

# In the Board Room: County Board Rules Template (Part 2)

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## What do we want to accomplish today?

- Understand the importance of county board rules
- Understand the freedom provided in Wis. Stat. § 59.03
- Understand that board rules are NOT “one size fits all”
- 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
- Recognize the lack of a “perfect template”



***County Board Rules Template***  
**(NOTE: Please consult with corporation counsel  
prior to implementation of any rules of procedure)**  
**[ • ] COUNTY RULES OF THE BOARD**

[ • ], 2024

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## **SECTION 1: PURPOSE AND DEFINITIONS**

### **1.01 Purpose**

The [ • ] County Board of Supervisors (referred to as the “County Board” or “Board”) recognizes and understands the importance of county government, and the programs and services it provides, to the citizens of [ • ] County. The County Board further recognizes County citizens’ rightful expectation that the financial resources provided the County through tax levy and other sources be invested in a wise and deliberate matter. Therefore, in recognition of these principles, the County Board hereby adopts the following County Board Rules (referred to as “Board Rules” or “Rules”) in order to promote orderly and efficient rules of governance for the County Board and all county-related governmental bodies.

### **1.02 Interpretation**

These Board Rules are not intended to, and shall not, supersede any requirements or provisions in the Wisconsin Statutes. In the event of any conflict between the Wisconsin Statutes and these Board Rules, the Wisconsin Statutes shall take precedence.

## **SECTION 2 COUNTY BOARD ORGANIZATION<sup>1</sup>**

### **2.01 County Board Meetings**

The two-year period of time between the organizational meetings in Section 2.01(A) hereof shall constitute a session of the County Board, and any business pending and upon which the Board has not acted prior to the close of a session can no longer be acted upon without being reintroduced.

(A) The Organizational Meeting. On the third Tuesday in April in even-numbered years, after each Spring general election at which County Board Members are elected for full terms, the County Board will meet and shall:

1. Organize and transact general business;
2. Elect a member Board Chair to perform the duties set forth in Wis. Stat. § 59.12(1);
3. Elect a member Vice Chair to perform the duties set forth in Wis. Stat. § 59.12(2); and

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<sup>1</sup> WCA encourages counties to adopt self-organized status under Wis. Stat. § 59.10(1). According to the Secretary of State, as of January 1, 2024, 52 counties are self-organized. If a county codifies its board rules in ordinance, a simple means by which to become self-organized is to make the selection in Section 2 of these board rules and file a copy of the ordinance with the Secretary of State’s office.

#### 4. *Committee Appointment Process*

*OPTION - Elect the five (5) at-large members of the Committee on Committees, who will then appoint committees.*

*OPTION – Board Chair appoints committees, subject to Board confirmation (see Wis. Stat. § 59.13)*

*OPTION – Other process established by the Board]*

**\*\* DRAFTER’S NOTE: The highway committee is elected pursuant to Wis. Stat. § 83.015(1)(a) unless a different method is specified in the Board Rules.**

The [County Clerk/Corporation Counsel/Other] shall serve as Chair pro tempore of the Organizational Meeting until such time as the County Board elects the Board Chair. Persons nominated for Board Chair and Board Vice Chair are allowed 10 minutes to speak and answer questions. Voting shall take place by written secret ballot and the County Clerk and Corporation Counsel shall serve as ballot clerks. A majority of votes of the Board Members present shall be necessary to elect the Board Chair and Board Vice Chair.

(B) The Annual Meeting. The County Board will convene for an annual meeting for the purpose of transacting general business on a date established in accordance with Wis. Stat. § 59.11(1)(a). The Annual Meeting may be adjourned from time to time as allowed under the Wisconsin Statutes.

(C) Regular Meetings. The County Board shall meet for the purpose of transacting general business at [7:00 p.m. on the third Tuesday of each month except for the month of December, during which month the County Board shall meet on the second Tuesday of the month].

**\*\* DRAFTER’S NOTE: Counties can adopt a regular meeting schedule on a date and time appropriate for Board members.**

(D) Special Meetings. Special meetings of the County Board may be called in accordance with Wis. Stat. § 59.11(2) [or at the call of the Board Chair]. If a meeting is called pursuant to Wis. Stat. § 59.11(2), the written request delivered to the County Clerk shall conform to Wis. Stat. § 59.11(2)(a) and contain the proposed agenda for the meeting.

#### **2.02 County Board Meeting Agenda Responsibilities**

(A) The Board Chair, in consultation with the County Clerk [and the County Executive/Administrator/Administrative Coordinator,] is responsible for the contents of the agenda for any County Board meeting except for a special meeting called pursuant to Wis. Stat. § 59.11(2)(a).

