

RICHLAND COUNTY RULES OF THE BOARD

January 19, 2021

Rule 1

The hour of the meeting of the Board shall be 7:00 p.m. The County Clerk shall send the minutes of the previous meeting and the agenda for the next meeting and all resolutions and ordinances to be considered at the next meeting to each Supervisor digitally or, if a Supervisor elects, by U.S. Mail, by not later than Wednesday before the next County Board meeting. Resolutions or Ordinances, or subsequent drafts of Resolutions or Ordinances, which were not timely sent out may be considered by the County Board as long as they are approved by the County Board Chair, unless the County Board adopts a motion objecting to consideration of a specific Resolution and Ordinance.

Regular meetings of the Richland County Board of Supervisors shall be held the third Tuesday of each month, except as follows: the annual meeting shall be held the last Tuesday of October, and the December meeting shall be held on the second Tuesday of the month. Any regularly scheduled meeting of the Board, and any special meeting that may be called, may be adjourned to a specific date and time other than the date and time for the next regularly scheduled meeting in accordance with this Rule, by a motion approved by a majority of the Board before the end of the meeting being adjourned. The County Clerk shall provide all members with written notice of any adjourned meeting in the same manner as is done with regular Board meetings.

Rule 2

At the organization meeting in even numbered years, the Board shall elect a Chair and Vice- Chair by secret ballot. All ballots shall be formal ballots. A majority of votes of the members present shall be necessary to elect. Members shall be seated in order by district number, except that the Chair and Vice-Chair shall sit at the head table, and the Chair may alter the seating arrangement to meet the needs of individual Supervisors. The Chair shall vote on a call of ayes and noes.

In the event of a temporary vacancy in the Vice Chair position, the Board shall elect a temporary Vice Chair by secret ballot. The temporary Vice Chair shall sit in the Vice Chair's seat. During the absence of the Chair and Vice-Chair, a Chair pro-tem shall be selected by motion of the Board.

The Chair and the Vice-Chair shall be automatic members of the Committee on Committees and the Finance and Personnel Committee.

Rule 3

Supervisors shall attend the meetings of the County Board in-person unless, with approval of the Chair granted for cause, by remote means of attendance (meaning, by telephone conference, videoconference or by other means by which all persons participating in the meeting are able to communicate with one another). If the Chair is going to attend by remote means, the Vice Chair shall preside over the meeting. If in-person meetings are not advised or not possible due to an emergency situation, as determined by the County Board Chair and/or the County Administrator,

meetings of the County Board and its committees may be conducted via teleconference, video conference or other such methods, provided that members of the public can access the meeting in accordance with Wisconsin's Open Meetings Law.

Rule 4

The Chair shall take the chair at the appointed time and shall ask the Clerk to call the roll and, if a majority of the members be present, he or she shall call the meeting to order. The invocation and the Pledge of Allegiance will be given. The Clerk will then read the agenda, which shall be approved by the Board by motion. The Chair shall then ask if any member desires the minutes of the previous meeting to be read or if any member desires to amend the minutes of the previous meeting. Such reading or amendment shall be accomplished by passage of an appropriate motion by a majority of the members present. Hearing no such motion, or after any such motion has been voted on, the Chair shall declare the minutes as approved. No business may be conducted until the minutes of the last meeting have been so approved by the Board. Minutes shall be approved on a meeting by meeting basis so that, in monthly meetings of the Board which consist of more than one meeting, minutes of that entire monthly meeting shall not be approved until the next monthly meeting.

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Rule 5

Matters may only be on the agenda if the Clerk has been notified of them at least 24 hours before the start of the meeting, unless the Board determines by motion that for good cause such notice is impossible or impractical, but in no event shall such notice be less than 2 hours in advance of consideration of the item. The order of consideration of agenda items shall be at the discretion of the Chair. The Board may only consider resolutions or ordinances which each member has been sent a copy of in accordance with Rule 1: exceptions to this rule may be made as determined by a majority of those present.

