

1 Ordiance Chapter 2 Repeal Recreate LJESS to Executive \_\_\_\_\_ 2

2 Chapter 02 - Draft LJESS v7 \_\_\_\_\_ 3

3 Chapter 02 - current version notes \_\_\_\_\_ 30

**REPEAL THE WAUPACA COUNTY CODE OF ORDINANCE  
CHAPTER 2 THE GOVERNING BODY  
RECREATE CHAPTER 2 THE GOVERNING BODY**

Recommended by the Legislative, Judicial, Ethics, Safety & Security Committee for consideration by the Executive Committee.

RECOMMENDED FOR  
INTRODUCTION BY THE WAUPACA  
COUNTY LEGISLATIVE, JUDICIAL,  
ETHICS, SAFETY AND SECURITY  
COMMITTEE

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Dated: \_\_\_\_\_

## CHAPTER 2 THE GOVERNING BODY

### SUBCHAPTER I GENERAL PROVISIONS

- 2.01 Self-Organized County
- 2.02 Ethics Code
- 2.03 Access to Public Records

### SUBCHAPTER II RULES OF THE COUNTY BOARD OF SUPERVISORS

- 2.04 Time and Place of Meeting; Quorum
- 2.05 Organizational Session
- 2.06 Order of Business
- 2.07 Rules of the Body
- 2.08 Duties of the Chair/Vice Chair
- 2.09 Duties of the County Supervisors
- 2.10 County Board Proceedings

### SUBCHAPTER III COMMITTEE RULES

- 2.11 General Procedures
- 2.12 Introduction and Progress of Resolutions and Ordinances
- 2.13 County Board Member and Citizen Member Entitlements
- 2.14 Standing Committees
- 2.15 Committee Duties
- 2.16 Creating a Subgroup (Committee, Board, Commission, Taskforce)

### SUBCHAPTER IV PURCHASES

- 2.17 Contract Amounts and Signatures

#### **Waupaca County Mission Statement:**

Waupaca County government exists to provide services that empower and protect residents and guests.

Waupaca County is a body corporate of the State of Wisconsin, chartered 1851, which was self-organized on September 21, 1999. The County Board of Supervisors is the governing body of Waupaca County as set forth in Wis. Stat. 59.10. Waupaca County has twenty-seven districts. The eligible voters in each district elect one Supervisor to represent the district to serve on the County Board for a two year term. A candidate for elective office of County Board Supervisor must be 18 years of age or older and be a resident of the supervisory district for which she or he is a candidate at the time election papers are taken out. The duties, powers, and responsibilities of the County Board of Supervisors are defined by the laws of the State of Wisconsin and the Rules of the Board as set in this Chapter of the Waupaca County Code of Ordinances.

The County Board shall consist of duly elected supervisors representing the designated districts of the County as noted in Sec. 1.01 (a) of Chapter 1 General Government of the Waupaca County Code of Ordinances.

All statutory references in this Chapter encompass the State statute as referenced that is in effect at the time of adoption and as subsequently amended.

### **SUBCHAPTER I GENERAL PROVISIONS**

#### **2.01 SELF-ORGANIZED COUNTY**

Waupaca County elects to be self-organized pursuant to Sec. 59.10(1), Wis. Stats as adopted by ordinance September 21, 1999.

## **2.02 ETHICS CODE**

### **A. Declaration of Policy**

The proper operation of County government demands that:

1. County officials and employees are independent, impartial and responsible to the people;
2. Decisions are made in the proper channels of the County governmental structure;
3. County offices should not be used for personal gain;
4. County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

In recognition of these fundamental principles, there is hereby created a code of ethics.

### **B. Purpose**

The purpose of this code is to establish standards of conduct for all County officials and employees by identifying those acts or actions that are not compatible with the best interest of the County. Because representatives of the County are drawn from local communities, individual representatives cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as County officials and employees retain their rights as citizens to personal and economic interests.

County officials and employees have a right to:

1. Engage in employment and professional or business activities, other than official duties, in order to support themselves and their families;
2. Maintain continuity in their professional or business activities; and
3. Maintain investments or activities which do not conflict with specific provisions of this code.

The provisions of this code, and such rules and regulations which may be established are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

### **C. Responsibility of Public Office**

County officials and employees are agents of public purpose and hold office to serve the public interest. They are bound to uphold the Constitution of the United States, the Constitution of the State of Wisconsin, and the Waupaca County Code of Ordinances to carry out efficiently and impartially all laws of the United States, the State of Wisconsin and Waupaca County. Further, they are bound to observe in their official acts, the standards of ethics set forth in this code and to

faithfully discharge the duties of their office. The public interest and County image must be their primary concern.

**D. Coverage**

This code governs all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads or other County employees that have management, supervisory, purchasing and other discretionary duties.

**E. Exemptions**

Political contributions, which are reported under Chapter 11 Campaign Financing, Wis. Stats., are exempt from the provisions of this code.

**F. Definitions**

1. Person: Any individual, corporation, partnership, joint venture, association or organization.
2. Financial Interest: Any interest which yields directly or indirectly, a monetary benefit to the County officer or employee or to any person employing or retaining services of the County officer or employees.
3. Anything of Value: Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment of any amount, but DOES NOT INCLUDE such things as compensation and expenses paid by the State or County, fees, honorariums and expenses, unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.
4. Privileged Information: Any written or oral material related to County government which has not become part of the body of public information and which is designated by Statute, court decisions, common law, lawful orders, ordinances or resolutions as privileged or confidential.
5. Elected Officials: Elected officials of the County shall be the twenty-seven (27) County Supervisors, Clerk of Court, County Clerk, Register of Deeds, Sheriff and County Treasurer.
6. Appointed Officials: Officials of the County shall be appointed in a manner prescribed by law.
7. Immediate Family: Any official's or employee's spouse or family member who contributes more than one-half of the support of the official or receives that level of support from the official or employee.

**G. Fair and Equal Treatment**

1. Use of Public Property. An official or employee shall not use or knowingly permit the use of County services or County-owned vehicles, equipment, buildings, grounds or materials for unauthorized non-governmental purposes or for unauthorized personal convenience or for profit, unless such services or use are available to the public generally.
2. Obligations to Citizens. An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County Supervisors to diligently represent their constituency.

#### **H. Conflict of Interest**

1. Receipt of Gifts and Gratuities Prohibited. An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair his or her independence of judgment or action in the performance of his or her official duties.
2. Exception. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value.
3. Business Interest. An official or employee shall not engage in any business, transaction or act in regard to any financial interest, direct or indirect, which:
  - a. is incompatible with the proper discharge of his or her official duties for the benefit of the public;
  - b. is contrary to the provisions of this code; or
  - c. may impair his or her independence of judgment or action in the performance of his or her official duties.
4. Employment. An official or employee shall not engage in or accept any private employment or render any services for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided.
5. Contracting. An official or employee or a business in which an official or employee holds a 10% or greater private pecuniary interest may not enter into a contract with the County involving a payment or payments of more than \$2,000.00 within a twelve-month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the County Clerk and reported such interest to the County Board. Further, pursuant to Sec. 946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract(s) with Waupaca County involving the receipts or disbursements

of more than \$15,000.00 in any calendar year. In this section, a contract includes a conveyance.

6. **Financial Interest in Legislation.** A member of the County Board who has an estimated 10% or greater financial interest in any proposed action before any standing Committee or the County Board shall disclose by submitting in writing the nature and extent of such interest to the County Clerk and the standing Committee or the County Board prior to or during initial discussion of such action. Any other official or employee who has a financial interest in any proposed action before any standing Committee or the County Board and who participates in discussion with or gives an official opinion or recommendation on the action shall also submit in writing the nature and extent of such interest as noted above.
7. **Disclosure of Privileged Information.** An official or employee shall not knowingly disclose or permit the disclosure of privileged information as defined above in section F(4) to any person not lawfully authorized to receive such information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.
8. **Gifts and Favors.** An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions, or judgments or could reasonably be considered as a reward for any governmental action or inaction.

**I. Compliance with State Statutes**

1. **Statutes Incorporated by Reference.** The following Sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:
  - a. Sec. 19.01 - Oaths and Bonds
  - b. Sec. 19.21 - Custody and Delivery of Official Property and Records
  - c. Sec. 19.81-89 - Open Meetings of Governmental Bodies
  - d. Sec. 19.59 - Code of Ethics for Local Government Officials, Employees and Candidates
  - e. Sec. 111.36 - Sex, Sexual Orientation (Harassment)
  - f. Sec. 946.13 – Private Interest in Public Contract Prohibited
2. **Violation of Incorporated Statutes.** Officials shall comply with the Sections of the Wisconsin Statutes incorporated in this code and failure to do so shall constitute a breach of this Code of Ethics.

**J. Investigations and Enforcement**

1. **Advisory Opinions.** Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by an opinion rendered. The requester shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before advisory opinion is rendered. All opinions shall be in writing. Records of the Corporation Counsel's opinion, opinion requests and investigations of violations shall be closed to public inspection, as required by Wis. Stat. sec. 19.35(1) and 19.36(10). However, such records may be made public with the prior written consent of the applicant.
2. **Complaints.** The Corporation Counsel shall accept from any person a written complaint which states the name of the official or employee alleged to have committed a violation of this Code and that sets forth the material facts alleged to be in violation of the Code of Ethics.
3. **Preliminary Investigations.** Following the receipt of a complaint, the Corporation Counsel may make preliminary investigations with respect to alleged violation of this Code.
4. **Review of Alleged Ethical Violation.** If the Corporation Counsel finds based on the information in the complaint that there is probable cause to believe that a County employee or elected official has engaged in unethical conduct, the Corporation Counsel shall present the information in the next regularly scheduled meeting of the Legislative, Judicial, Ethics, Safety & Security Committee meeting. The discussion may be held in closed session if permitted under Wisconsin Open Meetings Law and properly noticed.

The Legislative, Judicial, Ethics, Safety & Security Committee will make recommendations regarding enforcement as set forth in Subsection 7.

5. **Complaint Alleges Criminal Activity by Employee or Official.** If the complaint filed with the Corporation Counsel alleges a County employee or elected official has engaged in unethical conduct that falls under Wisconsin criminal statutes, the Corporation Counsel shall review the information presented. If the Corporation Counsel finds based on the information in the complaint that there is probable cause that criminal activity has occurred, the Corporation Counsel shall present the information at the next regularly scheduled meeting of the Legislative, Judicial, Ethics, Safety & Security Committee. The discussion may be held in closed session if permitted under Wisconsin Open Meetings Law and properly noticed on the agenda.

The Legislative, Judicial, Ethics, Safety & Security Committee may take action to:

- a. Direct that an independent investigator be retained to conduct the investigation and report back his or her findings to the committee;  
or



- b. Direct that the matter be referred to the District Attorney; or
  - c. Direct that the matter is concluded without additional investigation.
6. Time Limitations. The Corporation Counsel shall investigate any complaint properly filed. However, if a complaint is filed more than one year after an alleged violation of the ethics code, the Corporation Counsel is relieved of her or his duty to investigate the complaint or refer to outside counsel or independent investigator.
7. Enforcement. If the Corporation Counsel finds that probable cause exists to believe the allegations of the complaint demonstrate a violation of the Code of Ethics has occurred, the Corporation Counsel after consultation with and as directed by the Legislative, Judicial, Ethics, Safety and Security Committee may do any of the following:
- a. Request the official or employee to conform his or her conduct to the Ethics Code;
  - b. Recommend that the County Board order the official or employee to conform his or her conduct to the Ethics Code or recommend that the County Board act to have the official or employee be censured, suspended, or removed from office;
  - c. Refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of Sec. 19.59, Wis. Stats.
  - d. Close the matter as to that individual official or employee.

### **2.03 ACCESS TO PUBLIC RECORDS**

Waupaca County adheres to Public Records rules pursuant to Sec. 19.31-19.39, Wis. Stats

### **SUBCHAPTER II RULES OF THE COUNTY BOARD OF SUPERVISORS**

The following Rules shall govern the County Board of Supervisors. When there is no specific rule to address a situation, the latest version of Robert's Rules of Order shall apply.

### **2.04 TIME & PLACE OF MEETING; QUORUM**

- A. Regular Meetings: The County Board of Supervisors shall hold regular monthly meetings on the third Tuesday of each month to be held at the Waupaca County Courthouse except as otherwise provided and/or at the discretion of the Chair.
- B. Meeting Hours: The County Board of Supervisors shall meet at 9:00 a.m. or at the discretion of the Chair.

- C. Annual Meeting: The County Board of Supervisors shall hold its Annual Meeting on the second Tuesday in November unless it falls on November 11<sup>th</sup>, then it shall be the next day. This meeting shall be the Public Hearing on the Budget for the succeeding year and the 85.21 Transportation Fund. This date may be changed by a majority vote of the County Board of Supervisors. The annual budget requires a simple majority of members elect for adoption. Budget amendments made after adoption of annual budget requires a 2/3 vote of members elect for adoption.
- D. Special Meetings: The County Board may call special meetings in accordance with Wis. Stat. sec. 59.11(2), Wis. Stats
- E. Quorum:
  - 1. A majority of any committee shall constitute a quorum for the transaction of business.
  - 2. A majority of members-elect of Supervisors shall constitute a quorum. Members-elect is defined as those members of the County Board who have been elected or appointed for a current term and whose service has not terminated.

## 2.05 ORGANIZATIONAL SESSION

Orientation Session – Prior to the third Tuesday in April on even numbered years, an Orientation Session will be held for all new supervisors by the County Board Chair or his/her designee and County Clerk.