(B) Any member of the Board desiring an item to be placed on the agenda for a board meeting shall either:

1. Request that the Board Chair place the item on the agenda and the Board Chair may grant or refuse the request; or
2. Make a motion during the Future Agenda Items portion of the agenda at a County Board meeting to have an item placed on the agenda for the next meeting and, if such motion is adopted, the item shall be placed on the agenda for the next meeting.

(C) The County Clerk, in consultation with the Board Chair, is responsible for providing notice of every meeting of the County Board by posting the agenda in compliance with Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, et seq.

(D) The County Clerk shall distribute the agenda and meeting packet to all County Board Members, the [*County Executive/Administrator/Administrative Coordinator*] and the Corporation Counsel, in addition to any other interested persons identified by the Board Chair, by [*1:00 p.m. on the Friday*] immediately preceding a regular County Board meeting. For special meetings, the agenda and meeting packet shall be delivered at least 48 hours in advance of the meeting except in the event of an emergency, in which case the agenda and meeting packet shall be delivered as soon as practicable. Any Committee or Board Member responsible for submitting materials (resolutions, ordinances, ordinance amendments, reports, etc.) for inclusion in the meeting packet shall provide the materials to the County Clerk no later than [*5:00 p.m. on the Thursday*] preceding the week of the regular meeting. The agenda and meeting packets shall be delivered in electronic format to the recipient's county email address unless a recipient requests a hard copy of the materials. The requirements of this Section 2.02(D) may be waived, in whole or in part, by the Board Chair in their discretion.

## **2.03 County Email Addresses**

The County shall provide every Board Member with a county email address. All Board Members shall utilize the county email address for county business and shall not conduct county business on any other email address.

## **2.04 Committees of the County Board and Other Boards and Commissions – Creation and Existence**

(A) Standing Committees. The County Board has established the standing committees (referred to as "Standing Committees") as designated on Appendix A to these Board Rules.<sup>2</sup> Standing Committees are regular committees of the County Board, shall have the authority, power, duties and responsibilities as set forth in

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<sup>2</sup> Recognizing the disparity among counties as it relates to committee structure, this *County Board Rules Template* does not include a template for Appendix A. If your county is interested in how other counties have organized their committees, please contact the WCA.

Appendix A and shall operate according to the procedures set forth in Appendix A.

(B) Ad Hoc Committees. The County Board may form ad hoc committees (referred to as “Ad Hoc Committees”) from time to time by resolution or action of the County Board. Any resolution or action creating an Ad Hoc Committee shall specify the name of the committee, the committee’s purpose, the number of members of the committee, the appointing authority for committee membership, the duration of the committee and the committee’s reporting relationship. Appendix A will be updated by May 1 in even-numbered years to reflect current Ad Hoc Committees and particulars surrounding each particular Ad Hoc Committee’s operations. In these Board Rules, Ad Hoc Committees and Standing Committees are together referred to as “Committees.”

(C) Other Boards and Commissions. The County may be associated with certain Other Boards and Commissions (referred to as “Other Boards and Commissions”). Appendix A will be updated from time to time to reflect current Other Boards and Commissions and particulars surrounding operations.

**\*\* DRAFTER’S NOTE: A county executive and county administrator appoint members to boards and commissions, subject to county board confirmation.**

(D) *[Pursuant to Section 3.01 of these Rules, the Board Chair may serve as a member, with full rights and privileges, of any Committee if there is not otherwise a quorum present at any Committee meeting].*

## **2.05 Committee and Other Boards and Commissions Appointments and Removals**

(A) *[At the time of the Organizational Meeting or within one (1) week thereafter, the Board Chair shall appoint members of committees and communicate such appointments to all members of the County Board.]*

-OR-

*[The Board hereby establishes the Committee on Committees, which shall convene within one (1) week following each Organizational Meeting for purposes of nominating members to Standing Committees. The Committee on Committees shall be comprised of seven (7) members consisting of the Board Chair, Board Vice Chair and five (5) at-large Board Members elected by the County Board at the Organizational Meeting. Such election shall occur by ballot with the 5 members receiving the most votes on the ballot being elected. The Board Chair shall serve as chair of the Committee on Committees. The Committee on Committees shall nominate persons to serve on each Standing Committee in writing at the first Board meeting following the Organizational Meeting. The Board shall either confirm or reject any nomination for each Standing Committee and in the event of rejection, the Board shall appoint the member to the Standing Committee relating to such*

*rejection. In making nominations, the Committee on Committees shall consider the interest forms submitted by Board Members and Board Member tenure and previous service on Standing Committees.]*

*-OR-*

*[Other process established by the Board]*

*(B) [At the first meeting of each Standing Committee following the Organizational Meeting, the Standing Committee shall elect a Chair and Vice Chair of each Standing Committee, which designations are subject to County Board confirmation.]*

*-OR-*

*[At the time of appointments to Standing Committees, the Board Chair shall designate Chairs and Vice Chairs for each Standing Committee.]*