Rule 6

The Chair shall preserve order and decorum and decide all questions of order, subject to appeal to the Board. The Chair shall, after receiving the advice of the committee on committees, appoint all committees subject to confirmation by the Board by motion. The following committees shall be elected by a majority of those present by ballot:

Committee on Committees; the Chair and Vice-Chair shall be automatic members;

Highway and Transportation Committee;

Pine Valley Board of Trustees.

The first ballot for any committee seat shall be an informal ballot. Each succeeding ballot shall be a formal ballot and supervisors may only vote in formal ballots for all persons who have received the top three numbers of votes on the informal ballot for that seat.

In the event of a prolonged, unexcused absence of a Supervisor or citizen member of a committee, board or commission, the chair of that committee, board or commission shall notify the County Administrator of the absence. Except as to the Highway Committee and the Board of Trustees of Pine Valley Community Village, the County Administrator shall have the authority to make a temporary appointment upon the prolonged, unexcused absence of any Supervisor or citizen member of any committee, board or commission, after the approval of such appointments by of the County Board. Such temporary appointments shall cease upon the return of the absent member. Permanent vacancies of a citizen member seat on a committee, board, or commission, except the Board of Trustees of Pine Valley Community Village, the Veterans Service Commission and the Commission on Aging, shall be filled by the County Board after receiving the recommendation of the County Administrator who shall have solicited nominations for the vacancy by a two consecutive week notice in The Richland Observer, which notice shall also be posted on the County's website.

No Supervisor or citizen member shall serve without interruption for the equivalent of more than 3 consecutive, 2-year terms on any committee, board or commission. An individual who has served as a citizen member of a committee, board or commission who becomes a Supervisor is eligible to serve as a Supervisor member of the same committee, board or commission for not to exceed 6 years. A supervisor who has served on a committee, board or commission and who ceases being a Supervisor is eligible to be appointed as a citizen member of the same committee, board or commission for not to exceed 6 years.

The first section of this paragraph does not apply to:

- (a) committees elected by ballot and members serving on a related State board of committee;
- (b) citizen members of the Fair and Recycling Committee;
- (c) statutory 3-year terms of members of the Zoning Board of Adjustment;
- (d) service on committees, boards or commissions for a term of less than 3 years in length;
- (e) service by a Supervisor for a partial Supervisory term.

Except for committees elected by ballot and members serving on a related State board or committee, no Supervisor or citizen member shall serve without interruption for the equivalent of more than three consecutive, two year terms on any committee or board, commencing in April, 1976. This limitation shall not apply to the statutory 3-year terms of members of the Zoning Board of Adjustment. Service on all committees, boards and commissions for term of less than 3 years in length shall not be counted for the purposes of this Rule, nor shall service by a Supervisor for a partial Supervisory term be counted.

Rule 7

Supervisors shall turn off their cell phones and all other personal electronic devices during a meeting of the County Board or of any committee or board on which Supervisors serve. Such devices may not be used during any such meeting except with permission of the chair of the meeting. This Rule does not preclude the recording of a meeting by any person.

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Rule 8

The County shall make a county e-mail address available to each Supervisor, which each Supervisor may elect to utilize. Those Supervisors electing to use the County-provided e-mail address shall use that address for all County business and for no other purpose.

Rule 9

All questions shall be put in this form: All those in favor say "aye", and those opposed "no". Any member may call for a roll call vote on any question.

Every member present when a question or election is put shall vote on the same, unless for some special cause excused by the Chair.

All roll call votes of the Richland County Board of Supervisors shall be taken into rotation numerically, and each succeeding roll call shall be started with the next succeeding name that completed the last preceding roll call.

Rule 10

When a motion is under discussion, no motion shall be in order except a motion to table until later in the meeting or to table to a definite date or to table indefinitely, which shall not be debatable, or a motion to amend. A motion to adjourn shall be in order and be decided without debate.