- A. A Session of the County Board runs from the third Tuesday in April in an even year until the third Monday in April of an even year.
- B. At the statutory Organizational Meeting to be held on the third Tuesday in April of even-numbered years, it shall be the duty of the County Clerk to call the County Board to order. The Clerk shall call the roll, establish the presence of a quorum, and proceed with the preliminary ceremonies.
- C. No resolutions or ordinances shall be considered at the Organizational Meeting except those relating to new rules and rule changes passed during the last term.
- D. A quorum being present, the Board shall proceed to the election of a Chair and Vice Chair. (See section M, Election of Officers below.) The Highway Committee shall be a five-member committee elected from the floor.
- E. The Chair shall appoint a Committee on Committees to advise the Chair in the selection of committee members. The Committee on Committees shall consist of the Chair, Vice Chair and five other board members which shall meet the first day of the Organizational Session after all elected officials have been sworn in to office and Committee on Committees members approved. The Committee on Committees shall advise the

Chair in the formation of committee membership with each supervisor selected for a minimum of two committees.

- F. The proposed rules of the newly seated County Board shall be made available to the Board membership prior to the Organizational Meeting.
- G. There shall be an explanation of the present and proposed rules of the County Board at the Organizational Meeting.
- H. The proposed rules of the Board shall be presented and rules adopted at the Organizational Meeting of even-numbered years by a majority vote of members elect.
- I. The Rules of the Board shall be amended during the two-year period only by a 2/3 vote of those present at a meeting.
- J. After the adoption of the Rules of the Board and other activities as noted in 2.05, the Board may recess the Organizational Meeting to the following day or the same afternoon at the discretion of the County Board Chair.
- K. The Board, as the first order of business at the recessed meeting of the Organizational Meeting, shall officially approve all committee members by a majority vote of those present.
- L. The Board may then have all members of each committee meet for one half hour to select committee officers and then report the results of such elections to the Board as a whole. Any committee may, if the Committee membership so decides, postpone election of committee officers for not more than one month from the Organizational Meeting.
- M. Between Organizational meetings, should a vacancy occur, or the need arises to adjust a standing committee, the County Board Chair shall make appointments to fill the vacancy and such adjustment to a standing committee shall be approved by the full County Board at its next regular meeting.
- N. Election of Officers:
  - 1. County Board Chair and Vice Chair: The County Board Chair and Vice Chair are elected at the Organizational Meeting. This election can be made by secret ballot per Sec. 19.88, Wis. Stats. by request. Nominations are taken from the floor, no second is required. When a ballot is needed, a single ballot is prepared with the candidates' names listed in alphabetical order.
  - 2. The candidate with the majority number of votes shall be declared elected. In the case where no majority has been established and there are more than two candidates, the voting continues until a winner is declared by majority of the votes cast. The County Clerk's deputies shall serve as tellers to the Board for elections.

3. Highway Committee is a five-member committee elected from the floor and voted on individually. The candidate with the majority number of votes shall be declared elected for each position. In the case where no majority has been established and there are more than two candidates, the voting continues until a winner is declared by majority of the votes cast. The County Clerk's deputies shall serve as tellers to the Board for elections.
4. The ballots shall be destroyed by the Clerk thirty (30) days after the election.

#### **2.06 ORDER OF BUSINESS:**

The order of business may change by consent of a majority of members present with a motion to amend the agenda during item 5 below.

1. Meeting called to order by the Chair
2. Call of roll
3. Open meeting statement
4. Silent meditation followed by the Pledge of Allegiance
5. Approval of agenda
6. Approval of minutes of the last meeting and corrections
7. Presentation of resolutions - Responsible Department Head or designee may address the Board to provide background and substantive information on resolution prior to motion to place resolution on the floor for deliberation and discussion.
8. Presentation of ordinances - Responsible Department Head or designee may address the Board to provide background and substantive information on ordinance prior to motion to place ordinance on the floor for deliberation and discussion.
9. Presentation of reports – committees or departments
10. Presentation of numbered written reports
11. Appointments
12. Presentation of petitions
13. Announcements
14. Adjournment

## **2.07 RULES OF THE BODY:**

- A.** The order of succession for the Chair position during the temporary absence of the Chair or until the vacancy is filled shall be the Vice Chair, Finance Committee Chair and then the Legislative, Judicial, Ethics, Safety and Security Committee Chair.
- B.** All matters not appearing on the agenda for a particular Board session shall be out of order and shall not be considered at that session in accordance with the State of Wisconsin Open Meeting Law, unless the matter shall be declared an emergency measure.
- C.** The Chair shall preserve order and decorum and shall decide all questions of order, subject to an appeal of the Board.
- D.** No member shall be interrupted while speaking, unless it is to call the member to order.
- E.** At County Board meetings where electronic voting is used, members will request to speak by selecting that item on their voting devices. At standing and special committee meetings, members will request to speak by raising a hand. Members shall not speak until identified by the Chair. In the event two members shall request to speak by raised hands, the Chair shall decide in which order the member may speak.
- F.** Motions shall be made in writing when requested by the Chair.
- G.** No member shall be permitted to speak more than twice on the same question unless by permission of the Chair.
- H.** When all who wish to speak on any question before the Board have expressed their views, the Chair shall call the question. No member shall be permitted to speak while the question is being presented.
- I.** When a question is before the Board, no motions shall be in order except to adjourn; to lay on the table; for the previous question; to postpone to an indefinite period; to divide; to correct or amend; said motion shall have precedence in order arranged.
- J.** Votes will be cast using an electronic voting system. A roll call may be requested for any vote by any Supervisor. The Clerk will announce the order of the voting by stating which Supervisory District will cast the first vote and subsequent votes will be cast numerically by District with the final vote being the District one number lower than the first vote cast. At the time of the next roll call vote, the first vote will be cast by the next numerical Supervisory District with the goal of changing the order of votes cast. In the event that the electronic voting infrastructure is not in proper operation, voting will be done by voice vote unless a roll call vote is requested.
- K.** Voting is a duty and obligation held by each individual elected official or appointed citizen member of a board, commission or committee. An individual cannot be compelled to vote. In accordance with Wisconsin law, an individual is

required to abstain when she or he has a conflict of interest. Members are not allowed to explain their vote during the voting process. In a roll call vote, a member choosing to abstain may announce "present" or "abstain" when her or his name is called for a vote. After the Clerk has called "last chance to vote" and the vote displayed or announced, an individual may only change her or his vote with unanimous consent of the body.

- L. All questions presented to the County Board shall be determined by a majority of the Supervisors present unless otherwise required by law, ordinance or these rules. The Chair shall state all questions prior to voting.
- M. The names of the County Board members voting shall be recorded in the Board minutes.
- N. The Chair shall be permitted to vote on all questions before the Board for representation in his/her district.
- O. A motion to adjourn is always in order and shall be decided without debate.
- P. A motion to table shall be decided without debate.
- Q. No motion for reconsideration shall be received unless made by a member who voted on the prevailing side in the first instance.
- R. No specific subject matter shall be voted upon more than twice in the budget year, unless by permission of a 2/3 vote of the members elect of the Board.
- S. The vote on resolutions to amend the current year's budget shall be sustained by a 2/3 vote of the members elect.
- T. Matters that come before the Board may be referred to appropriate committees by the chair without motion.
- U. The rules of the board may be suspended during any meeting by 2/3 vote of the members present on motion to suspend the rules.

#### **2.08 DUTIES OF THE CHAIR/VICE CHAIR:**

- A. The Chair and Vice Chair are regulated by Sec. 59.12 of the Wisconsin State Statutes.
- B. The Chair shall preserve order and decorum, and shall decide all questions of order subject to an appeal of the Board.
- C. Except as otherwise provided by law, the Chair of the County Board and the Vice-Chair shall be ex-officio members of all standing committees. Their ex-officio membership is in addition to the membership hereinafter prescribed for each committee. Any committee lacking a quorum may call on the Chair or Vice-Chair to make a quorum as an active voting member of that committee for that day. The Chair and Vice-Chair shall be paid mileage and per diem for attending a committee meeting as requested to achieve a quorum by any properly noticed standing county committee.

## 2.09 DUTIES OF THE COUNTY SUPERVISORS:

Service as a County Supervisor is an honor and a trust which compels the office holder to serve the public through use of his or her judgment for the benefit of the public, and binds him or her to uphold the Constitution of the United States the Constitution of the State of Wisconsin and to carry out impartially the laws of the Nation, State and County.

### A. County Supervisors:

- Are dedicated to the democratic ideals of honest, openness and accountability in all matters involving County government;
- Are willing to accept responsibility for decision-making that can affect many;
- Understand the County's mission, priorities, challenges, needs and demographics;
- Understand the difference between governance and management and accept that their role is to set policy while management carries out policy through operations;
- Understand the importance of distinguishing between personal opinions and County Board positions when communicating with the public and the media, exert a good faith effort to communicate the full truth about County matters and avoid structuring information to achieve a personal advantage;
- Are good listeners and will speak to issues, but also recognize when discussion must conclude and a decision must be made;
- Are committed to building community partnerships;
- Actively practice and support stewardship of the County's fiscal and natural resources by supporting public policy for the best use of the land, water and air consistent with the public interests, community need and a vision for the future and adopt fiscal policies that promote the most effective, efficient and ethical use of public funds;
- Perform the duties of their office with fairness and impartiality to build public confidence in government;
- Support the principle of equal employment and oppose discrimination in all County operations;
- Strive to seek and consider citizen input; and
- Strive for excellence through continuous learning, seek opportunities to acquire skills and knowledge, and dedicate the time necessary to adequately attend to the assignments and duties of the office.

- B. County Supervisors are expected to individually contribute to a collaborative effort to set strategic mission goals and make broad policy decisions that support the strategic mission and advance the priorities of the County. Examples of such activities include, but are not limited to:
- Taking part in the activities of the Board and serving on one or more Standing Committees or Special Committees, Boards and Commissions enumerated in Ch. 1, Section 1.08 and 1.09, as appointed by the County Board Chair;
  - Participating in the process of debate and voting on proposed ordinances, resolutions and motions in County Board and Committee meetings;
  - Providing policy oversight and advice to the management of the County regarding delivery of County services while refraining from the delivery, management or administration of daily operations of the County;
  - Being responsive to the needs of their constituency through effective communication;
  - Establishing priorities for the delivery of County services through the annual budget and tax levy.

#### **2.10 COUNTY BOARD PROCEEDINGS:**

Annually after the conclusion of the March meeting, the County Clerk shall place a copy of the County Board Proceedings on the County's official website as well as create three printed copies. Two copies shall be kept with the Clerk's office for historical records, and one copy shall be sent to the Wisconsin State Historical Society as required by section 59.23(2)(p), Wis. Stat. County Board Supervisors shall receive a free printed copy if requested.

### **SUBCHAPTER III COMMITTEE RULES**

The following procedures shall apply to all County Committees and Boards, hereinafter referred to as Committee. When Committee is used in this rule and those following, it shall mean and include all committees, commissions or boards exercising delegated power of the Board or otherwise subject to the control selection or approval by the Board.

#### **2.11 GENERAL PROCEDURES:**

- A. The Chair and/or Department Head of each standing committee shall file with the County Clerk as directed in accordance to section G, Scheduling, Notice and Conduct of Meetings, below, notification of all business, including ordinances, resolutions and reports, to be brought before the Board by the respective committees prior to the County Board session.
- B. No communication shall be received for consideration from any person or persons unless it is signed by such person or persons. A member of the Board must sign all resolutions presented.



- C.** In the event of a vacancy on the County Board, which would include vacancies on any committee for which the Supervisor was a member, or a vacancy of a citizen member appointment of any committee, the vacancy would be filled either through election by the County Board or appointment by the Board Chair and confirmation by the County Board. If a vacancy occurs, the appointment shall be done within thirty (30) calendar days of the vacancy. In the event meeting schedules or lack of qualified candidates present themselves, the appointment shall be made as soon as practical and without delay.
1. All appointments to standing committees shall be for the full term of the Supervisor as set by state statute.
  2. Committees shall set their Chair and Vice Chair. The Chair shall be a Supervisor. The Vice Chair shall serve in the temporary absence of the Chair. If both are absent, a temporary chair may be determined by majority of members present for the purpose of running that meeting.
  3. Minutes shall be kept of all Committee meetings by the County Clerk or a staff person designated by the County Clerk. Minutes of each meeting shall be placed on file in the County Clerk's office not more than ten (10) business days after the meeting is held. Those draft minutes will be presented in the meeting packet with the next agenda which is posted the Thursday before the meeting unless an emergency meeting is declared. Minutes will be posted to the website after approval by the Committee of Jurisdiction. Minutes are the responsibility of the County Clerk and become a permanent record of the County Board.
  4. Minutes shall include:
    - a. The name of the committee, the date, the hour, location of meeting and time of adjournment.
    - b. Listing of all those present to include members and staff that participate in the meeting or address the committee and any non-committee Supervisor who is in attendance.
    - c. Each matter considered and the action taken by the Committee.
    - d. Persons appearing, the matter on which they appear, and the position taken.
  5. If a meeting is recorded to assist the minute taker, the recording shall be deleted after the minutes are approved by the Committee of Jurisdiction.
- D.** Committee members shall sign the certificate of attendance sheet, indicate their mileage, start and end time of each meeting, and all meetings attended for the day. This report shall establish payment for meetings attended and mileage to be paid.
- E.** The Chair of every standing committee shall be authorized to direct the County Clerk to call a meeting of such Committee in accordance to section G, Scheduling, Notice and Conduct of Meetings, below. Joint Committees meetings

may be held from time to time as is necessary at the discretion of each committee's Chair in order to efficiently conduct county business germane to each committee of jurisdiction and with a joint purpose. At the commencement of the joint meeting, a chair is elected, and the group acts as one committee for the meeting. Voting is done as a unified group and a majority vote of the total number of members present is required for passage. No joint meeting may be held unless of quorum of each committee is present.