*(C) [The Board Chair may recommend the removal of any member of any Committee at any time for any reason to the County Board and the County Board may make such removal. The Board Chair may recommend the removal of the designation as Chair or Vice Chair of any Committee at any time for any reason and the County Board may make such removal.]*

*-OR-*

*[The Board Chair, in his or her sole discretion, may remove any member of any Committee at any time for any reason. The Board Chair, in his or her sole discretion, may remove the designation as Chair or Vice Chair at any time for any reason.]*

## **2.06 Committees and Other Boards and Commissions Meeting Agenda Responsibilities**

*(A) The Committee Chair shall serve as the Chair of a Committee meeting and, in consultation with the County Clerk and Board Chair, is responsible for the preparation of all Committee meeting agendas.*

*(B) The County Clerk, in consultation with the Committee Chair, is responsible for providing notice of every meeting of the Committee by posting the agenda in compliance with Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, et seq.*

*(C) A Committee or Other Board and Commission may request another Committee or Other Board and Commission to attend a future meeting of the requesting body. In such event, each Committee and Other Board and Commission shall prepare an agenda for the joint meeting in the usual manner.*

*(D) In the first meeting of a Committee following the Organizational Meeting,*

the Committee shall adopt dates and times for regular Committee meetings and shall make every attempt to schedule such meetings prior to the regular County Board meetings and with due regard to the meeting dates and times of other Committees.

## **2.07 County Board Member Compensation**

**\*\* DRAFTER'S NOTE: Counties that have elected self-organized status may compensate Board members as they see fit. Some counties have adopted an annual salary for Board members and others have maintained the traditional per diem method. If a salary system is adopted, this section should provide the salary and any additional amounts for Chair and Vice Chair, if any. The language below applies to counties that pay per diem.**

(A) County Board Meetings. Board Members shall receive [ • ] for each day's attendance at a County Board meeting.

(B) Committee Meetings. Board Members shall receive \$[ • ]/meeting for attending a Committee meeting. Board Members are entitled to receive compensation for attending more than one meeting in a day.

(C) Other Meetings. Board Members shall receive [ • ] for attending a meeting of a body that is not a Committee only with the Board Chair's prior approval. Board Members who are not members of the Committee may receive compensation as provided in this Section 2.07 for attending a meeting only when attendance at the meeting is directed or approved by the Board Chair.

(D) Board Chair Compensation. In addition to the compensation set forth in this Section 2.07, the Board Chair shall receive an additional [ • ]. If the Board Chair is unable or unwilling to perform the duties of Board Chair for a period of four weeks or longer, the Board Chair shall not be paid the additional compensation herein, and the compensation shall be paid to the Vice Chair for the months during which the Vice Chair is performing the duties of the Board Chair.

(E) Expense Reimbursement. Board Members shall be reimbursed for expenses in the amounts, and according to the regulations and procedures, established by the [Finance/Executive/Personnel] Committee [subject to confirmation by the County Board] from time to time. Board Members shall be entitled to reimbursement of only actual mileage traveled for attendance at any meeting for which compensation is paid and only if the Board Member utilizes his or her personal vehicle for the travel.

(F) No compensation shall be paid for attendance at any meeting held one hour or less before or one hour or less after a County Board meeting.

(G) Board Members shall complete and sign any forms required to verify attendance and expenses as established by the [Finance/Executive/Personnel] Committee [and confirmed by the County Board] from time to time. Such forms are required to be submitted not more than two (2) days following the end of the



month in which the expenses were incurred or attendance is claimed.

## **2.08 Meeting Minutes**

(A) County Board Meetings. The County Clerk is responsible for the preparation of minutes for all meetings of the County Board. The County Clerk may use a personal recording device to record any open session portion of a meeting for purposes of verifying the accuracy of the proceedings. The County Clerk shall destroy any recording not sooner than 90 days after approval of the minutes of the meeting at which the recording is taken. The County Clerk shall not record any closed session of a County Board meeting. A draft form of the minutes of meetings shall be included in the meeting packet distributed prior to County Board meetings as specified in Section 2.02(D).

(B) Committee, Other Board and Commission Meetings. *[The County Clerk is responsible for taking and recording the minutes of any meeting of the Committee.]* OR *[The County Clerk shall confer with the Chair of any Committee to appoint a person to take and record the minutes of any meeting of the Committee. Any person so appointed shall not be a County Board Member.]* All draft minutes shall be filed with the County Clerk's office no later than 14 days after the meeting to which the draft minutes apply and shall be in a format approved by the County Clerk.