Rule 11

When any member wants to speak in debate or lay any matter before the Board, he or she shall raise their hand and, upon being recognized by the Chair, respectfully address himself or herself to "Mr. or Madam Chair," and confine themselves to the question under debate, avoiding personalities.

When two members arise to speak at once, the Chair shall name the member who is first to speak.

Any member may make a motion to limit the floor time of any speaker and such motion shall not be debatable. Also, the floor time of any speaker may be limited by the Chair. The Chair's decision may be overruled by a majority of those Board members present.

Rule 12

When the Board is equally divided on any question before it, the same shall be lost, but in that case any member may move for reconsideration or bring the question anew.

When a vote has been taken on a question or motion, it shall be in order for any member of the majority on that vote to move for reconsideration on the same or succeeding meeting, but not for a member of the minority.

Rule 13

No amendments to a Rule of the Board shall be effective in the meeting in which that Rule is amended.

Rule 14

This Rule applies to all committees and boards which consist of a majority of County Board Supervisors, subject to the exceptions stated below.

This Rule does not apply to the extent that it may conflict with authority granted to any committee or board by the Wisconsin Statutes.

This rule does not take precedence over the following:

- (a) The only matters which the Highway Committee has to come back to the County Board for are:
 - 1. to purchase highway equipment which costs \$50,000.00 or more (Resolution No. 41 Amended) adopted on October 28, 1975);
 - 2. to purchase real estate other than highway right-of-way (Resolution No. 87-47);
 - 3. to construct any building.
- (b) The Health and Human Services Board shall have the authority to enter into contracts which involve the expenditure of not more than \$50,000.00 either at one time or within the course of one year.
- (c) Resolution No. 88-32 (Committee Structure Resolution) and Resolution No. 89-100, which authorizes the Land Conservation Committee to undertake new projects costing up to \$50,000.00. The Land Conservation Committee can enter into cost-sharing contracts with private landowners under the Soil and Water Resource Management Program and pay those contracts involving the expenditure of up to \$50,000.00 per contract a year without County Board approval.
- (d) Resolution No. 89-80 Authorizing the Law Enforcement and Judiciary Committee to appropriate funds from the Jail Assessment Fund without County Board approval.
- (e) The Board of Trustees of Pine Valley Healthcare and Rehabilitation Center shall have authority to enter into contracts, make expenditures and undertake public works projects which involve the expenditure of not more than \$50,000.00 either at one time or within the course of one year.
- (f) No supervisor should promise a present or prospective County employee a wage increase, salary, job, or job security without telling him or her that the promise has to have final approval of the full County Board before it can be carried out.

- (g) No Supervisor should make a financial commitment or promise to any individual, company or organization concerning County property without telling him or her that the commitment has to have final approval of the full County Board before it can be carried out.
- (h) The Fair Committee shall have authority to enter into contracts, make expenditures and undertake public works projects which involve the expenditure of not more than \$7,000.00 either at one time or within the course of one year.
- (i) Retirement Resolutions. The County Board will only consider Resolutions commemorating the retirement of County employees if the employee is fully vested in the Wisconsin Retirement System at the time of retirement.

Any matters covered by this Rule are not deemed to have been approved by the County Board by virtue of the Board having approved an annual County budget which may contain money for those items. Items covered by this Rule must be approved by the County Board by separate Resolution despite the fact of prior approval as part of the budget process.

The following items must be approved by the County Board:

