IN THE BOARD ROOM

COUNTY BOARD RULES – PART TWO

DECEMBER 20, 2023
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What do we want to accomplish today?

- Recognize the multitude of procedural issues that can and should be addressed within board rules
- Break the “procedural issues” into digestible topics
- Think about how business is currently transacted in your county and how improvements can be made
Procedural Rules

• Remember the order of precedence
  • State Statute
  • County Ordinance
  • **Board Rule**
    • RONR

• Procedural Rules define how it is that business is transacted within a board or committee meeting
  • May include rules related to how business gets before the board/committee
Procedural Rules - Topics

• Scheduling of Meetings
• Form of Resolutions
• Resolutions – Referral
• Committee Agendas
• Resolutions – County Board Action
• Seating Arrangements
Procedural Rules – Topics (cont.)

- County Board Agendas
- Order of Business
- Conduct at Meetings and Rules of Decorum
- Remote Attendance
- Voting
- Definition of Session
- Parliamentary Procedure
- Interpretation of Rules
Scheduling of Meetings

• Specify regular meeting dates and times
  • How can this be modified?
• How can special meetings be scheduled?
• Specify if there are certain “special” meetings, such as for budget time
• How are public hearings scheduled?
59.02 Powers, how exercised; quorum.

1. The powers of a county as a body corporate can only be exercised by the board, or in pursuance of a resolution adopted or ordinance enacted by the board.

2. Ordinances may be enacted and resolutions may be adopted by a majority vote of a quorum or by such larger vote as may be required by law. Ordinances shall commence as follows: “The county board of supervisors of the county of .... does ordain as follows”.

3. A majority of the supervisors who are entitled to a seat on the board shall constitute a quorum. All questions shall be determined by a majority of the supervisors who are present unless otherwise provided.

- Official action is reflected in an ordinance or resolution
- How is a Resolution described/captioned?
- Does a committee need to sign? All members or only those that voted in favor?
Form of Resolutions (cont.)

• Define introduction process: submit to county clerk, board chair, committee by certain date
• Allow for co-sponsors?
• Designate one person to draft ordinance amendments – corporation counsel?
• Designate one person to draft budget amendments – administrator, finance director, controller, etc.
Fiscal Notes

• Determine whether fiscal notes are required on all resolutions and ordinances involving the receipt or expenditure of funds
• Specify the form that details the impact on the budget
• Legal Notes?
Resolutions - Referral

• Resolutions and ordinance amendments should go to committee before going to county board
• Authorize chair or committee to refer to appropriate standing committee, boards and commissions
  • Referral in or outside board meeting?
  • What if board disagrees with referral?
• Primary sponsor should be invited and allowed to speak at committee meeting
Committee Agendas

• Specify content – date, time, place and matters to be discussed
• Resolutions shall have number and title
• Specify if chair has discretion to place items on the agenda that have been referred
• After a certain time period, can members require an item to be placed on the agenda?
Committee Agendas (cont.)

• Can committee members require special meetings?
  • If so, how many members? A minimum of two, one less than a majority? Does the request have to be in writing?
• Can a primary sponsor request a delay?
Resolutions – County Board Action

• Define process for placing resolutions and ordinance amendments on the agenda when the committees have acted
• Motion before the board could be the committee recommendation – i.e., no formal motion needed
• Will all pending resolutions, ordinances and ordinance amendment shall be carried forward to the new board/new session?
• County board may discharge a committee that fails to act
• Consider requiring all amendments to resolutions, ordinance amendments be in writing
Seating Arrangements

• Designate the process for supervisor seat selection
• Designate a place for the public, press, staff, corporation counsel, county clerk, administrator, department heads, the public to address the board
County Board Agendas

• Does board chair have sole discretion for placing items on the agenda?
• Should all items acted on by committee automatically be placed on the agenda?
• Do all items have to go to a committee first?
• Is there a deadline for submission to the Board Chair or Clerk?
• Should all items be in a resolution format?
Agenda – Order of Business (SAMPLE)

• Call to order
• Roll call
• Pledge of Allegiance
• Special matters and announcements
• Approval of minutes from previous meeting
• Consent calendar
• Motions carried over from previous meetings
• Ordinances
• Award of contracts
• Resolutions
• Special order of business
• Adjournment
Conduct at County Board Meetings

• Supervisors, visitors, staff and others shall at all times conduct themselves in respectful manner
• No conversation on the board floor or in the visitor’s section
• All electronic devices shall be kept in the silent mode and NOT used during meeting
• Supervisors shall use county provided electronic devices in accordance with policy
• Designate who may distribute literature - supervisors, county board staff, sergeant-at-arms, county clerk, administrator, etc. – not the general public
• Public comment vs Public participation
• The public has no right to participate in a meeting – it is a right to observe and record.
• The rules should specify that the public may not participate in debate on any question. If there are questions raised during debate and a member of the public has information the chair believes would assist the board in debate, the chair can request the member of the public to address the questions.
Remote Attendance

• RONR 9:30 – “Except as authorized in the bylaws, the business of an organization or board can be validly transacted only at a regular or properly called meeting—that is, as defined in 8:2(1), a single official gathering in one room or area—of the assembly of its members at which a quorum is present.”

• Wisconsin law does not provide express authorization for remote attendance

• If remote attendance will be allowed, this must be authorized in board rules AND the rules surrounding remote attendance should be delineated
  • Count as fully present?
  • Fully able to participate and vote?
  • Procedure for notification (and receiving permission) for remote attendance
  • Rules for participation in closed session
County Board Voting

• Any supervisor should be able to request a roll call vote as long as it is done prior to the next order of business
• Record vote in the minutes
• Roll call votes should be taken in rotating alphabetical order per meeting if possible
• Supervisors should be in their seats when voting
• Recognize that action on routine matters can be taken by unanimous consent (without objection)
Define a “Session”

• RONR 8:2(2) – A session of an assembly, unless otherwise defined by the bylaws or governing rules of the particular organization or body, is a meeting or series of connected meetings devoted to a single order of business, program, agenda, or announced purpose, in which—when there is more than one meeting—each succeeding meeting is scheduled with a view to continuing business at the point where it was left off at the previous meeting…”

• Important concept for determining when:
  • An adopted resolution is subject to recission or reconsideration
  • Pending resolutions expire when not disposed of prior to the organizational meeting
• A session may be defined as:
  • The time between the organizational meeting (3rd Tuesday of each April) and annual meeting (the Tuesday after the 2nd Monday of November in each year.) Wis. Stat. § 59.11(1).
  • A year
  • The time between the first organizational meeting following the Spring general election in even-numbered years and the March 31 immediately preceding the next Spring general election (i.e., two years)
  • Whatever other timeframe is desired
Parliamentary Procedure

- Identify rules specific to county
- List common or basic rules of order
- Designate latest version of Robert’s Rules of Order
  Newly Revised for rules not covered
Interpretation of Rules

• In the case of a Point of Order or Parliamentary Inquiry, the Board Chair “can consult the parliamentarian, if there is one.” RONR 23:17
• Corporation counsel should be the designated parliamentarian.
• REMEMBER – there is nothing wrong with taking time to get a decision right!
Questions?

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