**F.** Assistance may be provided to the Committee by the department staff.

**G.** Scheduling, Notice and Conduct of Meetings.

1. All meetings of committees shall be conducted in strict accord with the Open Meetings laws of the State of Wisconsin.
2. When closed sessions are permitted by statute, the motion to go into closed session with the reason as authorized by statutes must be announced or read aloud. The announcement and reason shall be duly recorded in the minutes.
  - a. Any case of doubt as to legality shall be resolved in favor of an open meeting.
  - b. Except as set forth in (c) below, a Supervisor may attend a closed session of any Committee, Commission or Board.
  - c. A Supervisor shall not attend a closed session of any Committee, Commission or Board if she or he has a personal, financial, or ethical conflict with the subject matter to be discussed in closed session.
3. Open meetings shall be held in public buildings or other places accessible to the public.
4. A copy of the agenda, including the time and place of the meeting, all members of the committee listed by name and of the matters to be discussed, shall be given to the County Clerk as soon as possible after scheduling but no later than 8 a.m. on Thursday of the week prior to the meeting.

The County Clerk will provide notice of the meeting by posting the agenda on the public bulletin board in the courthouse and three other public places which provide prompt and sufficient notice to the public by the close of business on Thursday of the week prior to the meeting. If an agenda is not posted by the Thursday deadline, pursuant to Wis. Stat. sec. 19.84(3), notice shall be given at least 24 hours prior to the commencement of such meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be provided less than two (2) hours in advance of the meeting.

5. For all committee level meetings, a time for public input/public comment (for items on the agenda or for placing an item on a future agenda) will be placed on the agenda with time limit set by Chair if necessary.

It is advisable to limit public comment (if any) of the subject and to defer any extensive deliberation to a later meeting for which more specific notice can be given. No formal action may be taken on a subject raised in the public comment period, unless that subject is also identified in the meeting notice.

Reasonable rules governing the conduct of a period of public comment, including the following:

- a. A public comment period is limited to no more than thirty (30) minutes. The maximum time allotted to each speaker is three (3) minutes. A speaker may not yield or reserve their time to another speaker.
- b. Public comment is limited to matters that are germane to or within the jurisdiction of the committee.
- c. Public comment is not allowed as to matters that have been the subject of a public hearing (*e.g., amendatory zoning ordinances*) or quasi-judicial hearings.
- d. Public comment is on a first-come-first-serve basis. A speaker must be present in person. Speakers must sign in before speaking. If time remains after the public comment period, the chairperson may ask if there is anyone present who wishes to make a public comment that did not have a chance to sign-in.
- e. A speaker must get recognition from the chair before speaking, state their name, and address his or her remarks to the chair.
- f. To prevent cumulative and repetitive comments, the chair may, in her or his discretion, provide for the designation of spokespersons for groups of persons supporting or opposing the same positions.
- g. The chair may provide for the maintenance of order and decorum in the conduct of the public comment period.
  1. Maintaining order includes keeping speakers to their allotted time, controlling others from interrupting the speaker who has the floor, and preventing speakers from otherwise disrupting the meeting (*e.g., clapping or shouting*).
  2. Maintaining decorum includes encouraging speakers to be courteous and respectful. The use of obscene, profane language or gestures will not be tolerated.

- h. If order and decorum is not able to be maintained, the chair may terminate a period of public comment. The purpose of the public comment period is to give persons an opportunity to inform the governing body about their views. The meeting itself belongs to the governing body. The public does not participate in decision-making. Instead, it provides input to the governing body, which takes the input into consideration in making its decisions.
- 6. A Supervisor who is not a member of the Committee convened for a meeting may present information on agenda items and points of interest relevant to those functions, programs, or services assigned to the Committee.
  - a. The Committee Chair shall maintain the decorum of the meeting, including imposing a time limitation for statements at his or her discretion.
  - b. A non-member Supervisor may make a statement to the Committee, but may not engage in debate with Committee members and has no voting privileges.
- 7. These procedures under 2.11 (G) shall apply to meetings called under emergency situations insofar as practical.

**2.12 INTRODUCTION AND PROGRESS OF RESOLUTIONS AND ORDINANCES:**

- A.** Resolutions that substantively effect the County's interests in safety or security or are legislative in nature, shall be presented to the Legislative, Judicial, Ethics, Safety and Security Committee for review prior to consideration by the County Board. Resolutions that substantively affect County finances, including but not limited to, budget amendments and carryover requests; and personnel matters including but not limited to new positions and compensation, shall be reviewed by the Finance Committee only prior to consideration by the County Board. Any Committee may, by its own motion approved by a majority of the Committee, recommend a resolution for consideration to LJESS.
- B.** Any individual supervisor may introduce a resolution or ordinance as follows:
  - 1. The written proposal shall be delivered to the presiding officer at any regular Board meeting.
  - 2. That officer shall refer it to the proper committee for review and recommendation for passage or other action.
  - 3. The committee chair shall place it on the committee's agenda not later than two regular committee meeting dates.
  - 4. The committee shall make its recommendation to the Board not later than four regular committee meeting dates after receipt of the proposal.
  - 5. The proposal shall be placed on the Board agenda in accord with Section 2.11 (G)(4) Scheduling, Notice and Conduct of Meetings.

- C. The Corporation Counsel shall assist any committee or individual supervisor in the formal drafting of a proposal, if so requested. All resolutions and ordinances must be submitted to the Corporation Counsel for approval only as to legality and form at least seven business days prior to the day of the Standing Committee meeting at which they are to be presented. The Corporation Counsel notation of approval as to form shall be presented to the County Board of Supervisors as a notation on the resolution itself.

If the Corporation Counsel objects as to form or substance, such objection shall be presented to the Board in writing by filing same with the County Clerk and the Chair of the Standing Committee designated to handle this proposal prior to the call to order of that Standing Committee, if time permitting, in addition to prior to the call of order at the County Board meeting.

- D. The County Clerk shall compile the information filed by the various committee chair and/or department head, an agenda containing the business to be presented at the next session of the County Board. Said agenda, and a copy of each ordinance, resolution and report listed thereon, whenever possible, shall be provided to each Board member the Thursday prior to a County Board regular business session or sooner if Thursday is a Holiday. A copy of the agenda only shall be distributed to each Department Head at the same time.

#### **2.13 COUNTY BOARD MEMBER AND CITIZEN MEMBER ENTITLEMENTS:**

*Definitions:*

County Board Member: *A duly elected representative elected at the even year Spring Election for a two-year term, unless otherwise appointed per the County Board Rules.*

Citizen Member: *A member serving on a statutory committee/board/commission per Wisconsin State Statutes and appointed by the County Board of Supervisors.*

Authorization: *The Annual Conference of the Wisconsin Counties Association (WCA) and any other WCA conference or workshops are authorized events for all members of the board.*

*Attendance at any other seminar, conference or webinar must be authorized by the County Board Chair or committee Chair of the committee of jurisdiction.*

- A. Mileage reimbursement for County Board Meetings, Committee Meetings and other authorized County functions.

Each Supervisor for each day they attend a meeting of the Board, receives mileage for each mile traveled in going to and return from the meetings by the most usual traveled route at the rate established by the Board pursuant to Sec, 59.13 Wis. Stats. as the Standard Mileage Allowance for all County employees and officers.

- B. Mileage reimbursement for attendance of in-county Committee Meetings, County Board Meetings and other authorized in or out-of-county functions shall be set at the same rate as the Internal Revenue Service rate for mileage reimbursement for the driver only.

Mileage reimbursement will only be made to those supervisors who have filed proof of insurance in the form of a certificate of insurance, or a copy of the declaration page indicating the amount of coverage for liability and an expiration date with the Human Resource Department, for vehicles used. Per Wisconsin County Mutual Insurance Corporation personal automotive insurance shall be in the amount of: \$100,000 per person; \$300,000 per accident bodily injury; \$100,000 combined single limit.

- C. All reimbursement is subject to the conditions and limitations set forth in Section 12, Travel Policies, of the Waupaca County Personnel Policies and Procedures.
- D. Supervisor/County Board Chair/Citizen Member Entitlement: \$70.00 per meeting and any meeting over 4 hours will receive an additional \$30.00. Only committee members, and Supervisors attending for the purpose of establishing a quorum, will be paid per diem at a specified committee meeting unless the County Board Chair or committee Chair requests a Supervisor to attend a specific meeting for a specific purpose. The attendance must be recorded in the minutes of the meeting and said non-member(s) shall sign the Certificate of Attendance sheet.

When a majority is not in attendance, all present shall be entitled to their per diem and standard mileage allowance, if applicable.

County Board Chair shall receive an annual salary of \$13,250 for first year of term starting April 2020 and \$13,500 for 2<sup>nd</sup> year of term starting April 2021 plus paid meetings and mileage. The salary shall include all meetings with Department Heads, opening and answering correspondence, representing organizations, ceremonial functions, unless over two (2) hours, at that time the Chairperson is allowed to collect \$70 for that event/meeting.

County Board Vice Chair shall receive an annual salary of \$1,100 for first year of term starting April 2020 and \$1,200 for 2<sup>nd</sup> year of term starting April 2021 plus paid meetings and mileage.

Administrative Coordinator annual salary is set at \$5,000.

- E. Conferences, Seminars, Conventions and authorized County functions, shall be paid mileage and \$70.00 per day or if over 4 hours, \$100.00 for the full day. Supervisors may be called upon to report at the County Board meeting information from these events.

As long as we are members of NACO beginning September 1, 2014 there shall be no compensation for NACO meetings.

- F. Cancellation Policy. On any prepaid convention, conference or seminar, a supervisor must notify the County Clerk's office at least 48 hours of a cancellation or any non-reimbursable fee shall be paid from the supervisor's mileage and expense voucher.
- G. Supervisors/Citizen Members per diem and expense entitlement while attending authorized conventions and other out of the county functions shall be entitled to per diem payments on a daily basis when attending meetings, conventions or

conferences which directly relate to their positions on the Board or one of its duly appointed committees or boards. This shall include each day of the convention or conference and any official meeting prior to the commencement of the conference.

Registration fees and expenses for lodging made necessary by the board members attendance at such a conference or convention shall be paid by the County only for that board member. Whenever possible, room reservations are to be submitted to the County Clerk's office in advance so that advanced billing can be made through that office for the tax exemption rate and direct billing.

Meal reimbursement to County Board Supervisors/Citizen Members shall allocate a daily meal allowance equal to \$34 per day for all out of county meal expenses. Actual receipts must be submitted to the County Clerk's office with the voucher or reimbursement will not be made. Meal reimbursements are for the Supervisor/Member only. No reimbursement shall be made for the cost of alcoholic beverages or for tips over 15%. See Personnel Policy and Procedures Manual for the full policy.

- H. All County Board Committee meetings (including Highway Committee meetings) and other authorized county functions as described above shall be unlimited per calendar year.
- I. Leadership Waupaca County. Any sitting County Board Supervisor may apply to the County Board Chair for authorization to submit an application to Leadership Waupaca County. The County Board Chair may select two members per year to attend the Leadership Waupaca Program and authorize payment of the full fee for each of the supervisors selected. There will be no per diem, mileage payment or meal reimbursement for participation in this course.

#### **2.14 STANDING COMMITTEES**

A permanent committee appointed to deal with a specified subject. All committees, unless statutes direct composition, are required to have odd number membership.

1. Agriculture, Extension & Education Committee
2. Emergency Management, Terrorism & Safety Committee
3. Finance Committee
  - Human Resources: A sub-committee of Finance
  - Information Technology: A sub-committee of Finance
4. Highway Committee
5. Land & Water Conservation Committee
6. Land Information Council
7. Law Enforcement Committee
8. Legislative, Judicial, Ethics, Safety & Security Committee

9. Local Emergency Planning Committee
10. Parks and Recreation Committee
11. Public Property Committee
12. Planning & Zoning Committee
13. Health & Human Services Board
14. Solid Waste Management Board
15. Veterans Service Commission

## 2.15 COMMITTEE DUTIES

A. Agriculture, Extension & Education Committee: The guidelines for University of Wisconsin- Madison Division of Extension programs and a committee on Agriculture and Extension Educations are provided through WI statute 59.56(3). The Agriculture, Extension & Education Committee is a five-member committee made up of County Supervisors appointed during Committee on Committees. As Extension programs are a collaboration between the county and UW-Madison this committee provides general oversight to the department, reviews programmatic updates from Extension staff, and provides advisory input on program development.

B. Emergency Management, Terrorism & Safety Committee: The Emergency Management, Terrorism & Safety Committee, authorized by Wisconsin Statue 323.14(1)(a)3, is a 6 member committee consisting of the County Board Chair and Vice Chair and Chairs of the Health & Human Services Board, Law Enforcement, Finance and Highway Committees. The County Board Chair shall hold the position of Chair.

The Emergency Management, Terrorism & Safety Committee shall be an advisory, policy and oversight committee which, thru the Emergency Management Director, help to ensure that the County will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from technological (man-made) and natural disasters, as set out in Chapter 323, Wisconsin Statutes.