## **2.09 County Board Meeting Seating Arrangements**

*[Except as provided herein, County Board Members shall be seated in order by district number. The Board Chair, Vice Chair, County Administrator, County Clerk and Corporation Counsel shall sit at the designated head of the room in the order established by the Board Chair. There shall be a designated area for members of the public and members of the press. The Board Chair may alter the seating arrangements to meet the needs of individual Board Members or members of the public.]*

## **2.10 Board Member Interest Forms**

(A) *Within 7 days after County Board Members are elected in the Spring general election, the County Clerk shall distribute a welcome letter to all persons elected to the County Board. The contents of the welcome letter shall include information concerning the schedule for the Organizational Meeting and related matters, the Board Rules and the Board Member Biography form.*

(B) *Board Members interested in nomination for the position of Board Chair and Vice Chair are encouraged to indicate their interest in the positions on the County Board Chair/Vice Chair candidate answers form. In addition, such Board Members are encouraged to answer two additional questions (beyond the minimum questions on the Board Member Biography form):*

- *If you are elected, are there things you will try to change or do differently as*

*County Board Chair/Vice Chair?*

- *How would you describe the style you will use in working with your fellow Board Members, County Committees, County Administrator and other staff?*

*All Board Members shall also complete a Committee/Board/Commission Preference form and a Board Member Biography form. The County Clerk will distribute these forms to all County Board Members-elect in advance of the Organizational Meeting.]*

**\*\* While not required, WCA encourages counties to provide a process for submitting interest forms to assist in the committee selection and officer election processes.**

**2.11 Board Relationship with [Executive/Administrator/Administrative Coordinator] and Department Heads**

The County Board serves as the legislative body in County government. As such, the County Board's role is to enact policy. To implement the policy the County Board establishes, the County Board *[recognizes the role of the County Executive as chief executive officer of the County]* OR *[shall appoint a person as the County Administrator according to Wis. Stat. § 59.18(1)]* OR *[shall designate a person as the Administrative Coordinator according to Wis. Stat. § 59.19]*. The *[Executive/Administrator/Administrative Coordinator]* shall perform all duties and have such authority as specified in Wis. Stat. § *[59.17/59.18/59.19]*, *[the Position Description]*, these Board Rules and as otherwise may be authorized and directed by the County Board from time to time. Department Heads are responsible, and shall report, to the *[Executive/Administrator/Administrative Coordinator]*. County Board Members desiring information or a report from a Department Head or other County staff shall request such information or report either in the context of a County Board or Committee meeting or from the *[Executive/Administrator/Administrative Coordinator]*.

**2.12 Vacancies in Office of County Board Member**

(A) Vacancies – How Caused. Vacancies in the office of [ • ] County Board Supervisor shall be determined according to Wis. Stat. § 17.03.

(B) Vacancies – How Filled.

*[Vacancies in the office of [ • ] County Board Supervisor shall be filled according to Wis. Stat. § 59.10(3)(e).]*

-OR-

*[The following procedure shall be utilized when there is a vacancy in the office of [ • ] County Board Supervisor:*

1. *Within 30 days of the seat becoming vacant, the County Clerk shall place a standard advertisement (not in the legal section) for 2 consecutive weeks in [ • ], containing:*

- a. *A notification that there is a vacancy in Supervisory District # [ • ].*
- b. *A map which reasonably informs the public of the boundaries of the District.*
- c. *That interested persons shall submit the following information to the County Clerk, in written form, by a stated deadline which shall be not less than 30 days from the date of the last publication:*
  - *The applicant's name and address;*
  - *That the applicant is at least 18 years' old;*
  - *That the applicant is qualified to vote in the District in which there is a vacancy; and*
  - *A brief statement as to the applicant's qualifications to serve on the County Board.*
- d. *A statement that the vacancy will be filled from the list of applicants, at the County Board meeting first following the expiration of the application deadline. The advertisement should state the place, date and time of that County Board meeting.*
- e. *The County Clerk's mailing address, fax number and e-mail address.*

2. *At the County Board meeting first following the date of the application deadline, the County Board will invite applicants to provide a presentation as to why they wish to serve on the County Board. At the end of the presentation(s), the Board will either (a) proceed to deliberate and vote on the applicants; or (b) direct the County Clerk to readvertise the vacancy according to the procedure in Section 2.12(B)(1). The successor appointed according to this process shall serve for the unexpired portion of the term of the vacant office.*

**\*\* DRAFTER'S NOTE:** The process for filling vacancies is specified in Wis. Stat. § 59.10(3)(e) unless a county has elected self-organized status, in which case a county may choose an alternative process. The alternative process above is an example and may be modified as a county desires.

## **2.13 Official Statements by Board Members**

No Board Member other than the Board Chair is authorized to make any official statement or comment on behalf of the County Board. If a Board Member makes a statement or comment, the Board Member shall ensure such statement or comment contains language indicating the statement or comment reflects the personal views of the Board Member and not the views of the County Board.

