

Title 2

ADMINISTRATION

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(Ord. 161-37, Sec. 4 Repealed Ch. 2.72)

Chapter 2.04

RULES OF THE COUNTY BOARD OF SUPERVISORS*

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* For statutory provisions regarding the powers of the county board, see WSA 59.02 and 59.51; for the provisions regarding county board meetings, see WSA 59.11. (Ord. 161-6, Sec. 17 & 19, 2017; Ord. 157-47, Sec. 4, 2014; Ord. 152-25, 2008)

II. STANDING AND SELECT COMMITTEES--RULES AND DUTIES THEREOF

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2.04.010 Rule 1--Meetings.

A. Regular meetings of the board for the purpose of transacting general business shall be held on the 1st and 3rd Tuesday in March, April, May, October and December. In January, February, June, July, August and September there shall be one meeting held on the 3rd Tuesday of the month. In November there shall be one meeting held on the 1st Tuesday of the month. All meetings will commence at 7:00 p.m., unless otherwise ordered by the board and subject to recesses and adjournments to a date and time certain. If the September meeting conflicts with the Wisconsin Counties Association's Annual Convention, it shall be automatically moved to the 2nd Tuesday of September. Separate meetings will be scheduled for work sessions on the strategic plan as needed.

B. All meetings shall be held in the county board of supervisors' chambers at the courthouse unless otherwise ordered by the board. All members of the board shall attend meetings in person. The chair has the authority to approve remote participation by electronic means for individual members for specific meetings, and remote participation by electronic means for longer defined periods of time for members with a known disability or illness that prevents in person attendance at the meeting. Supervisors may also participate in meetings remotely as an approved accommodation under the Americans with Disabilities Act as determined by the Eau Claire County Human Resources Department. "Participation" or "participate" includes the right to speak and vote on an agenda item. Each meeting notice shall contain access information for any board member, staff, or a member of the public to view the open sessions of the meeting remotely. The chair shall have the authority to allow an individual to speak remotely during public comments or on an agenda item and determine which individuals may remotely attend a closed session of the board. Notwithstanding the above, the chair of the county board in response to a pandemic or crisis, and for finite and specific time period, shall have the authority to authorize meetings to be held remotely either at another location or by electronic means that includes the participation of members by videoconference or by teleconference.

C. The meeting on the 1st Tuesday of November in each year shall be the annual meeting at which time the board shall adopt the county budget and tax levy for the ensuing fiscal year, in addition to its regular business. The board shall hold a public hearing on the budget in accordance with Wis. Stats. §65.90(3), on an annual basis at its second October meeting. Unless otherwise ordered, the board shall adjourn at 11:00 p.m. until 1:00 p.m. the next day until the business of the annual meeting is concluded.

D. Special meetings shall be held upon written request of a majority of the supervisors delivered to the clerk, specifying the time and place of the meeting and the subjects to be considered. The time shall not be less than 48 hours from the delivery of the request. Upon receiving the request, the clerk shall forthwith mail to each supervisor notice of the time, place and purpose of the meeting. Any special meeting may be adjourned by a vote of a majority of all the supervisors.

E. Should the date of any regular meeting fall on the date of a spring or general election in this state, or a county holiday observed under 3.35.040, the meeting shall be held on the next day at 7:00 p.m.

F. The chair of the county board may, by written call filed with the county clerk, convene an emergency meeting of the county board as provided in 2.36.080 in the event of a declared emergency as defined in 2.36.070. The call shall specify the time and place of the meeting and the subjects to be considered. The time shall be not less than 12 hours from the

filing of the call. The clerk or, if not possible, the sheriff shall immediately notify the media and each member in person, by telephone, facsimile or e-mail of the time, place and purpose of the meeting.

G. The board shall sit with open doors, and all persons conducting themselves in an orderly manner may attend, except that the board may convene in closed session for the duly authorized purposes of and as provided in Wis. Stat. § 19.85.