C. Finance Committee: Eight member committee made up of County Board Chair and seven County Superiors appointed by the Committee on Committees. This committee has jurisdiction for the County Clerk, Treasurer, Register of Deeds, Finance, Human Resources, Information Technology, and Veterans Services. The Finance Committee reviews, recommends and acts on all financial matters and reviews annually all department's proposed budgets for the following year, as well as review the annual audit report. They review and act on policies of Human Resources and Information Technology subcommittees.

1. Human Resources: A four member sub-committee of the Finance Committee which is appointed by the Committee on Committees. The Human Resources Committee is responsible for review, development and application of county personnel policies; collective bargaining; processing employee grievances;

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**Commented [JL2]:** Pending approval of rule change noted in 2.14 and 2.16 B this will need to change

**Commented [JL3]:** Pending approval of rule change noted in 2.14 and 2.16 B this will need to change



compensation review and recommendations; oversight of employee and department head evaluation process; participation in the interview and selection for new employees; oversight of the Human Resources Department. Due to the nature of the responsibilities of the Human Resources Committee, a high level of confidentiality is necessary.

2. Information Technology: A sub-committee of Finance  
The Information Technology Subcommittee is made up of three members of the Finance Committee, as well as the County Board Chair, and is appointed by the Committee on Committees. The Information Technology Committee elects a chair and vice chairperson from the four member committee and meets monthly on a date prior to the Finance Committee. The Information Technology Committee, along with guidance from the Information Technology Director, is responsible for all technology related decision-making for Waupaca County and provides guidance as well as sets technology related priorities to enable the County to balance its financial resources with each department's goals.

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- D. Highway Committee: Five member committee made up of County Supervisors elected by the board at the organizational meeting and are authorized and have the powers and duties noted in Wisconsin Statute 83.015. Some of the powers and duties include purchasing and sale of equipment, authorizing the construction and maintenance of County Highways, and audit payrolls, material claims and vouchers.

- E. Land & Water Conservation Committee: The Land & Water Conservation Committee is a seven member committee, created pursuant to WI ss. CH 92.07, that must consist of at least two members of a county agriculture and extension committee created under WI ss. 59.65 (3)b and one member of a county Farm Service Agency (FSA) committee, created under 16 USC 590h (b). The county board members are appointed by the Waupaca County Committee on Committees and the FSA member shall be appointed by the County Board upon designation by the chairperson of the FSA Committee. All committee members serve two year terms. The Land & Water Conservation Committee is responsible for overseeing the Land & Water Conservation Department, functions assigned to the committee by CH 47 & 51 of the Waupaca County Code of Ordinances, duties within WI ss. CH 92 and implementation of the Waupaca County Land & Water Resource Management Plan. The Land & Water Conservation Committee, subject to approval by the county board, may develop and adopt standards, policies and specifications for management of non-point source pollution. The Committee may also distribute and allocate federal, state and county funds for cost sharing or other incentive programs related to best management practice implementation on private or public lands.

- F. Land Information Council: Created pursuant to Sec. 59.72(3M) of the Wisconsin Statutes, and Waupaca County Resolution No. 17 (2010-2011). The land information council shall review the priorities, needs, policies, and expenditures of a land information office established by the board and advise the county on matters affecting the land information office. **Members(10):**

- o Three County Board Supervisors-appointed during the Committee on Committees. Committee Chair shall be filled by a County Board Member.
- o A representative of the Land Information Office.

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- o Real Property Lister or designee
  - o County Surveyor
  - o County Treasurer
  - o Register of Deeds
  - o A realtor or a member of the Realtors Association employed within the county.
  - o A public safety director or emergency communications representative employed within the county.
- G. Law Enforcement Committee: Five member committee, made up of county board supervisors, created by Resolution Number 5, 1939-1940, which may include the County Board Chairperson. This committee is responsible to review the Sheriff's Office, E911 and the Medical Examiner's Office activities.
- H. Legislative, Judicial, Ethics, Safety & Security Committee: Five member committee and appointed by the Committee on Committees. The duties of the Committee shall be to review legislative information received from Wisconsin Counties Association ("WCA") and other sources and other county resolutions; to represent Waupaca County at WCA meetings relating to legislative matters; to review County Board standing rules and Code of Ethics and make recommendations on the same to the Executive Committee for approval prior to recommending to the Board; to review County Board and citizen member entitlements and make recommendations on the same to the Executive Committee for approval prior to recommending to the Board; to serve as the liaison between the Waupaca County Board of Supervisors and the Circuit Courts and the District Attorney; to review and approve budgets from the District Attorney, the Circuit Court Judges, the Clerk of Courts, and the Corporation Counsel/Child Support Administrator prior to submission to the Finance Committee; and to review and make recommendations to the County Board regarding safety and security concerns and improvements at county-owned facilities
- I. Local Emergency Planning Committee: Per Wisconsin Statute 59.54(8), with membership as noted in statutes and appointed by County Board Chair and approved by County Board. Purpose is to implement programs and undertake activities which are designed to prepare the county to cope with emergencies involving the accidental release of hazardous substances.
- J. Parks and Recreation Committee: The Parks and Recreation Committee is a five member Committee of the County Board appointed during Committee on Committees. The Committee is responsible for overseeing the Parks and Recreation Department that develops and maintains about 40 park areas including the County Fairgrounds that provide diverse recreational opportunities for both residents and visitors. These duties and authorities are defined in Chapter 19 of the Waupaca County Code of Ordinances.
- K. Public Property Committee: The Public Property Committee is a five member committee of the County Board appointed during the committee on committees. The committee is responsible for all matters related to County Buildings and property with the exception of the Waupaca County Highway Department, Law Enforcement, PTF and Parks facilities and grounds, subject to the authorization or ratification and approval of the County Board and for the oversight of the Maintenance Department.
- L. Planning & Zoning Committee: The Planning and Zoning Committee is a five member Committee of the County Board, created pursuant to Sec. 59.69(2) of the Wisconsin Statutes, appointed during Committee on Committees, and serves as the County

Planning Agency pursuant to Sec. 236.2(3) of the Wisconsin Statutes. The Committee is responsible for overseeing the office of the Planning & Zoning Director and for other functions assigned to it by Chapter 34 of Waupaca County Code of Ordinances or by State law.

- M. **Health & Human Services Board:** The Health & Human Service Board is a nine member committee made up of 6 County Supervisors appointed during Committee on Committees and 3 citizen members with duties are as noted in Wisconsin Statutes 46.23 and 251. Citizen Member terms shall be 3 years, while County Board Member terms coincide with their County Board Terms. Both the Chairperson and Vice-Chairperson shall be filled by County Board Members. The Board is responsible for overseeing the Health and Human Services Department and all duties listed in Sec 46.23 and Sec 251 of the Wisconsin State Statutes, and any other applicable statute.
- N. **Solid Waste Management Board:** The Solid Waste Management Board is a nine member board composed of five County Board Supervisors, appointed during the Committee on Committees, and four Citizen Members, created pursuant to Sec. 59.70(2) of the Wisconsin Statutes. Citizen Member terms shall be 3 years, County Board Member terms coincide with their County Board Terms. The Management Board shall elect from its membership a Chairperson and a Vice-Chairperson. Both the Chairperson and Vice-Chairperson positions shall be filled by County Board Members. The Board is responsible for overseeing the Solid Waste and Recycling Department and all duties and responsibilities listed in Sec. 59.70(2) of the Wisconsin Statutes as well as those defined in Chapter 20 of the Waupaca County Code of Ordinances.
- O. **Veterans Service Commission:** Composed of the County Veterans Service Officer and three citizens who are veterans and county residents that are appointed by the County Board Chair for staggered 3 year terms authorized by Wisconsin Statute 45.81. The commission reviews and approves veteran hardship grant applications and has oversight of the annual fund authorized by Wisconsin Statutes 45.86

## **2.16 CREATING A WAUPACA COUNTY GOVERNANCE SUBGROUP – (Committee, Board, Commission, Taskforce)**

### **A. Purpose of Subgroup**

Waupaca County government predominantly uses a subgroup structure to research, develop, and recommend for adoption and monitor outcomes of County Board governance policy. To provide guidance for the development of the Waupaca County governance structure, and to assure that an efficient and effective governance structure is maintained, the following process shall be used to create all Waupaca County Board subgroups.

### **B. Subgroup Formation Process**

Only subgroups which have been created consistent with this procedure will be recognized as a part of the formal Waupaca County governance structure.

1. Any Standing Committee, County Board Chairperson, or the Corporation Counsel in fulfillment of a statutory requirement may request the creation

of a formal governance subgroup to be part of the Waupaca County governance structure.

2. The creation of any Waupaca County governance subgroup is subject to approval by the Waupaca County Board.
3. Requests directed to the Waupaca County Board for the creation of a governance subgroup shall include:
  - a. Subgroup name.
  - b. Purpose/Mission statement.
  - c. Delineation of the relationship to the County governance structure including the primary Standing Committee to which the subgroup will relate.
  - d. Identification of the party responsible for member appointment.
  - e. Number, term and special qualifications of subgroup membership.
  - f. Duties and responsibilities of the subgroup.
  - g. Description of subgroup outcome expectations including timelines.
  - h. Term of the subgroup both beginning and completion dates.
  - i. All subgroups, unless statutes direct composition, are required to have odd number membership.

**C. Reformation of Existing Subgroup**

- a. Any subgroup in existence when this ordinance was enacted shall reform in accordance with the provisions of Section B above.
- b. Any subgroup for which this section applies shall be reformed on or before April 30, 2020 or be dissolved.

**D. Subgroup Procedures**

Subgroups shall function in accordance with the provisions of Section 2.11 above.

**E. Subgroup Entitlements**

Entitlements shall be in accordance with the provisions of Section 2.13 above for County Board members only.

**SUBCHAPTER IV  
PURCHASES**

## 2.17 CONTRACT AMOUNTS AND SIGNATURES

- A. This section shall be applied in conjunction with and not independent from Waupaca County Code of Ordinances Chapter 16, Purchasing.
- B. No purchase of materials, equipment, or contracts for services with a total value of \$25,000 or more over the current calendar year's budgeted amount can be made without approval of the Waupaca County Board of Supervisors. This is the mechanism for the County Board to provide additional funding for materials, equipment, and contracts for services that was not approved in the budget process.
- C. Purchases for public works shall be made in accordance with Wis. Stat. §§ 59.52(29) and 66.0901.
- D. All contracts and purchases for materials, equipment, and services with a total value greater than \$25,000 shall require the signatures of the County Board Chairperson and the County Clerk. There are two exceptions to the signature requirement for contracts greater than \$25,000: Waupaca County Highway Department is exempt from this ordinance, per Resolution No. 64, 1990-91; and Department of Health and Human Services' care and service contracts enumerated in Wis. Stat. §46.036 are exempt from this ordinance.
- E. A contract or agreement with Waupaca County is not valid and binding upon Waupaca County unless signed by the County Board Chairperson or County Clerk.
- F. All contracts and purchases with a total value less than \$25,000 may be signed by the Department Head responsible for the project or the County Board Chairperson and the County Clerk at the discretion of the Department Head.



2. Organization Session – third Tuesday in April.

- a. At the statutory Organization Meeting to be held in April of even-numbered years, it shall be the duty of the County Clerk to call the County Board to order. The Clerk shall call the roll and establish presence of a quorum and proceed with the preliminary ceremonies.
- b. No resolutions or ordinances shall be considered at the Organization Meeting, except those relating to new rules and rule changes passed during the last term.
- c. A quorum being present, the Board shall proceed to the election of a Chair and Vice Chair. (See Sec. N, Election of Officers) The Highway Committee shall be a five- member committee elected from the floor.
- d. The Chair shall appoint a Committee on Committees to advise the Chair in the selection of committee members. The Committee on Committees shall consist of seven board members, which shall meet the first day of the Organization Session after all elected officials have been sworn in to office and Committee on Committees members approved.
- e. The proposed rules of the new Board shall be made available to the Board membership prior to the Organization Meeting.
- f. There shall be an explanation of the present and proposed rules of the County Board.
- g. The proposed rules of the Board shall be presented and rules adopted at the Organization Meeting of even-numbered years by a majority vote.
- h. The Rules of the Board shall be amended during the two-year period only by a two-thirds vote of those present at a meeting, except at the Annual Organization Meeting, at which time a majority of those present shall rule.
- i. After the adoption of the Rules of the Board and other activities as noted in 3.0, the Board may recess the Organization Meeting to the following day or the same afternoon at the discretion of the County Board Chair.

**Commented [JL5]:** Added advise chair in formation and minimum numbers of committees

- j. The Board, as the first order of business at the recessed meeting of the Organization Meeting, shall officially approve all committee members by a majority vote of those present.
- k. The Board may then have all members of each committee meet for one half hour to select committee officers and then report the results of such elections to the Board as a whole.
- l. Any committee may, if the Committee membership so decides, postpone election of committee officers for not more than one month.
- m. Between Organization meetings, should a vacancy occur, or the need arises to adjust a standing committee, then the County Board Chair shall make appointments to fill the vacancy and such adjustment to a standing committee shall be approved by the full County Board at its next regular meeting.
- n. Election of Officers:
  - 1. County Board Chair and Vice Chair: The County Board Chair and Vice Chair are elected at the Organizational Meeting. This election can be made by secret ballot per Sec. 19.88, Wis. Stats. by request. Nominations are taken from the floor, no second is required. When a ballot is needed, a single ballot is prepared with the candidates' names listed in alphabetical order.
  - 2. The candidate with the majority number of votes shall be declared elected. In the case where no majority has been established and there are more than two candidates, the two candidates receiving the highest number of votes shall continue and the candidate with the lower number of votes shall be removed from the ballot. The voting continues until a winner is declared by majority of the votes cast. When there are only two candidates on the ballot and there is a tie vote, the Board shall vote once more, if the result remains a tie, the presiding chair shall draw a name and declare this candidate elected. The County Clerk's deputies shall serve as tellers to the Board for elections.
  - 3. Highway Committee is a five-member committee elected from the floor. The candidate with the majority number of votes shall be declared elected. In the case where no majority has been established and

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there are more than two candidates, the two candidates receiving the highest number of votes shall continue and the candidates with the lower number of votes shall be removed from the ballot. The voting continues until a winner is declared by majority of the votes cast. When there are only two candidates on the ballot and there is a tie vote, the Board shall vote once more, if the result remains a tie, the presiding chair shall draw a name and declare this candidate elected. The County Clerk's deputies shall serve as tellers to the Board for elections.