## **2.14 Closed Session at Committee Meetings - Attendance**

*In accordance with Wis. Stat. § 19.89, and unless otherwise provided by law, no Board Member may be excluded from any meeting of the Committee or Other Board and Commission provided, however, that a Committee or Other Board and Commission may exclude a Board Member that is not a member of the Committee or Other Board and Commission from a closed session portion of a meeting upon majority vote of the Committee or Other Board and Commission members present.]*

**\*\* DRAFTER'S NOTE: This rule is important and should be considered carefully. Wis. Stat. § 19.89 provides that a member of the County Board may not be excluded from a committee meeting, including any closed session portion, in the absence of a board rule providing for such exclusion.**

## **SECTION 3            COUNTY BOARD OFFICERS**

### **3.01    County Board Chair**

(A)    The Board Chair shall perform all duties of the chairperson as specified in Wis. Stat. § 59.12(1) and perform such other duties as specified in these Board Rules. In addition, the Board Chair shall perform such other duties as the County Board may authorize from time to time. In presiding over meetings of the County Board, the Board Chair shall decide all questions of order or procedure, subject to appeal to the Board, and at all times preserve order and decorum. [*The Board Chair may serve as a member, with full rights and privileges, of any Committee if there is otherwise not a quorum at any Committee meeting.*]

(B)    The Board Chair shall serve as the spokesperson for the County Board and is authorized to comment to the public or press on any matter of County business provided any such comments are consistent with the County Board's policies or expressed positions.

(C)    The Board Chair shall be a member of [*the NAME Committee*]. The Board Chair shall be the Chair of [*the NAME Committee*].

(D)    In the event of a vacancy in the position of Board Chair, the County Board shall hold an election for the position according to the procedure set forth in Section 2.01(A).

### **3.02    County Board Vice Chair**

(A)    The Vice Chair shall perform all duties of the Board Chair in the absence or disability of the Board Chair and perform such other duties as specified in these Board Rules. In addition, the Vice Chair shall perform such other duties as the County Board may authorize from time to time.

(B) The Vice Chair shall be a member of *[the NAME Committee. The Vice Chair shall be the Chair of the NAME Committee]*.

(C) In the event of a vacancy in the position of Vice Chair, the County Board shall hold an election for the position according to the procedure set forth in Section 2.01(A).

### **3.03 Chairs and Vice Chairs of Committees.**

The Chair of a Committee shall preside at Committee meetings and otherwise serve as the spokesperson on behalf of the Committee in County Board meetings. The Committee vice chair shall assume the responsibilities of the Committee chair in the Chair's absence.

## **SECTION 4 RULES OF PROCEDURE**

### **4.01 Parliamentary Authority**

The latest edition of *Robert's Rules of Order, Newly Revised* ("RONR") shall govern the proceedings at all meetings of the County Board and the Committees. The *[Corporation Counsel/Clerk/Other]* shall serve as parliamentarian for all meetings of the County Board and shall consult with the Board Chair on all questions of parliamentary procedure.

### **4.02 Committee of the Whole**

The County Board may convene as the committee of the whole at the call of the Board Chair provided the public is provided notice of any such meeting in accordance with Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, et seq. The Board Vice Chair shall be the chair of any committee of the whole.

### **4.03 Remote Attendance at Meetings**

(A) *[Remote Attendance at Meetings. Board Members shall make every attempt to attend County Board and Committee meetings in-person. A Board Member authorized under these Board Rules to attend a meeting by remote communication (telephonic or videoconference technology) shall be considered present for a meeting with full rights to participate and vote. Any Board Member attending a Board or Committee meeting remotely shall keep the camera on for the entirety of their attendance if attending by video and shall be excused from any closed session part of a meeting unless granted permission to remain in the meeting by the Board Chair or Committee Chair. No person may serve as Chair of a County Board meeting if the person is attending the meeting by remote communication unless the entire meeting is held by remote communication as provided in Section 4.03(B). In the physical absence of the Board Chair and Vice Chair, the County Board shall appoint a Board Member to serve as Chair pro tempore of the meeting. The Executive and Finance Committee may, from time to time, establish policies governing the conduct of meetings where persons attend remotely and Board Members shall abide by any such policies.]*

(B) Fully Remote Meetings. *If in-person meetings are not advised or not possible due to an emergency situation, as declared by the appropriate authority under Wis. Stat. Chap. 323 or otherwise determined by the Board Chair, meetings of the County Board and Committees may be conducted via teleconference, video conference or other such methods, provided that members of the public can access the meeting in accordance with Wis. Stat. § 19.89, Wisconsin's Open Meetings Law.]*

**\*\* DRAFTER'S NOTE:** Remote attendance is not allowed unless permitted by board rule or ordinance. If remote attendance will be authorized, the procedure should be here. In addition, if a person is allowed to participate in a closed session by remote communication, determine if there are any rules associated with such participation.

#### **4.04 Order of Business**

(A) County Board Meetings.

