED**
- Board resolution, petition, and/or referendum
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- Board resolution or ordinance

**HOW CHOSEN**
- Spring election every four years (non-partisan)
- Appointed by majority vote of County Board
- Appointed by majority vote of County Board

**QUALIFICATIONS**
- U.S. Citizen, 18 years of age, county resident
- Training, experience, education (no consideration for residence, nationality or political affiliation)
- Elected or appointed County Official

Note: The Attorney General’s Opinion of Incompatibility issued in October 2011

**SOURCE OF POWERS**
- State statutes
- State statutes
- Limited State statutes and board resolution/ordinance

**REMOVAL**
- By Governor for cause
- By County Board (majority) (majority)
- By County Board (majority)

**BUDGET AUTHORITY**
- Prepares & presents to board
- Prepares & presents to board
- Only as authorized by board

**VETO BOARD ACTIONS**
- Yes
- No
- No

**DEPT. HEADS**
- Appoints (Subject to board confirmation)
  - Removes at pleasure
- Appoints (Subject to board confirmation)
  - Removes at pleasure
- No authority unless granted by County Board

**ADVISORY COMMITTEES ADMINISTRATIVE BOARDS**
- Appoints & removes (Subject to Board confirmation unless waived or made under civil service)
- Appoints & removes (Subject to Board confirmation unless waived or made under civil service)
- No authority unless granted by County Board

**COORDINATE DEPARTMENTS**
- Yes
- Yes
- Only management functions not assigned depts. by ordinance or law
Supervisors serve primarily a legislative function

The legislative function is largely limited to policy making, law making, budgetary approval and cooperative decision making.

No operational control resides with individual supervisors.

Supervisors’ authority is collective versus individual.

When appointed to a committee chair position, a supervisor has the authority to set the agenda for committee meetings, preside at meetings and make reports and recommendations on the committee’s behalf.

So are “supervisors” clearly authorized to actually “supervise” anything?
County Board Functions

• Involve, represent and be accountable to the public
• Determine which services are to be provided
• Adopt the annual budget and levy taxes
• Hire, evaluate and retain good Administration
• Regulate within statutory authority
• Cooperate with other levels of government
• Focus on long-term rather than past or short-term
• Conduct strategic planning addressing key issues and opportunities
• Determine overall mission and purpose
• Establish county’s vision
• Establish long-term desired results
The Dual Roles of Board and Administration

Dual Role of the Board
• Enact policy
• Hold administration accountable for implementing policy

Dual Role of Administration
• Implement policy
• Provide information and advice to Board to allow for an informed policy decision
ICMA – Six Governance Roles

1. Strategic Vision – Big Picture Thinker
2. Trustee – Steward
3. Representative – Constituent Advocate
4. Community Builder – Bringing People Together
5. Decision Maker
6. Oversight

Where does your Board sit on the list in terms of priorities? Where should your Board be? How can Administration help?

Getting to Great: Defining the Roles of the Governing Body and Local Government Manager, Novak, Briley and Nalbandian (Aug. 1, 2022)  
Additional Comment
Questions?

Attolles Law, s.c.
222 E. Erie Street, Suite 210
Milwaukee, WI 53202
www.attolles.com