4. The ballots shall be destroyed by the Clerk thirty (30) days after the election.

o. Except as otherwise provided by law, the chair of the county board and the vice-chair shall be ex-officio members of all standing committees. Their ex-officio membership is in addition to the membership hereinafter prescribed for each committee. Any committee lacking a quorum may call on the chair or vice-chair to make a quorum as an active voting member of that committee for that day. The chair and vice-chair shall be paid mileage and per diem only when used to make a quorum by any properly noticed standing county committee.

**Commented [JL7]:** 2.05 N NOTE CHANGE OF INTENT WCA has indicated that it is not legal to toss out lowest vote getting. Must keep voting until winner is declared

**Commented [JL8]:** 2.08 C

1.4 Annual Meeting: Waupaca County Board shall hold their Annual Meeting on the second Tuesday in November. This meeting shall be the Public Hearing on the Budget for the succeeding year and the 85.21 Transportation Fund. This date may be changed by a majority vote of the County Board of Supervisors. A simple majority is required to pass the budget. Amendments after passage of budget requires a 2/3 vote of the members elect.

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**RULE NO. 2.0 – SPECIAL MEETING:** The County Board may call special meeting in accordance with Sec. 59.04, Wis. Stats

**Commented [JL10]:** 2.04 D

### **RULE NO. 3.0 – ORDER OF BUSINESS:**

3.1 (This may change by consent of a majority of the members present).

1. Meeting called to order by the Chairperson
2. Call of roll by the County Clerk, by use of the voting machine or in the event of a malfunction, by a voice roll call.
3. Open meeting statement

4. Silent meditation followed by the Pledge of Allegiance
5. Approval of agenda
6. Approval of minutes of the last meeting and corrections
7. Presentation of ordinances
8. Presentation of resolutions
9. Presentation of verbal reports – committees or departments
10. Presentation of numbered written reports
11. Presentation of petitions
12. Consideration of miscellaneous business
13. Communications
14. Adjournment

**RULE NO. 4.0 – GENERAL PROCEDURES**

The following procedures shall apply to all County Committees and Boards, hereinafter referred to as Committee. When Committee is used in this rule and those following, it shall mean and include all committees, commissions, boards or other agencies exercising delegated power of the Board or otherwise subject to the control selection or approval by the Board.

- 4.1 Except as modified by these rules, the rules of parliamentary practice in Roberts Rules of Order shall govern in all cases where they are applicable.
- 4.2 The rules herein set forth shall not be suspended or amended except by a two-thirds vote of the members present.
- 4.3 The chairperson and/or department head of each committee of the County Board shall file with the County Clerk at least five (5) days prior to each County Board session (except in emergency situations) notification of all business, including ordinances, resolutions and reports, to be brought before the Board by the respective committees.

**RULE NO. 5.0 – INTRODUCTION AND PROGRESS OF RESOLUTIONS AND ORDINANCES**

- 5.1 All resolutions of legislative, safety or security intent shall be presented to the Legislative, Judicial, Ethics, Safety & Security Committee for review

**Commented [JL11]:** 2.06 CHANGED order to allow zoning resolutions to be done before ordinances. Also to note both resolutions or ordinances can be explained etc. An agenda item called "misc business" does not comply with Open Meetings law, changed communications to announcements

**Commented [JL12]:** Paragraph under subchapter III

**Commented [JL13]:** Paragraph under subchapter II

**Commented [JL14]:** 2.05 I and 2.07U

**Commented [JL15]:** 2.12 D Changed to note Thursday before not 5 days. If meeting is on a Monday we would not have been following this rule

with the exception of Salary/Compensation, new positions unless directly related to this committee. Any committee may, by its own motion approved by a majority of the committee, report to the LJESS Committee for passage of a resolution or order. Such committee action shall be delivered to the County Clerk for processing under No. 4.3 above.

Commented [JL16]: 2.12 A with the addition of resolutions that go thru Finance not LJESS

**5.2** Any individual supervisor may introduce a resolution or ordinance as follows:

1. The written proposal shall be delivered to the presiding officer at any regular Board meeting.
2. That officer shall refer it to the proper committee for review and recommendation for passage or other action.
3. The committee chairperson shall place it on the committee's agenda not later than two regular committee meeting dates.
4. The committee shall make its recommendation to the Board not later than four regular committee meeting dates after receipt of the proposal.
5. The proposal shall be placed on the Board agenda in accord with No. 5.4 below.

Commented [JL17]: 2.12 B

**5.3** The Corporation Counsel shall assist any committee or individual supervisor in the formal drafting of a proposal, if so requested. All resolutions and ordinances must be submitted to the Corporation Counsel for approval only as to legality and form at least seven working days prior to the day of the County Board meeting at which they are to be presented, and the Corporation Counsel notation of approval shall be presented to the Board either as a notation on the resolution itself or as a separate written approval prior to any vote on said proposal.

If the Corporation Counsel objects, such objection shall be presented to the Board in writing by filing same with the County Clerk and the Chairperson of the Standing Committee designated to handle this proposal prior to the call to order of that Board meeting.

Commented [JL18]: 2.12 C

**5.4** The County Clerk shall compile the information filed by the various committee chairperson and/or department head, an agenda containing the business to be presented at the next session of the County Board. Said agenda, and a copy of each ordinance, resolution and report listed thereon, whenever possible, shall be mailed to each Board member five (5) days prior to a Board session. A copy of the agenda only shall be distributed to each department head at the same time.

Commented [JL19]: 2.12 D

**5.5** All matters not appearing on the agenda for a particular Board session shall be out of order and shall not be considered at that session in accordance with the State of Wisconsin Open Meeting Law, unless the matter shall be declared an emergency measure.

**5.6** The Chairperson shall preserve order and decorum, and shall decide all questions of order, subject to an appeal of the Board.

**5.7** No member shall be interrupted while speaking, unless it is to call the member to order.

**5.8** Each member, when wishing to speak, shall raise his or her hand and address the Chair. If two or more members raise their hand at the same time, the Chairperson shall decide who is entitled to speak.

**5.9** Motions shall be made in writing when requested by the Chairperson.

**Commented [JL20]:** 2.07 B-F with change in how to request to speak due to roll call pro

**5.10** No communication shall be received for consideration from any person or persons unless it is signed by such person or persons. A member of the Board must sign all resolutions presented.

**Commented [JL21]:** 2.11 B

**5.11** No member shall be permitted to speak more than twice on the same question unless by permission of the Board/Chairperson.

**5.12** When all who wish to speak on any question before the Board have expressed their views, the Chairperson shall put the question. No member shall be permitted to speak while the question is being presented.

**5.13** When a question is before the Board, no motions shall be in order except to adjourn; to lay on the table; for the previous question; to postpone; to divide; to correct or amend; said motion shall have precedence in order arranged.

**5.14** In the event that the electronic voting board is not in proper operation, a roll call vote may be requested by any member of the Board.

**Commented [JL22]:** 2.07 G-J

**5.15** Every member, on a roll call vote, shall vote aye or nay unless the Board for a special reason shall excuse a member. A motion to excuse a member from voting shall be made before the calling of the ayes and nays on the question pending and shall be voted upon without debate. However, with permission of the Chairperson, a member shall be excused from voting in any instance if the member announces a conflict of interest prior to the taking of the vote. After the Clerk has called "last chance to vote" and the vote is displayed, a Supervisor may only change his/her vote by requesting reconsideration, see Sec. 5.21, and a vote may never be changed after the meeting has adjourned.

**Commented [JL23]:** 2.07 K with change b/c Robert's Rules and WCA advise voting cannot be mandated of a member

**5.16** All questions presented to the County Board shall be determined by a majority of the supervisors present unless otherwise required by law, ordinance or these rules. The Chair shall state all questions. If the Chairperson be in doubt as to the voice of the majority, he shall call for a roll call vote. Every member shall vote unless excused.

**Commented [JL24]:** 2.07 L with change due to voting board; member cannot be mandated to vote

**5.17** The names of the County Board members voting shall be recorded in the Board minutes.

**5.18** The Chairperson shall be required to vote on all questions before the Board, for representation in his/her district.

**5.19** A motion to adjourn is always in order and shall be decided without debate.

**5.20** A motion to table shall be decided without debate.

**5.21** No motion for reconsideration shall be received unless made by a member who voted on the prevailing side in the first instance.

**5.22** No specific subject matter shall be voted upon more than twice in the budget year, unless by permission of a two-thirds vote of the members elect of the Board.

**Commented [JL25]:** 2.07 M-R

## **RULE NO. 6.0 – BUDGET CHANGES FOR APPROPRIATIONS**

**6.1** All budget changes or appropriations of money over and above the adopted annual budget shall be made only by the adoption of a resolution or ordinance passed in accordance with the laws of the State of Wisconsin and submitted through the Finance and Human Resources Committee and requires a 2/3 vote of the members elect.

**Commented [JL26]:** 2.04 C and 2.12 A

Minor budgetary transfers and changes, defined as 10 percent or less of the department's line item annual approved budget are controlled by the County's Finance Director.

**6.2** The budget resolution or ordinance shall be introduced by the Finance and Human Resources Committee.

**Commented [JL27]:** Deleted. This is part of the budget policy which is noted in chapter 4 (4.12). Budget Policy can be found on the Finance Department Website.

**6.3** The vote on said resolution when amended or ordinance shall be sustained by a two-thirds vote of the members elect of the County Board.

**Commented [JL28]:** 2.07 S

**6.4** No purchase of materials and/or equipment \$25,000 or more over the budgeted amount can be made without approval of the Waupaca County Board of Supervisors. WI State Stats § 59.52(29)

**6.5** Purchases of greater than \$25,000 shall require the signatures of the County Board Chairperson and the County Clerk. Waupaca County

Highway Department, Lakeview Manor pharmaceuticals and dietary, and Waupaca County Industries production equipment are exempt from this ordinance. (Waupaca County Resolution No. 64, 1990). All purchases of service contracts/agreements listed under Sec. 46.036, Wis. Stats. for the Department of Health and Human Services are exempt from this ordinance. An agreement with Waupaca County is not valid and binding upon Waupaca County unless signed by the County Board Chairperson and/or Vice Chair or County Clerk/Administrative Coordinator.

**6.6** Purchases under \$25,000 are left to the Department Head responsible for the project to determine whether the County Board Chairperson needs to sign the contract.

**6.7** In the absence of the County Board Chairperson, the Vice Chair shall sign the contracts and in the absence of both the Chairperson and the Vice Chair, the Chairperson of the Finance and Human Resources Committee or the County Clerk/Administrative Coordinator shall sign the contract.

**6.7(a)** The order of succession for the Chair position during the temporary absence of the Chair or until the vacancy is filled shall be the Vice Chair, Finance/HR Committee Chair and then the Legislative/Judicial/Ethics/Safety & Security Committee Chair.

**6.8** A roll call vote shall be called on the passage of any resolution appropriating money.

**6.9** Each Committee shall consider and make recommendations on budgets of all Waupaca County Departments and Offices under their supervision. Prior to the submission of said budgets to the Finance and Human Resources Committee, the Finance Director shall publish a schedule for budget reviews.

**6.10** At least one full Board meeting shall be scheduled to consider such budgets with the public invited to attend for public comment session.

**6.11** The Finance and Human Resources Committee shall have an obligation to review current year budget operations and proposed budget, and make recommendations to the Board on any or all budgets.

**6.12** Department Heads and Supervising Committee Chairperson shall be advised of any modification or disapproval of any budget items submitted by their department to the Finance and Human Resources Committee. If the Department Head or the Supervising Committee of that Department requests to be heard in rebuttal, the Finance and Human Resources Committee shall grant that opportunity.

**RULE NO. 7.0 -** Matters that come before the Board may be referred to appropriate committees by the chairperson without motion.

**Commented [JL29]:** Section 2.17 Will be moved to Finance Ordinance #16 once completed. 6.7 deleted because it contradicts 6.5

**Commented [JL30]:** 2.07 A

**Commented [JL31]:** Deleted; Roll call pro affects voting. Updates to budget review and approval were including in January 2019 amendments to Ch. 4 Finance and related policies

**Commented [JL32]:** 2.07 T

**RULE NO. 8.0 -** When a majority is not in attendance, all present shall be entitled to their per diem and standard mileage allowance, if applicable.

**Commented [JL33]:** 2.13 D

**RULE NO. 9.0 -** The County Clerk shall distribute copies of the County Board Proceedings to all department heads and all Board Members as soon as possible after each Board session.