The order of business for all meetings of the County Board shall be as follows:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. *[County Clerk Verification of Open Meetings Law Compliance]*
5. *[Approve Agenda]*
6. Approve Minutes of Previous Meeting(s)
7. *[Public Comment]*
8. Special Orders of Business/Recognitions
9. Public Hearings
10. Resolutions
11. Ordinances and Ordinance Amendments
12. Reports
  - a. *[Executive/Administrator/Administrative Coordinator]'s Report*
13. Correspondence
14. Future Agenda Items
15. Closed Session (if any)
16. Adjourn

The order of business may be changed by the Board Chair or by majority vote of the Board. When preparing the agenda for the meeting, where no business is contemplated on an item on this order of business, the item can be omitted.

(B) Committee Meetings.

The order of business for all meetings of Committees shall be as follows:

1. Call to Order
2. Roll Call
3. [*Verification of Open Meetings Law Compliance*]
4. [*Approve Agenda*]
5. Approve Minutes from Previous Meeting(s)
6. Public Comment
7. Public Hearing
8. Reports
9. Contract Approvals
10. Resolutions
11. Ordinances and Ordinance Amendments
12. Correspondence
13. Future Agenda Items
14. Closed Session (if any)
15. Adjourn

The order of business may be changed by the committee or other board and commission chair or by majority vote of the committee or other board and commission. When preparing the agenda for the meeting, where no business is contemplated on an item on this order of business, the item can be omitted.

(C) Approval of Minutes. There is no requirement that minutes of a previous meeting be read unless requested by a majority of the County Board or Committee.

(D) Consideration of Resolutions. There is no requirement that resolutions introduced at a meeting be read unless requested by the Board Chair or a majority of the County Board provided such resolution(s) is made available to the Board or Committee members prior to the meeting.

#### **4.05 Personal Electronic Devices**

(A) County Board Members. All County Board Members shall silence their mobile phones and all other personal electronic devices during a meeting of the County Board and of any Committee on which the Board Member serves. Such devices may not be used during any such meeting except in the event of an emergency or with permission of the Chair of the meeting. This Section 4.05(A) does not preclude the recording of open session portions of any meeting by any person.

(B) Other Meeting Attendees. All other meeting attendees shall silence their mobile phones and other personal electronic devices during a meeting of the County Board and of any Committee. This Section 4.05(B) does not preclude the recording of open session portions of any meeting by any person.

#### **4.06 Recognition, Debate and Voting at County Board Meetings**

(A) Recognition. A Board Member must be recognized by the Board Chair prior to speaking and shall do so by [*utilizing the electronic voting machine/rising or raising a hand*]. The Board Chair is responsible for determining recognition.

(B) Debate. Each Board Member shall be entitled to speak [*twice for a total of not to exceed 10 minutes per instance*] on any matter pending before the Board and open for discussion. Any member may move to limit or extend the floor time of any speaker and such motion shall [*require 2/3 vote and*] is not debatable. Discussion and comments should be directed to the Board Chair and not to any individual Board Member, county staff or member of the public. All Board Member comments shall be germane to the business currently pending before the Board. Board Members shall maintain and exercise proper decorum at all times when discussing any matter before the Board.

(C) Voting. Unless roll call or secret ballot voting is required by the Wisconsin Statutes or these Board Rules, when a question is put to the County Board, the Board Chair shall [*conduct a voice vote by asking for those in favor and those opposed*] OR [*utilize the electronic voting system*]. When conducting roll call votes, the County Clerk shall call the roll in numeric order according to supervisory district and each succeeding roll call vote at the same meeting shall start with the next succeeding name that completed the last preceding roll call vote. [*The use of electronic voting processes is allowed and shall be utilized where possible.*]

**\*\* DRAFTER'S NOTE:** The voting procedures and mechanisms should mirror the system the county board utilizes. Secret ballots are authorized only when electing officers of the governmental body. See Wis. Stat. § 19.88(2).

(D) Abstention. All County Board Members are expected to represent their constituents and fully participate in meetings of the County Board, including voting. Nonetheless, there are recognized circumstances where participation in discussion, voting, or both would be inappropriate. A Board Member may abstain from participating in discussion, voting or both. When a Board Member abstains, the Board Chair shall provide the Board Member with the opportunity to explain the reason for the abstention and, if a reason is provided, the County Clerk shall record the reason in the meeting minutes.

**\*\* DRAFTER'S NOTE:** There may be different or additional procedures under a county's ethics code related to abstention and voting. Please ensure consistency between the board rules and other applicable ordinances and policies.

(E) With the exception of subsection (D), this Section 4.06 does not apply to Committee meetings. Unless otherwise required by the Wisconsin Statutes or these Board Rules, Committee meeting procedure shall be governed by RONR 49:21, *Procedure in Small Boards*.