H. The chair of the county board shall have the authority to cancel any regular meeting of the county board due to severe weather, other emergency conditions, or when in the chair's judgment there is insufficient legislative business to justify the expense of a regular meeting. The clerk shall immediately notify all supervisors and the media by telephone, facsimile or e-mail of such cancellation. (Ord. 166-15, Sec. 1, 2022; Ord. 165-30, Sec. 1, 2021; Ord. 165-10, Sec. 1, 2021; Ord. 164-18, Sec. 1, 2020.; Ord. 161-41, Sec. 1, 2018; Ord. 161-35, Sec. 1, 2018; Ord. 161-6, Sec. 1, 2017; Ord. 159-43, Sec. 1, 2016; Ord. 159-29, Sec. 1, 2016; Ord. 153-35, Sec. 1, 2010; Ord. 148-49, 2005; Ord. 147-80, Sec. 1, 2003; Ord. 146-66, 2002; Ord. 141-97 Sec.1, 1998; Ord. 140-02, 1996; Ord. 128-67, Sec.1, 1985; Ord. 126-35 Sec.1, 1982; Ord. 81-82/355 Secs.1--5, 1981; Ord. 80-81/345 Sec.1, 1981; Ord. 110-78 Sec.11, 1978; Ord. 322-76 Sec.1, 1976).

2.04.020 Rule 2--Meeting organization.

A. The county board shall meet on the 3rd Tuesday of April annually as provided by law and shall proceed to organize. The county board at such meeting shall be called to order by the chair of the county board for the preceding term, and in the chair's absence or disability by the 1st vice-chair of the county board for the preceding term, if still a supervisor; if and in the absence or disability of such chair and vice-chair, by the county clerk. A judge of the circuit court, or in the judge's absence, the county clerk, shall then administer the official oath of office as prescribed in Wis. Stat. § 19.01(1m), and required by Wis. Stat. § 59.21(1).

B. If a majority of the supervisors, duly elected and qualified, answer to the call of the roll, they shall proceed to elect officers from their number, a chair, 1st vice-chair, and 2nd vice-chair, in that order and in the manner provided in this section. Said officers shall take office immediately upon election and shall serve a term of two years or until their successors are elected and qualified.

C. All positions which are to be filled by election by the county board shall be chosen in the following manner:

1. Nominations for the office to be filled shall be called for by the chair and may be made by any member of the board upon recognition by the chair. The person nominated shall immediately state an objection if he or she wishes the nomination to be withdrawn from consideration. Nominations so made need not be seconded and shall be entered by the clerk. The chair shall request 3 times if additional nominations are to be made and hearing none may entertain a motion to close nominations. If there is only one nominee a voice vote to cast a unanimous ballot is in order. Nominations having been closed the board shall proceed with written ballots to vote for one of the nominees. If any nominee receives a majority of the votes cast, he or she shall be declared elected. If no nominee receives a majority of the votes cast on the 1st ballot, successive ballots shall be taken with the nominee receiving the lowest number of votes on the 3rd ballot being eliminated, until one of the nominees shall receive a majority of the votes cast;

2. Written ballots provided herein shall be secret for the election of the officers of the county board, but shall be endorsed on the reverse thereof by the person casting the ballot in the case of all other elections;

3. All ballots cast shall be open to public inspection for 90 days after which the clerk will destroy them.

D. The county board shall then proceed to consider amendments to the rules of order and to establish or amend the rules of the board dealing with the committees thereof, their duties and manner of reporting. The chair of the county board shall appoint all committees as established by the board under 2.04.120, 2.04.150 and 2.04.200 as provided under 2.04.340 B. (Ord. 161-6, Sec. 2, 2017; Ord.141-97 Sec.2, 1998; Ord.141-03, Sec.1, 1997; Ord. 130-08 Secs.1,2, 1986; Ord. 126-28 Sec.1, 1982; Ord. 79-80/282 Sec.1, 1979; Ord. 110-78 Sec.3, 1978; Ord. 105-78 Sec.1, 1978).