**Commented [JL34]:** 2.10 CHANGED to only print copies for records and historical society or by request from board member

**RULE NO. 10.0 -** All bills or claims against the County, except claims or bills of the County Board members, and all matters requiring action by the Finance and Human Resources Committee shall be filed with the County Clerk at least seven (7) days before the meeting of the County Board. All bills against the County or claims for services rendered shall be itemized fully and completely, except in cases where the County Board has previously fixed a definite sum as compensation for such services. It shall be the duty of each and every committee to examine and compare all bills and claims against the County referred to them, together with the law and authority under which payment of such bills or claims is demanded, and to recommend in accordance with the facts fully in writing as to all matters to such committee for examination and report.

**Commented [JL35]:** Deleted. Claims against county is part of statutes. Reviewing bills is polickey by committee.

**RULE NO. 11.0 -** County Committees and Boards shall further comply with the County Code of Ethics as previously adopted by the County Board of Supervisors.

**Commented [JL36]:** 2.02

**RULE NO. 12.0 – COUNTY BOARD MEMBER AND CITIZEN MEMBER ENTITLEMENTS**

Definitions:

County Board Member: A duly elected representative elected at the Spring Election for a two-year term, unless otherwise appointed per the County Board Rules.

Citizen Member: A member serving on a statutory committee/board/commission per Wisconsin State Statutes and approved by the County Board of Supervisors.

**Commented [JL37]:** 2.13 with additional definitions added for authorization

**12.1** Mileage reimbursement for County Board Meetings, Committee Meetings and other authorized County functions.

Each Supervisor for each day they attend a meeting of the Board, receive mileage for each mile traveled in going to and return from the meetings by the most usual traveled route at the rate established by the Board pursuant to Sec, 59.15, Wis. Stats. as the standard mileage allowance for all County employees and officers.

**Commented [JL38]:** 2.13 A

**12.2** County Board Members: The Standard Mileage Allowance for attendance of in-county Committee Meetings, County Board Meetings and other authorized in-county functions shall be set at the same rate as the Internal Revenue Service rate for mileage reimbursement for the driver only.

**12.3** Mileage reimbursement for out-of-county meetings and other authorized out-of-county functions shall be set at the same rate as the Internal Revenue Service rate for mileage reimbursement for the driver only. This mileage rate shall be set for all county employees who travel in and outside the county for authorized county business for the driver only, to be effective January 1, 2001.

**Commented [JL39]:** 2.13 B and C but with additions to insurance coverage as well as noting the personnel policies

**12.4** Supervisor/County Board Chairperson/Citizen Member Entitlement: \$60.00 per meeting and any meeting over 4 hours will receive an additional \$30.00.

County Board Chairperson shall receive an annual salary of \$13,000 plus paid meetings and mileage.

County Board Vice Chairperson shall receive an annual salary of \$1,000 plus paid meetings and mileage.

Administrative Coordinator shall receive an annual salary of \$5,000.

**Commented [JL40]:** 2.13 D with calling out payment for member or if invited. Also noting that the adm coord is set not shall because Mandy does not take it. Updated amounts changed

**12.4(a)** Conferences, Seminars, Conventions and authorized County functions. Shall be paid mileage and \$60.00 per day or if over 4 hours, \$75.00 for the full day.

As long as we are members of NACO beginning September 1, 2014 there shall be no compensation for NACO meetings.

**12.4(b) Cancellation Policy.** On any prepaid convention, conference or seminar, a supervisor must notify the County Clerk's office at least 48 hours of a cancellation or any non-reimbursable fee shall be paid from the supervisor's mileage and expense voucher.

**Commented [JL41]:** 2.13 E and F added about may be called upon to report. Updated amounts changed

**12.5** Supervisors/Citizen Members per diem and expense entitlement while attending conventions and other out of the county functions shall be entitled to per diem payments on a daily basis when attending meetings, conventions or conferences which directly relate to their positions on the Board or one of its duly appointed committees or boards. This shall include each day of the convention or conference and meeting schedule before the day of the convention or conferences.

Registration fees and expenses for lodging made necessary by the board members attendance at such a conference or convention shall be paid by the County only for that board member. Whenever possible, room reservations are to be submitted to the County Clerk's office in advance so that advanced billing can be made through that office for the tax exemption rate and direct billing.



Meal reimbursement to County Board Supervisors/Citizen Members shall allocate a daily meal allowance equal to \$34 per day for all out of county meal expenses, receipts must be submitted to the County Clerk's office with their voucher or the bill will not be paid. Meal reimbursements are for the Supervisor only. When it is not an overnight stay, it is a taxable amount.

**Commented [JL42]:** 2.13 G Added more details on meal reimbursement

**12.6** All County Board Committee meetings (including Highway Committee meetings) and other authorized county functions as described in 12.5 shall be unlimited per calendar year.

**12.7** Leadership Waupaca County. Any sitting County Board Supervisor may apply to the County Board Chair for authorization to submit an application to Leadership Waupaca County. The County Board Chair may select two members per year to attend the Leadership Program and to authorize payment of the full fee for each of the supervisors selected. There will be no per diem or mileage payment for participation in this course.

**Commented [JL43]:** 2.13 H & I

#### **RULE NO. 13.0 – COMMITTEES OR BOARDS:**

The following procedures shall apply to all County Committees and Boards.

**13.1** Board rules shall spell out how members are selected.

1. All committee appointments are either through election by the full County Board, appointed by the Board Chairperson and confirmation by the Board, or by recommendation of the Committee on Committees, if practicable this shall be done within thirty (30) days
2. All appointments to standing committees shall be for the full term of the Supervisor as set by state statute.
3. Committees shall set their Chairperson, Vice Chairperson and Secretary. The Vice Chairperson shall serve in the temporary absence of the Chairperson.
4. The secretary of each committee shall keep written minutes of each meeting held which shall be placed on file in the County Clerk's office not more than ten (10) days after the meeting is held. Minutes will be posted to the website after approval by the Committee of Jurisdiction.
5. Minutes shall include:
  - a. The name of the committee, the date, the hour, location of meeting and time of adjournment.

**Commented [JL44]:** Remove secretary and note that chair must be a supervisor

**Commented [JL45]:** Add that secretary is County clerk or staff person designated.

- b. Listing of all those present.
  - c. Each matter considered and the action taken by the Committee.
  - d. Persons appearing, the matter on which they appear, and the position taken.
6. Committee members shall sign the certificate of attendance sheet and indicate their mileage, start and end time of each meeting, and all meetings attended for the day. This report shall establish payment for meetings attended and mileage to be paid.
  7. The Chairperson of every standing committee shall be authorized to direct the County Clerk to call a meeting of such Committee by giving not less than five days notice and designating the date of such meeting. In order to receive per diem, attendance by members other than their own assigned committee, the attendance must be directed by an assigned committee or committee chair and the attendance must be recognized and recorded in the minutes of the meeting and said members shall sign the Certificate of Attendance sheet.

**Commented [JL46]:** This is noted in 2.13 D

### 13.2 Staff Assistance for Standing Committees or Boards:

Assistance may be provided to the Committee by the department staff.

**Commented [JL47]:** 2.11 C thru F. Some updates to 30 days for appointments since not always able to, calling out the secretary being set by the committee and that it can be staff, updates wording on vacancy to committee

### 13.3 Scheduling, Notice and Conduct of Meetings.

1. All meetings of committees shall be conducted in strict accord with the open meeting laws of the State of Wisconsin.
2. Copies of the Wisconsin Open Meeting Law shall be reproduced by the County Clerk and placed permanently in the minute books of all committees.
3. When closed or executive sessions are permitted by statute, the Chairperson shall publicly announce the closed or executive session and explain briefly the reason as authorized by statute. The announcement and reason shall be duly recorded in the minutes. Any case of doubt as to legality shall be resolved in favor of an open meeting.
4. Open meetings shall be held in public buildings or other places accessible to the public.
5. A copy of the agenda, including the time and place of the meeting and of the matters to be discussed, with a time for public

input/public comment, for items on the agenda or for placing an item on a future agenda, time limit set by Chair if necessary, shall be given to the County Clerk for posting on the public bulletin board and such other place(s) in the Courthouse which provide prompt and sufficient notice to the public as soon as possible after scheduling but not less than five (5) days prior to the meeting.

6. These procedures under Rule 13.3 shall apply to meetings called under emergency situations insofar as practical.

**Commented [JL48]:** 2.11 G REMOVED item 2, clarifying public comment and noting it's at committee level, updating the posting 5 day prior to Thursday before, (state law is 24 hours however we can have our rule as well)

### 13.4 STANDING COMMITTEES

A permanent committee appointed to deal with a specified subject.

- A. Agriculture, Extension & Education Committee
- B. Emergency Management, Terrorism & Safety Committee
- C. Finance, Human Resources & Information Systems Committee  
Human Resources: A sub-committee of Finance  
Information Systems: A sub-committee of Finance
- D. Highway Committee
- E. Lakeview Manor Committee
- F. Land & Water Conservation Committee
- G. Land Information Council
- H. Law Enforcement Committee
- I. Legislative, Judicial, Ethics, Safety & Security Committee
- J. Local Emergency Planning Committee
- K. Parks and Recreation Committee
- L. Public Property Committee
- M. Planning and Zoning Committee
- N. Health & Human Services Board
- O. Solid Waste Board
- P. Veterans Service Commission

**Commented [JL49]:** 2.14 with removal of LVM, updating Information Systems to Information Technology. Also added that unless statutes direct composition, are required to have odd number membership.

**RULE 14 COMMITTEE DUTIES**

**A. Human Services Board: Per Wis. State Statute Section 46**

**B. Legislative, Judicial, Ethics, Safety & Security Committee**

(Adopted at 2.03(8)(b)(11), February 17, 1977)

(Adopted as 2.03(8)(a), April 21, 1982)

(Amended September 16, 2008)

1. The Legislative, Judicial and Ethics Committee and Safety and Security Committee is hereby combined into one committee to be appointed bi-annually by the Committee on Committees: Legislative, Judicial, Ethics, Safety & Security Committee.
2. The duties of the Committee shall be:
  - a. To advise the Chairperson and the Board of Supervisors of any pending state or federal legislation relating to or affecting the operation of County Government and to formulate recommendations on possible action relating to that legislation.
  - b. To prepare recommendations on behalf of the County Board regarding legislation currently pending in State Legislature and for serving as a liaison between the Waupaca County Board of Supervisors and those State Legislators representing Waupaca County in the State Legislature.
  - c. To review legislative information received from WCA or any other sources, resolutions received from other counties, and to work with and seek input from the various County Department Heads and Personnel on legislative matters.
  - d. To represent Waupaca County at WCA meetings relating to legislative matters.
  - e. To review County Board standing rules and makes recommendations on the same to the Executive Committee for approval of submitting the same for Board consideration.
  - f. To review County Board members entitlements and make recommendations on the same to the Executive Committee for approval of submitting the same for board consideration.

**Commented [JL50]:** 2.15 and adding for all standing committees not just some. Note following changes: IT Committee calls out County Board Chair as member

**Commented [JL51]:** Removed 1 and 2 since federal we have NO input on there's no point, and State legislation is fed to us by WCA.  
All contact we have with state representatives on an issue is done by resolution to be passed on to them. Contact with state reps/assembly is usually driven by subject matter that advocacy where advocacy is being done.

**Commented [JL52]:** They approach LJESS through resolutions

**Commented [JL53]:** Added code of ethics to this and removed as it's only bullet point below.

**Commented [JL54]:** Added citizen members entitlements

- g. To serve as the liaison between the Waupaca County Board of Supervisors, the Circuit Courts and District Attorneys for Waupaca County.
- h. To review and make recommendations on the budgets and additional personnel requests from the District Attorney, the Circuit Court Judges and the Clerk of Court prior to their submittance to the Finance Committee.
- i. To establish a Code of Ethics governing the Waupaca County Board of Supervisors.
- j. The committee shall review and make recommendations to the Chairperson and the Board of Supervisors as relating to addressing and improving on all safety and security concerns relating to county owned facilities.

**Commented [JL55]:** Changed working in 7 to clarify liaison is to each Judges and DA and not a triangle.

**Commented [JL56]:** Add Corporation Counsel

**Commented [JL57]:** See E above

**C. Human Resources Committee** (Procedures in employment relations) (Adopted April 21, 1982, Adopted July 21, 1992) They have their own Policy and Procedures Booklet, not connected to an ordinance.

**D. Solid Waste Management Board**  
 (Amended Section II(4), adopted February 16, 1999)  
 (Amended Section II(4)(a), adopted June 18, 1996)  
 (Adopted as 1.30(15), adopted May 18, 1982)  
 (Amended June 18, 1996, published June 27, 1996)  
 (Amended February 16, 1999, published March 5, 1999)

1. Establishment:

Pursuant to Sec. 59.07(135), Wis. Stats., there is established a Solid Waste Management Board to operate the solid waste management system for Waupaca County.

The Solid Waste Management Board hereby created shall identify Waupaca County as a Solid Waste Management district which shall be composed of the Urban Service Areas as outlined in Waupaca County, Wisconsin, Solid Waste Management Plan, dated September 1980, and more specifically Figure 3 entitled, Urban Service Areas and Development Concentrations.

2. Purpose:

- a. It shall be the responsibility of the Management Board to supervise and manage the collection and disposal of solid waste in Waupaca County in accordance with the rules and regulations established by the Waupaca County Board of Supervisors, the Wisconsin Department of Natural

Resources and the Solid Waste Recycling Authority of Wisconsin. The Management Board shall keep abreast of the latest techniques, procedures, and methods that may be developed in solid waste management and shall make recommendations to the Waupaca County Board of Supervisors concerning solid waste management.