#### **4.07 Public Decorum and Comment**



(A) Rules of Decorum. All attendees at County Board and Committee meetings are expected to maintain appropriate decorum during the meeting. Talking, shouting, outbursts, clapping and similar gestures are prohibited. Any attendee may be requested to cease any activities, including the use of signs, banners or displays, that unduly disrupt a meeting consistent with applicable law. Citizens in the audience are not to audibly respond to comments being made during a meeting or to make demonstrations either in support of or in opposition to a speaker or idea. The Chair of the meeting is responsible for enforcing meeting decorum.

(B) Rules for Public Comment. The following rules apply to all periods of public comment at County Board and Committee meetings:

1. Any person who wishes to address the County Board during the “Public Comment” portion of the agenda must provide their name and address prior to beginning comment.
2. A commenter may not speak longer than three (3) minutes and may only speak once per meeting.
3. All comments must be germane to an item on the meeting agenda.
4. Comments should be directed to the Board as a whole and not addressed to individual Board Members.
5. A commenter should refrain from asking questions of the Board or any individual Board Member.
6. Commenters should be courteous in their language, avoid personalized remarks and refrain from comments that are rude, obscene, profane, personally attacking, and which demonstrate a lack of respect for others.
7. The Board Chair reserves the right to terminate an individual’s public comments if these rules are violated. As well, the Board Chair has the authority to rule speakers out of order and may call a short recess in disorderly situations.

**\*\* DRAFTER’S NOTE:** The County should consider whether to utilize a sign-in process and form for public comment. If so, that should be identified in this section. As well, the rules surrounding public comment should be posted or made available for the public.

(C) Public Participation at Meetings. Unless specifically requested by the Chair of a meeting, members of the public are not allowed to participate in any meeting. No Board Member or member of a Committee may cede time during discussion of a pending question to a member of the public. This Section 4.07(C) shall not be construed to prohibit County staff from providing information and reports to the

County Board or a Committee consistent with the meeting agenda or practice of the County Board or Committee.

(D) Board Member Participation at Committee Meetings of Which They Are Not a Member. [Subject to Section 2.14], Board Members are allowed to attend any meeting of a Committee. A Board Member may not speak at a Committee meeting except during public comment or upon permission of the Chair of the Committee.

#### **4.08 Reconsideration**

Any County Board Member on the prevailing side of any question determined by the County Board may make a motion to reconsider the question at the same or next succeeding meeting. When the County Board is equally divided on any question before it, the question shall be considered lost, but in that case any County Board Member present at the meeting where the question was considered may move for reconsideration at the same or next succeeding meeting.

#### **4.09 Resolutions – Form and Introduction**

(A) Form of Resolutions. A Board Member may request the assistance of administration and staff, together with Corporation Counsel, in drafting any proposed Resolution provided, however, the identity of the Board Member shall not be confidential. Resolutions shall be in form approved by the County Clerk and Corporation Counsel. In addition to any other form requirements, all proposed Resolutions shall include the following:

1. A space for a fiscal note. The County [Executive/Administrator/Administrative Coordinator] or designee is responsible for reviewing the financial impact of any proposed Resolution and providing any comments relating to such financial impact.
2. A space for a legal note. The Corporation Counsel or designee is responsible for reviewing whether the proposed Resolution is within the scope of the County's authority and otherwise providing any comments relating to the legal impact of the proposed Resolution.
3. A space indicating the identity of the Committee(s) that considered the proposed Resolution, the date of the Committee(s) meeting at which such consideration occurred, the official action of the Committee(s) on the proposed Resolution and the votes of the Committee(s) members relative to the proposed Resolution.

(B) Introduction of Resolutions. A Resolution may be proposed by an individual Board Member or by a Committee.

1. Resolutions Proposed by an Individual Board Member. If a

Resolution is proposed by an individual Board Member, prior to any action by the Board on the proposed Resolution, the Board Chair shall refer the proposed Resolution to the appropriate Committee. The County Board may, from time to time, request a report from the Board Chair as to referral of proposed Resolutions. The Committee(s) to which a proposed Resolution is referred shall file the official action on any proposed Resolution with the County Clerk as soon as practicable following the meeting at which such official action occurred, and the act of filing shall serve as a request that the proposed Resolution be placed on the agenda for the next County Board meeting. The requirements of this Section 4.09(B)1 may be waived, in whole or in part, by the Board Chair in his or her discretion.

2. Resolutions Proposed by a Committee. A Committee may propose a Resolution. Any Committee that recommends County Board adoption of a Resolution proposed by the Committee shall file the official action on the proposed Resolution with the County Clerk as soon as practicable following the meeting at which such official action occurred and the act of filing shall serve as a request that the proposed Resolution be placed on the agenda for the next County Board meeting.

*[(C) The County Board will consider a Resolution commemorating the retirement of a County employee only if the employee is fully vested in the Wisconsin Retirement System at the time of retirement.]*

#### **4.10 Suspension of and Amendment to Rules**

(A) Suspension of Rules. Any rule in these Rules may be suspended by 2/3 vote provided any such suspension does not cause a violation of the Wisconsin Statutes.

