

## CHAPTER 2 THE GOVERNING BODY

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#### **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. Official: All County department heads or directors, County Supervisors and all other County elected officers, except Judges and District Attorneys.
6. Employee: An individual who is employed by the County and who is paid in part or whole through the County payroll and for the purposes of the ethics code, includes duly appointed citizen members of County boards, committees and commissions acting during their term.
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**

- 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

## 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. At the statutory Organizational 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 the presence of a quorum and proceed with the preliminary ceremonies.
- B. 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.
- C. 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.
- 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 the Chair, Vice Chair and five other board member 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.
- E. The proposed rules of the newly seated County Board shall be made available to the Board membership prior to the Organizational Meeting.
- F. There shall be an explanation of the present and proposed rules of the County Board at the Organizational Meeting.
- G. 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.



- H. 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.
- I. 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.
- J. 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.
- 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. Any committee may, if the Committee membership so decides, postpone election of committee officers for not more than one month from the Organizational Meeting.
- L. 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.
- M. 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.

**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.

### **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.** All committee appointments are either through election by the full County Board, appointed by the Board Chair and confirmation by the Board, or by recommendation of the Committee on Committees. In the event of a vacancy on the Board or a citizen member of any committee, 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 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. Committees shall set a secretary from committee member or staff. 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) 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.

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.
- D. 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.
- 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. Any case of doubt as to legality shall be resolved in favor of an open meeting.
  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 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. 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: Attendance at any seminar, ~~or~~ conference or webinar must be authorized by the County Board Chair or committee Chair, ~~other than~~ the Annual Convention of the Wisconsin Counties Association is an authorized event for, ~~which all members of the board are authorized to attend and requires no additional authorization.~~

- 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 ~~\$60-70~~ 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.

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; 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.
- 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.
- 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: **Not submitted yet. Will enter when available.**

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.

**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.

**ED. 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**

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- 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.