2.04.030 Rule 3--Opening of meeting.

A. Call to Order. Promptly at the hour of meeting, the chair of the board, or in the chair's absence, the 1st vice-chair or in the 1st vice-chair's absence, the 2nd vice-chair, shall call the members to order. In case of the absence of the chair and vice-chairs for any meeting, the members present shall choose a temporary chair.

B. Roll Call. The chair shall order the calling of the roll. The clerk of the county board, on recording the initial roll call at the opening of each board session, shall mark those supervisors who are present "present" and those who are absent "absent", and shall, in the paragraph immediately following said roll call, insert the names of those supervisors who have been marked absent, who are present later in the meeting of the board, and said clerk shall further record the appearance of such supervisors marked absent at the point in the proceedings when they appear during meetings of the board. If a majority of the members-elect record themselves present, the chair shall announce the presence of a quorum.

C. Order of Business for Regular Meetings. The order of business shall be as follows for all regular meetings of the board, except as otherwise provided by rules for the annual and organizational meetings:

1. Call to order;
2. Honoring of the flag and moment of reflection;
3. Call of the roll;
4. Approval of the journal of proceedings;

5. Public comment;
6. Reports to the county board under 2.04.320;
7. Presentation of petitions, claims, and communications;
8. First reading of ordinances by committees;
9. First reading of ordinances and resolutions by members;
10. Reports of standing committees, committees, commissions and boards under 2.04.,160 and second reading of ordinances. The committee chair(s) responsible for reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee action;

11. Appointments.

D. Order of Business for the Annual Meeting. The order of business shall be as follows for the annual meeting:

1. Call to order;
2. Honoring of the flag and moment of reflection;
3. Call of the roll;
4. Approval of the journal of proceedings;
5. Public hearing on annual budget;
6. Presentation of petitions, claims and communications;
7. Presentation of a summary of departmental budgets by the chairs of the governing committees and the chair of the finance and budget committee.
8. Budget deliberations;
9. Reports to the county board under 2.04.320;
10. First reading of ordinances by committees;
11. First reading of ordinances and resolutions by members;
12. Reports of standing committees, committees, commissions and boards under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee action;

13. Reports of select committees and second reading;

14. Appointments.

E. Order of Business for the Organizational Meeting. The order of business shall be as follows for the organizational meeting:

1. Call to order;
2. Presentation of the colors and honoring of the flag;
3. Moment of reflection;
4. Certificate of election;
5. Administration of the oath of office;
6. Call of the roll;
7. Election of board officers;
8. Adoption of the rules of order;
9. Approval of the journal of proceedings;
10. Public Comment;
11. Reports to the county board under 2.04.320;
12. Presentation of petitions, claims, and communications;
13. First reading of ordinances by committees.
14. First reading of ordinances and resolutions by members;

15. Reports of standing committees, committees, commissions and boards under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee action;

16. Appointments.(Ord. 166-007, Sec. 1, 2022; Ord. 163-28, Sec. 1, 2019; Ord. 159-43, Sec. 2, 2016; Ord. 157-47, Sec. 1-3, 2014; 156-29, Sec. 1, 2012; Ord. 155-37, Sec. 1, 2012; Ord. 155-2, Sec. 1, 2011; Ord. 152-12, Sec. 1 & 2, 2008; Ord.152-3, Sec. 3 & 4, 2008; Ord. 151-35, Sec. 1, 2007; Ord. 149-13; Secs. 1-6, 2005; Ord.144-01 Sec. 1, 2000; Ord.142-01; Ord.141-97 Sec.3, 1998; Ord.135-95, 1991; Ord.126-28 Secs.2--4, 1982; Ord.79-80/424 Secs.1, 2, 3, 1980; Ord.110-78 Sec.5, 1978).

2.04.040 Rule 4--Voting.

A. Quorum. A majority of the supervisors entitled to a seat on the county board shall constitute a quorum for the transaction of business. All questions shall be determined by a majority of the supervisors present, unless otherwise provided by law or these rules.