(B) Amendment to Rules. The County Board may amend these Rules by 2/3 vote of the *[members-elect]* provided any proposed amendment is provided in writing to all Board Members in the meeting packet distributed by the County Clerk under Rule 2.02(D). Appendix A relating to committees may be amended at any time by majority vote.

## **ADDITIONAL RULES TO CONSIDER**

### **2.15 Board Member Rules of Conduct**

(A) Each Board Member shall:

1. Uphold the Oath of Office and faithfully and impartially discharge the duties of a Board Member to the best of their ability;
2. Act in the best interests of [ • ] County government at all times;
3. Refrain from conduct which a reasonable person would deem unethical, offensive or otherwise contrary to community values;
4. Be responsive to the needs of the community;
5. Represent the interest of constituents by attending and participating in meetings, adequately prepare for meetings and observe the rules of decorum and these Board Rules at meetings; and
6. Conduct [ • ] County government business in a manner consistent with law and refrain from discussions surrounding [ • ] County business outside the appropriate meetings and channels of communication.

(B) Board Member Conduct at Meetings. In addition to the rules of decorum in RONR, Board Members shall, at all meetings of the County Board or a Committee, conduct themselves and dress in a professional and respectful manner. Board Member comments should be directed to the County Board Chair or Committee Chair and not to any individual Board Member, County employee or member of the public. All comments must be respectful, courteous, appropriate and germane to the topic under discussion. Any inappropriate conduct will be recognized and addressed by the County Board Chair or Committee Chair. The County Board Chair at a County Board meeting or the Committee Chair at a Committee meeting shall have the power to direct a Board Member's removal from a meeting.

(C) Board Member Conduct Outside Meetings. In addition to the provisions of Section 2.15(A), Board Members shall adhere to the following.

1. Board Members shall at all times exhibit professional and courteous behavior when interacting with the County [Executive/Administrator/Administrative Coordinator] and County employees. Under no circumstance shall it be acceptable for a Board Member to berate, belittle or shout at the County Administrator or a County employee whether in a meeting or outside a meeting.
2. Board Members shall refrain from requesting that a County

employee perform a task or function without first obtaining the appropriate authorization. Matters relating to official County business should be addressed through the Administrator or the appropriate Committee, Other Board or Commission.

(D) As elected representatives, Board members receive complaints from constituents, including County employees and the general public. Board members shall refer complaints and/or concerns regarding the management and operation of County government to the appropriate step within the chain of command (Department Head and/or County Administrator). Outside of the chain of command, Board members shall refrain from reviewing or discussing the merits of such complaints or concerns until the matter has been submitted to the chain of command and reported by that authority to the Board or Committee.

## **SECTION 5            ENFORCEMENT**

### **5.01    Procedure for Enforcement**

(A) If the Board Rules are violated during a meeting of a Board, Committee, Other Board or Commission, the Board Chair or other presiding officer of the meeting shall have all powers under the Board Rules to immediately bring a Board Member's conduct into conformity with the Board Rules. If appropriate, the Board Chair or other presiding officer of the meeting may report a violation of the Board Rules to law enforcement for purposes of taking appropriate action, which may include (without limitation) removal of the offending Board Member from a meeting and/or issuing a citation for disorderly conduct. In addition, the Board Chair or other presiding officer of the meeting shall refer the matter to the [ • ] Committee to determine what, if any, further sanction is warranted. The Board Member who is alleged to have violated the Board Rules shall be provided an opportunity to address the [ • ] Committee prior to disposition. The [ • ] shall make a report to the County Board as soon as practicable and provide a recommendation as to the appropriate sanction, if any. The County Board shall make the final determination on the appropriate sanction, if any.

(B) The Board may, in its discretion, impose one or more of the following sanctions:

1. Private reprimand;
2. Censure without a formal Resolution of the County Board;
3. Censure with a formal Resolution of the County Board;
4. Removal from position of Committee Chair;
5. Removal from Committee; and
6. Referral to [ • ] Committee to determine if cause exists to remove the Board

Member from office.

If the Board refers the matter to the [ • ] Committee to determine if cause (defined as inefficiency, neglect of duty, official misconduct or malfeasance in office) exists to remove the Board Member from office, the [ • ] Committee is authorized to appoint agents to (a)

conduct any further and other investigation as may be necessary; (b) prepare verified charges seeking the Board Member's removal from office; and (c) prosecute the Board Member's removal from office. Any such proceedings shall comply with Wis. Stats. Chap. 17.

(C) In addition to the enforcement procedures established in this Section 5.01, and without limiting any of those provisions, the Board Chair or the [ ● ] may refer any violation of the Board Rules to the [Ethics Committee] and such referral shall be considered a [complaint] under Ordinance [ ● ].