- b. The Solid Waste Management Board shall be composed of nine (9) members, five (5) of whom shall be County Board of Supervisors and four (4) of whom shall be members at large and shall be residents of the County with recognized ability and/or demonstrated interest in the problems of solid waste management.
- c. Except as hereinafter provided, the term of office of each member of the Solid Waste Management Board appointed by the Waupaca County Board Chairman and approved by the County Board of Supervisors pursuant to this ordinance shall be for three (3) years. The terms of those initially appointed shall be as follows:
  - 1. Two (2) shall be appointed for at term of three (3) years from the date of appointment.
  - 2. Four (4) shall be appointed for a term of two (2) years from date of appointment.
  - 3. Four (4) shall be appointed for a term of one (1) year from the date of appointment.

If a County Board member of the Solid Waste Management Board ceases to be a County Board member for any reason whatsoever, membership on the Solid Waste Management Board shall terminate as of the effective date of termination as a County Board Supervisor. Vacancies for unexpired terms shall be filled in the same manner as original appointments. Any Solid Waste Management Board member appointed hereunder may be removed with or without cause by the appointing authority in accordance with the procedure and authority set forth in the Wisconsin Statutes.

- 3. Organization:
  - a. Officers: Officers – The Management Board shall elect from its membership a Chairperson, Vice Chairperson and a Secretary. The Chairperson and Vice Chairperson shall be a member of the Waupaca County Board of Supervisors. The Secretary shall be either a County Board member or a member at large.

- b. Meetings: Meetings of the Management Board shall be held at such times and places as the Management Board determines.
  - c. Rules and Regulations: The Management Board shall have the right and power to adopt, amend and repeal rules and regulations governing its procedures and operations that are not inconsistent with the resolutions, ordinances or rules of the Waupaca County Board, the Wisconsin Department of Resources, the Solid Waste Recycling Authority of Wisconsin, and the Wisconsin Statutes.
  - d. Compensation: Per diem and standard travel time/standard mileage allowance compensation shall be paid to members in the same manner as County Board Supervisors.
  - e. Fiscal Agent: The Waupaca County Board is hereby designated as the fiscal agent for the Waste Management Board.
  - f. Statute Reference: Subject to the rules and regulations established and amended from time to time by the Waupaca County Board of Supervisors, the Solid Waste Management Board shall have the power and duties set forth in Sec. 59.70(2) Wis. Stats., except it shall not have the power to levy taxes as per Sec. 59.70(2), Wis. Stats. (or applicable statute)
4. Finances
- a. The Waupaca County Solid Waste Management System shall be financed by both funds as may be available through public and private sources; and the Solid Waste Management Board is authorized to accept private donations and to request and receive state and federal grants-in-aid in addition to county funds.
  - b. The Solid Waste Management Board shall plan its financial operations on a calendar year basis; and each year it shall submit its proposed budget for the next calendar year to the Finance Committee of the Waupaca County Board on a date as may be established by said Committee.
  - c. The County, through the Solid Waste Management Board, shall establish and enforce a user charge system to handle site operation costs. If necessary, in order to maintain an

economical and practical level of user charge, the County may use property taxes to supplement the user fees.

5. Reports:

The Solid Waste Management Board shall present an annual report to the Waupaca County Board of Supervisors, and it shall make or cause to be made such other reports as may be required from time to time by the County Board of Supervisors.

6. Insurance:

The County Board, as fiscal agent, shall extend to the Waste Management Board (which includes its personnel, property, equipment and activities) the same insurance protection as is consistent with coverage of normal county practices. The Waste Management Board shall be apprised of such coverages and may make recommendations to the County Board regarding such coverage and protection.

7. County/Municipal Recycling Agreement/Responsible Unit:

1989 Wisconsin Act 335, effective May 11, 1990, has a stated goal to reduce the amount of solid waste as presently being land filled by the development of programs that reduce, reuse and recycle waste; and, requires that each municipality be under an effective recycling program as outlined by the Act; and

Waupaca County Solid Waste Management Board is designated to act as the "Responsible Unit" as defined within 1989 Wisconsin Act 335 and the "County/Municipal Recycling Agreement" and be directed to continue the development of an effective recycling program working in cooperation with the municipalities of Waupaca County.

8. Nuclear Waste Repository:

The Department of Energy has requested data concerning the geology of Waupaca County, said data to be utilized in the site consideration process in the search for nuclear waste repository.

The Solid Waste Management Board objectively monitors and reviews the nuclear waste issue within its boundaries, and nuclear waste exploration: Any person, including individuals, partnerships, associations, corporations, municipalities, or other State and/or Federal agencies, departments, bureaus or units, shall give written notice to the County Board Chairman and the Solid Waste Management Board, a minimum of sixty (60) days prior to said



person conducting any drillings over 500 feet or any drillings of any depth or onsite exploration related to the search for a nuclear waste disposal site on lands within Waupaca County.

- a. Notification Requirements: Written notification(s) as required by this section shall include at least the following:
  - 1. What specific action is to be undertaken;
  - 2. The specific purpose of such action;
  - 3. The specific locations of such activity;
  - 4. A summary of expected background baseline data to be completed prior to drilling; and
  - 5. The projected decision making dates involved with the sites.
- b. County Representation: Upon receipt of said notification, Waupaca County shall be represented by members of the Solid Waste Management Board, Emergency Government and Solid Waste Department. Said representatives shall be chosen by their respective department or committee and shall take care to ensure Waupaca County's responsibility involvement in the process. Its contents are to be communicated by the Solid Waste Management board to the following: President of the United States, Department of Energy, State Senators, Representatives of the 6<sup>th</sup> District, Governor, and State Radioactive Waste Review Board.

**D. Public Property Committee**

- 1. Duties:
  - a. To act on behalf of the County Board of Supervisors (subject to specific grants of authority by the board and within its annual budget) on all matters relating to building maintenance, space needs, leasing, rental, or purchase of real estate, and the construction, improvement, repair or maintenance of County buildings and grounds. To allocate all space for all units of county government in all county controlled facilities after consultation with affected committees and department heads. To arrange for casualty insurance on all county property, and liability insurance.
  - b. To engage the services of architects or engineers for making surveys and estimates of proposed work, as directed by the County Board.

- c. To prepare specifications and let bids in the name of the County Board for public works projects subject to the authorization or ratification and approval of the County Board.
- d. To exercise general supervision over all matters relating to the care, storage, and destruction of records, and the care and inventory of the county's movable property, except that under the control of the Highway Department, Sheriff's Department, and Lakeview Manor.
- e. Any appeal from the exercise of its authority under "a" and "d" above, by department heads, shall be to the Executive Committee of the Board.

**2.02 SELF-ORGANIZED COUNTY (adopted September 21, 1999)**

Sec. 59.10(1), Wis. Stats. authorizes county government to self-organize for greater local control and flexibility in the organization and administration of county government. Self-organization would provide flexibility in determining concurrent or staggered terms for supervisors, method of compensation for supervisors and method of filling mid-term vacancies of the County Board. It would be advantageous for Waupaca County to become a self-organized County pursuant to Sec. 59.10(1), Wis. Stats. Waupaca County therefore elects to be self-organized pursuant to Sec. 59.10(1), Wis. Stats.

Commented [JL58]: 2.01

**2.03 WAUPACA COUNTY ETHICS CODE (adopted April 20, 1993)**

**A. Declaration of Policy**

The proper operation of County government demands that:

- 1. County officials and employees are independent, impartial and responsible to the people;
- 2. Decisions are made in the proper channels of the County governmental structure;
- 3. County offices should not be used for personal gain;
- 4. County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

In recognition of these fundamental principles, there is hereby created a code of ethics.

## **B. Purpose**

The purpose of this code is to establish standards of conduct for all County officials and employees by identifying those acts or actions that are not compatible with the best interest of the County. Because representatives of the County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as County officials and employees retain their rights as citizens to personal and economic interests.

County officials and employees have a right to:

1. Engage in employment and professional or business activities, other than official duties, in order to support themselves and their families;
2. Maintain continuity in their professional or business activities;
3. Maintain investments or activities which do not conflict with specific provisions of this code.

The provisions of this code, and such rules and regulations which may be established are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

## **C. Responsibility of Public Office**

County officials and employees are agents of public purpose and hold office to serve the public interest. They are bound to uphold the Constitution of the United States, the Constitution of the State of Wisconsin, and to carry out efficiently and impartially all laws of the United States, the State of Wisconsin and Waupaca County. Further, they are bound to observe in their official acts, the standards of ethics set forth in this code and to faithfully discharge the duties of their office. The public interest and County image must be their primary concern.

## **D. Coverage**

This code governs all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads or other County employees that have management, purchasing and other discretionary duties.

## **E. Exemptions**

Political contributions, which are reported under Chapter 11, Wis. Stats., are exempt from the provisions of this code.

## F. Definitions

1. Person. Any individual, corporation, partnership, joint venture, association or organization.
2. Financial Interest. Any interest which yields directly or indirectly, a monetary benefit to the County officer or employee or to any person employing or retaining services of the County officer or employees.
3. Anything of Value. Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment of any amount, but DOES NOT INCLUDE such things as compensation and expenses paid by the State or County, fees, honorariums and expenses, unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.
4. Privileged Information. Any written or oral material related to County government which has not become part of the body of public information and which is designated by Statute, court decisions, lawful orders, ordinances, resolution or custom as privileged or confidential.
5. Official. All County department heads or directors, County Supervisors and all other County elected officers, except Judges and District Attorneys.
6. Employee. All persons filling an allocated position of County government and all members of boards, committees and commissions except those individuals included in Section 6.5.
7. Immediate Family. Any official's or employee's spouse or family member who contributes more than one-half of the support of the official or receives that level of support from the official or employee.
8. Unexceptional Value. Any item which has no resale potential and is promotional in nature.
9. Unsolicited Item of Insignificant Value. Item not requested by the official employee having no resale potential and promotional or educational in nature.

**Commented [JL59]:** Changed to electd official 2.02(F)(5)

**Commented [JL60]:** Changed to appointed officials 2.02(F)(6)

**Commented [JL61]:** Deleted. Already noted in item 3 above

## **G. Fair and Equal Treatment**

1. Use of Public Property. An official or employee shall not use or knowingly permit the use of County services or County-owned vehicles, equipment or materials for unauthorized non-governmental purposes or for unauthorized personal convenience or for profit, unless such services or use are available to the public generally.
2. Obligations to Citizens. An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County Supervisors to diligently represent their constituency.

## **H. Conflict of Interest**

1. Receipt of Gifts and Gratuities Prohibited. An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair his or her independence of judgment or action in the performance of his or her official duties.
2. Exception. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value.
3. Business Interest. An official or employee shall not engage in any business, transaction or act in regard to any financial interest, direct or indirect, which:
  - a. is incompatible with the proper discharge of his or her official duties for the benefit of the public;
  - b. is contrary to the provisions of this code; or
  - c. may impair his or her independence of judgment or action in the performance of his or her official duties.
4. Employment. An official or employee shall not engage in or accept any private employment or render any services for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided.

5. Contracting. An official or employee or a business in which an official or employee holds a 10% or greater interest, may not enter into a contract with the county involving a payment or payments of more than \$2,000.00 within a twelve-month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the County Clerk and reported such interest to the County Board. Further, pursuant to Sec. 946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract(s) with Waupaca County involving the receipts or disbursements of more than \$15,000.00 in any year.
6. Financial Interest in Legislation. A member of the County Board who has an estimated 10% or greater financial interest in any proposed action before the County Board shall disclose by submitting in writing the nature and extent of such interest to the County Clerk and the County Board prior to or during initial discussion of such action. Any other official or employee who has a financial interest in any proposed action before the County Board and who participates in discussion with or gives an official opinion or recommendation of such interest to the County Board.
7. Disclosure of Privileged Information. An official or employee shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediately family.
8. Gifts and Favors. An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or could reasonably be considered as a reward for any governmental action or inaction.

#### **I. Compliance with State Statutes**

- A. Statutes Incorporated by Reference. The following Sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:
  1. Sec. 19.01 - Oaths and Bonds
  2. Sec. 19.21 - Custody and Delivery of Official Property and Records
  3. Sec. 19.81-89 - Open Meetings of Governmental Bodies

4. Sec. 19.59 - Code of Ethics for Local Government Officials, Employees and Candidates
5. Sec. 111.36 - Sex, Sexual Orientation (Harassment)
6. Sec. 946.13 – Private Interest in Public Contract Prohibited

B. Violation of Incorporated Statutes. Officials shall comply with the Sections of the Wisconsin Statutes incorporated in this code and failure to do so shall constitute a breach of this Code of Ethics.

**Commented [JL62]:** 2.02 A-I with privilege information and employee more defined and conflict of interest clarified.

**J. Investigations and Enforcement**

A. Advisory Opinions. Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by an opinion rendered. The complainant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before advisory opinion is rendered. All opinions shall be in writing. Records of the Corporate Counsel’s opinion, opinion requests and investigations of violations shall be closed to public inspection, as required by Chapter 19, Wis. Stats. However, such records may be made public with the consent of the applicant.

B. Complaints. The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to the accused officer or employee within ten (10) days. If no action on the verified complaint is taken by the Corporation Counsel within thirty (30) days, the complaint shall be dismissed.

1. Complaint of Alleged Criminal Activity. Should the Corporation Counsel receive a written or verbal complaint that a County employee is involved in unethical conduct that allegedly falls under criminal statutes and after review of the information presented, the Corporation Counsel believes that sufficient evidence exists that there is probable cause to believe that criminal activity has occurred, the Corporation Counsel shall present said information to the Legislative and Judicial Committee at their next scheduled meeting in closed session. The Legislative and Judicial committee shall review the information presented and direct:
  - a. That an independent investigator be retained to investigate further into the matter.