B. Voting Procedure.

1. Every member present when a question is put shall vote unless excused by the county board, by the affirmative vote of a majority of the members present, for reason of a conflict of interest or other special cause. All motions to excuse a member from voting shall be made before recording the vote on the question pending. Any members wishing to be so excused may make a brief verbal statement of the reason for such request, and the question upon such motion shall then be taken without further debate.

2. All members shall be in their seats when voting. Prior to the announcement by the chair of the final vote on any question, members have the right to change their vote by rising for recognition and so announcing the change to the clerk. Thereafter, members shall not be allowed to change their vote.

3. When using the voting system, individual votes will be reflected in the minutes. When voting by voice vote or by division of the house, if members request that their vote be entered in the journal, it shall be so ordered.

C. Roll Call--How Taken. When a roll call is ordered by the chair, members shall use the voting system, and the clerk shall deliver to the chair the final number of those voting on each side. Debate shall be closed with the commencement of the roll call and no motion shall be entertained until after the result of the vote is announced by the chair.

D. Roll Call Obligatory--When. A roll call vote shall be taken on:

1. Any action to suspend the rules, unless unanimous consent be granted;
2. Any motion to convene in closed session pursuant to Wis. Stat. § 19.84;
3. Any question at the request of any member prior to a voice vote;
4. Any question decided by voice vote where the chair is in doubt as to the prevailing side if a division of the house is not used;
5. Any resolution adopting the county budget;
6. The sale or purchase of real estate or the transfer of an interest in real property.
7. Any measure referred to in E.

E. Measures Requiring More Than a Majority Vote. The following matters require the affirmative vote of two-thirds or more of the members-elect of the county board, as designated hereinafter:

1. Any resolution or ordinance transferring funds from the general fund pursuant to Wis. Stat. § 65.90(5)(a), (2/3);
2. Temporary borrowing under Wis. Stat. § 67.12, (3/4);
3. Any public work done directly by the county under Wis. Stat. § 59.52(29), (3/4);
4. Any motion to withdraw a matter from committee unless notice has been given as provided in 2.04.160 (2/3). (Ord. 161-6, Sec. 3, 2017; Ord. 159-43, Secs. 3 & 4, 2016; Ord 156-38, Sec. 2, 2013; Ord. 156-29, Sec. 5, 2012; Ord 156-29, Sec. 2, 2012; Ord. 146-41, Sec. 1, 2002; Ord.141-97 Sec.4, 1998; Ord.141-03, Sec.1, 1997; Ord.127-46 Sec.1, 1983; Ord.80-81/336 Sec.1, 1981; Ord.79-80/424 Secs.5, 8, 1980; Ord. 110-78 Sec.7, 1978).

2.04.050 Rule 5--Speaking at meetings.

A. Recognition Before Speaking. Any member wishing to speak in debate or present any matter to the board, shall press the request to speak button. Upon being recognized, the member shall not be interrupted except by a call to order. If called to order by the chair, a member shall not proceed without leave of the chair, unless granted leave by appeal from the decision of the chair, sustained by the board.

B. Limitations of Speech. No member shall speak a 2nd time on a question during any meeting until any other member desiring to speak on same shall have been heard. No member shall speak more than twice on a question nor for more than 5 minutes at any one time without first obtaining leave of a majority of the members present. Merely asking or answering a question for a member shall not be counted as speaking in debate. Each member shall speak only to the merits of the question under consideration, maintain a courteous tone, refrain from attacking or questioning the motives of any other member and avoid the mention of other members' names in a demeaning or derogatory manner.

C. Method of Address. At all times the chair shall be addressed as Chair _____ and fellow members as "Supervisor_____". (Ord. 166-8, Sec. 1, 2022; Ord. 161-6, Sec. 4, 2017; Ord. 159-43, Sec. 5, 2016; Ord. 157-2, Sec. 1 Ord. 0144-01 Sec. 2, 2000; Ord.141-97 Sec.5, 1998; Ord. 110-78 Sec.9, 1978).