- b. That the matter be referred to the District Attorney for review and possible prosecution.
- C. Preliminary Investigations. Following the receipt of a verified complaint, the Corporation Counsel may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights.
- D. Time Limitations. The Corporation Counsel shall investigate any complaint properly filed. However, no action may be taken on any complaint which is filed more than one year after a violation of the ethics code is alleged to have occurred.
- E. Enforcement. If the Corporation Counsel finds that probable cause exists for believing the allegations of the complaint, the Corporation Counsel may, after consultation with the Legislative and Judicial Committee:
  1. Request the officer or employee to conform his or her conduct to the Ethics Code;
  2. Recommend that the County Board order the officer or employee to conform his or her conduct to the ethics code or recommend that the official or employee be censured, suspended or removed from office;
  3. Refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of Sec. 19.59, Wis. Stats.

**Commented [JL63]:** 2.02 J Investigations and Enforcement delineates procedural steps to follow for potential criminal violations and non-criminal ethical violations. Clarifies process and responsibilities.

**Sec. 2.04 ACCESS TO PUBLIC RECORDS**

**A. Definitions:**

1. "Authority" means any of the following having custody of a record: An office, elected official, agency, board, commission, committee, council, department or public body, corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted sub-unit of the foregoing.
2. "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has



been created or is being kept by any authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. "Records" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

#### **B. Legal Custodians:**

1. An elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.
2. Unless otherwise prohibited by law, the County Clerk or the Clerk's designee shall act as legal custodian for the County Board and for any committees, commissions, boards, or authorities created by ordinance or resolution of the County Board.
3. For every authority not specified in subsection (a) and (b), the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his or her staff to act as the legal custodian.
4. Each legal custodian shall name a person to act as legal custodian in his or her absence or the absence of his or her designate. This subsection does not apply to members of the County Board.
5. The designation of a legal custodian does not affect the powers and duties of an authority under this subchapter.

#### **C. Procedural Information:**

Pursuant to Sec. 19.34, Wis. Stats., and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which the legal custodian from whom and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. Each authority shall also prominently display at his offices, for the guidance of the public, a copy of Sec. 19.31

to s. 19.39, Wis. Stats. This section does not apply to members of the County Board.

**D. Access to Records; Fees:**

1. The rights of any person who requests inspection or copies of a record are governed by the provisions and guidelines of Sec. 19.35(1), Wis. Stats.
2. Each authority shall provide any person if authorized to inspect or copy a record which appears in written form pursuant to Sec. 19.35(1)(b), Wis. Stats., or any person or is authorized to and requests permission to photograph a record, the form of which does not permit copying pursuant to Sec. 19.35(1)(f), Wis. Stats., with facilities comparable to those used by its employees to inspect, copy, and abstract the record during established office hours. An authority is not required by this subsection to purchase or lease photocopying, duplicating, photographic or other equipment or to provide a separate room for the inspection, copying or abstracting of records.
  - a. Each authority shall impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established by the law.
  - b. Each authority shall impose a fee upon the requester of a copy of a record for the actual, necessary and direct cost of photographing and photographic processing if the authority provides a photograph of a record, the form of which does not permit copying.
  - c. Except as otherwise provided by law or as authorized to be prescribed by law, an authority shall impose a fee upon a requester for locating a record, not exceeding the actual necessary and direct cost of location, if the cost is \$50.00 or more.
  - d. Each authority shall impose a fee upon a requester for the actual, necessary and direct cost of mailing or shipping of any copy or photograph of a record which is mailed or shipped to the requester.
  - e. An authority may provide copies of a record without charge or at a reduced charge where the authority determines that waiver or reduction of the fee is in the public interest.

f. Each authority shall require prepayment by a requester of any fee or fees imposed under this subsection if the total amount exceeds \$5.00.

3. Each authority is acting upon a request for any record shall respond within the times and according to the procedures set out in Sec. 19.35(4), Wis. Stats.

**E. Separation of Information:**

If a record contains information that may be made public and information that may not be made public, the authority having custody of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. Each authority shall consult with the Corporation Counsel before releasing any information under this section.

**Commented [JL64]:** 2.03 noting statutes and not listing details. To call out a portion and not entire and try to paraphrase could leave things unsaid etc

**APPENDIX A  
RULES OF THE BOARD  
DUTIES OF COUNTY CHAIRPERSON/VICE CHAIRPERSON**

1. The Chairperson and Vice Chairperson are regulated by Sec. 59 of the Wisconsin State Statutes.
2. Meeting hours of the Board shall be 9:00 a.m. or at the discretion of the Chairperson of the County Board.
3. Orientation Session - Prior to the third Tuesday in April an Orientation Session will be held for all new supervisors by the County Board Chair and County Clerk.
4. The Chair shall appoint a Committee on Committees to advise the Chair in the selection of committee members. The Committee on Committees shall consist of seven Board members, which shall include the Chair and Vice Chair of the Board. The Committee on Committees shall meet the first day of the Organizational Session after all elected officials have been sworn in to office and Committee on Committees members approved.
5. County Board Chair and Vice Chair. The County Board Chair and Vice Chair are elected at the Organizational meeting.
6. Order of Business: Chairperson shall call the meeting to order. The Chairperson shall preserve order and decorum, and shall decide all questions of order, subject to an appeal of the Board.
7. The Chairperson shall be required to vote on all questions before the board, for representation in his/her district.
8. Supervisor/County Board Chairperson/Citizen member Entitlement: Per Diem will be \$60.00 per meeting; and any regular standing committee meeting over four (4) hours in length shall be paid an additional \$30.00.
9. County Board Chairperson: County Board Chairperson shall receive an annual salary of \$13,000.00, plus all meetings to be paid as stated in Ch. 12.4 for all supervisors. The salary shall include all meetings with Department Heads, opening and answering correspondence, representing organizations, ceremonial functions, unless over two (2) hours, at that time the Chairperson is allowed to collect \$60.00 for that event/meeting.  
Vice Chair: Shall receive \$1,000 annual salary plus paid meetings and mileage.  
Appointed Administrative Coordinator: Shall receive \$5,000 annually.
10. Purchases of greater than \$25,000 shall require the signatures of the County Board Chairperson and the County Clerk. Waupaca County Highway

Commented [JL65]: 2.08

Commented [JL66]: 2.04 B

Commented [JL67]: 2.05 with defining committee on committee is 7 person board but noting that chair and vice chair are members and 5 other supervisors

Commented [JL68]: 2.06, 2.07, 2.08B

Commented [JL69]: 2.13. Updated amounts changed

Department equipment; Lakeview Manor pharmaceuticals and dietary; and Waupaca County Industries production equipment are exempt from this ordinance. (Waupaca County Resolution No. 64, 1990). All purchase of service contracts/agreements issued under State Statutes 46.036 for the Department of Health and Human Services are exempt from this ordinance. An agreement with Waupaca County is not valid and binding upon Waupaca County unless signed by the County Board Chairperson and/or Vice Chair or County Clerk/Administrative Coordinator.

11. Purchases under \$25,000 are left to the Department Head responsible for the project to determine whether the County Board Chairperson needs to sign the contract.

**Commented [JL70]:** DELETED same as rule 6.5 above. See that note.

12. In the absence of the County Board Chairperson, the Vice Chair shall sign the contracts and in the absence of both the Chairperson and the Vice Chair, the Chairperson of the Finance and Human Resources Committee or the County Clerk/Administrative Coordinator shall sign the contract.

**Commented [JL71]:** DELETED same as rule 6.7 above. See that note.

13. All committee appointments are either through election by the full County Board, appointment by the Board Chairperson and confirmation by the Board, or by recommendation of the Committee on Committees, if practicable this shall be done within thirty (30) days.

**Commented [JL72]:** 2.11 C

14. Except as hereinafter provided, the term of office of each member of the Solid Waste Management Board appointed by the Waupaca County Board Chair and approved by the County Board of Supervisors pursuant to this ordinance shall be for three (3) years. The terms of those initially appointed shall be as follows:

Two (2) shall be appointed for a term of three (3) years from date of appointment.

Four (4) shall be appointed for a term of two (2) years from date of appointment.

Four (4) shall be appointed for a term of one (1) year from the date of appointment.

15. The Solid Waste Management Board objectively monitors and reviews the nuclear waste issue within its boundaries, and Nuclear Waste Exploration: Any person, including individuals, partnerships, associations, corporations, municipalities, or other State and/or Federal agencies, departments, bureaus or units, shall give written notice to the County Board Chair and the Solid Waste Management Board, a minimum of sixty (60) days prior to said person conducting any drillings over 500 feet in depth or any drillings of any depth or onsite exploration related to the search for a nuclear waste disposal site on lands within Waupaca.

**Commented [JL73]:** Part of committee duties. Not sure why called out separately

**Chapter 2 – Rules of the Board  
APPENDIX B  
COUNTY SUPERVISORS DUTIES**

**Waupaca County Mission Statement:**

Waupaca county government exists  
To provide services that empower and  
Protect residents and guests

Waupaca County is a body corporate of the State of Wisconsin, chartered 1851, self-organized on September 21, 1999. The County Board of Supervisors is the governing body of Waupaca County. Waupaca County has twenty-seven districts, and the voters in each district elect one Supervisor to serve on the County Board for a two year term. To be elected as a Supervisor, a candidate must be 18 years of age or older and be a resident of the supervisory district within which they are a candidate at the time election papers are taken out. The duties, powers and responsibilities of the County Board of Supervisors are defined by the laws of the State of Wisconsin and the Rules of the Board, contained in Chapter 2 of the Waupaca County Code of Ordinances.

**Commented [JL74]:** Under table of contents

County Supervisors are expected to individually contribute to a collaborative effort to set strategic mission goals and make broad policy decisions that support the strategic mission and advance the priorities of the County. Examples of such activities, include, but are not limited to:

- Taking part in the activities of the Board and serving on one or more Standing Committees or Special Committees, Boards and Commissions enumerated in Ch. 1, Section 1.08 and 1.09, as appointed by the County Board Chairperson;
- Participating in the process of debate and voting on proposed ordinances, resolutions and motions in County Board and Committee meetings;
- Providing oversight and advice to the management of the County regarding delivery of County services while refraining from the delivery, management or administration of daily operations of the County;
- Being responsive to the needs of their constituency through effective communication;
- Establishing priorities for the delivery of County services through the annual budget and tax levy.

Service as a County Supervisor is an honor and a trust which compels the office holder to serve the public through use of his or her judgment for the benefit of the public, and binds him or her to uphold the Constitution of the United States the Constitution of the State of Wisconsin and to carry out impartially the laws of the Nation, State and County. County Supervisors:

- Are dedicated to the democratic ideals of honest, openness and accountability in all matters involving County government;
- Are willing to accept responsibility for decision-making that can affect many;
- Understand the County's mission, priorities, challenges, needs and demographics;
- Understand the difference between governance and management and accept that their role is to set policy while management carries out policy;
- Understand the importance of distinguishing between personal opinions and County Board positions when communicating with the public and the media, exert a good faith effort to communicate the full truth about County matters and avoid structuring information to achieve a personal advantage;
- Are good listeners and will speak to issues, but also recognize when discussion must conclude and a decision must be made;
- Are committed to building community partnerships;
- Actively practice and support stewardship of the County's fiscal and natural resources by supporting public policy for the best use of the land, water and air consistent with the public interests, community need and a vision for the future and adopt fiscal policies that promote the most effective, efficient and ethical use of public funds;
- Perform the duties of their office with fairness and impartiality to build public confidence in government;
- Support the principle of equal employment and oppose discrimination in all County operations;
- Strive to seek and consider citizen input; and
- Strive for excellence through continuous learning, seek opportunities to acquire skills and knowledge, and dedicate the time necessary to adequately attend to the assignments and duties of the office.

Commented [JL75]: 2.09

## HISTORY PAGE

*Amend Chapter 2, Rule No. 12 – County Board Entitlements on October 26, 1999, published on November 12, 1999, New London Press Star*

*Repealed and adopted on March 17, 1998, published on March 26, 1998 in the Marion Advertiser*

*March 21, 2000 added Section 10.02(a) to the Ethics Code, Chapter 2.05. Published in the Waupaca County Post on March 30, 2000.*

*April 16, 2002 Amended Chapter 2, published in Clintonville Tribune.*

*Appendix A created March 16, 2004.*

*Amended July 20, 2004*

*Amended April 16, 2008*

*Amended April 20, 2010*

*Chapter 12.7 created December 21, 2010*

*Chapter 12.0 (per diem rate) Amended September 20, 2011*

*Rule No. 1.3(2)(i) & (j) Amended April 12, 2012*

*Rule No. 3.1(7), (8), (9), (10), (11), (12), (13), (14) & (15) Amended April 12, 2012*

*Rule No. 12.5 Amended April 12, 2012*

*Rule No. 13.3 (5) amended 2013*

*Rule No. 12.4 and 12.4(a) County Board Entitlements, approved October 29, 2013*

*Rule No. 1.3(n)(2) & (3), Rule 6.7(a), Rule 12.4(a), Rule 13.1(1), Rule 14, Chapter 2.06, and Appendix A amended August 19, 2014*

*Chapter 2, The Governing Body, April 19, 2015*

*Rule No. 1.3 o, February 16, 2016*

*Rules adopted 4-19-2016 Organizational Session*