- (a) Contracts. Agreements entered into on behalf of Richland County should be reduced to writing whenever possible. All contracts involving an expenditure of over \$5,000.00 a year must be approved by the County Board, except that a one year's extension of an existing contract may be authorized by the appropriate committee. All contracts involving less than \$5,000.00 a year must be approved by the County Administrator and (?) appropriate committee. Department heads may not enter into any contracts on behalf of Richland County. Copies of all contracts shall be filed with the County Clerk.
- (b) Expenditures. If the purchase price of the needed property including computers is \$2,000 or less, the department head may make the purchase upon obtaining at least one quotation from a vendor. If the purchase price of the needed property including computers exceeds \$2,000 and does not exceed \$5,000, the purchase must be made by the County Administrator after having obtained a minimum of 3 quotations from vendors, if reasonably possible. No Committee may commit Richland County to an expenditure in excess of \$5,000.00 for the purchase of property, supplies or equipment (in either one unit or in multiple of units if the cost of either exceeds \$5,000.00) or of real estate or for the repair, renovation, remodeling or reconstruction of buildings or other public works, unless that expenditure has been approved by the County Board.
- (c) Public works projects. All matters dealing with the "construction, repair, remodeling or improvement" of any County building or real estate is governed by section 59.52(29), Wisconsin Statutes. This statute covers the construction of a building that will become a County building even though its construction is being financed by private funds. Also, this statute does not govern highway projects. This statute sets forth the following requirements;

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Comment [1]: Do we want this to just go through the County Administrator or do we want committee involvement? I have heard many concerns about how long the process takes when it has to go through committee but not sure where we want to go with this???

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Comment [2]: In an effort to streamline do we want language that says "if item was budgeted for in the departmental budget, only need approval from County Administrator"?

1. If the estimated cost of the project is less than \$5,000, there are no restrictions as to how the County Board can award the contract for the work.
 2. If the estimated cost of the project is between \$5,000 and \$20,000, the County Board must advertise for bids for at least one week before the contract for the project is awarded.
 3. If the estimated cost of the project exceeds \$20,000, the project must be awarded to the lowest responsible bidder in the manner set forth in section 66.29, Wisconsin Statutes, which deals with pre-qualification of bidders.
 4. Regardless of the estimated cost of the project, the County Board may, by a 3/4th vote, allow the work to be done by the County itself.
 5. None of the above rules apply in the case of the repair or reconstruction of public facilities where the County Board determines by Resolution that the damage or threatened damage creates an emergency in which the public health or welfare of the County is endangered.
- (d) Program initiatives and grants. No department of County Government may undertake a program initiative, or contract with, or apply and accept a grant with, the State of Wisconsin or with the Federal Government or with any other entity, without approval by the County Administrator.
- (e) Emergencies. An emergency is when a proposed contract, expenditure or program initiative for which County Board approval is necessary must be submitted by a date which is before the next County Board meeting. In an emergency then the committee Chair of the appropriate committee is authorized to undertake the act on behalf of the County, subject to the following:
1. That it be stated on the document being submitted that the approval being given is subject to review by the County Board at its next monthly meeting.
 2. That a Resolution on the matter be presented to the County Board for approval at its next meeting.
- (f) Surplus County Property. The County Clerk's Office shall be advised of the disposition of any surplus County property. Committees are encouraged to liquidate surplus County property in order to conserve storage space and to assure that County property is utilized to its fullest value. The liquidation of surplus County property which the department's supervising committee estimates has a market value of more than \$1,000 for that item must be approved by the County Board. Surplus equipment must be offered by e-mail to other County departments at no cost. If no other County department has use for the surplus equipment, it is then to be liquidated by the supervising committee by the best means possible. The proceeds from all sales of surplus County property shall be deposited in the General Fund.
- (g) Budget Matters. All budget issues and fund transfers must go through the County Administrator who will report to the Finance and Personnel Committee and, if necessary, to the County Board.

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Comment [3]: Again, there is often difficulty with timing of getting approval before a grant submission deadline.

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Comment [4]: Keep this with supervising committee

Rule 15

Members of the County committees shall be compensated for their attendance at meetings of the County Board and meetings of committees or boards in accordance with the following rules:

- (b) Per diems and mileage for Supervisors shall be paid at the following rate:
 - 1. \$40.00 for each day's attendance at a meeting of the County Board (effective January 1, 2005).
 - 2. \$30.00 for attendance at meetings of boards or committees (effective January 1, 2005); payment of per diems for attendance at more than one meeting in a single day is allowed. A per diem shall be paid to a Supervisor to attend a meeting of a board, committee or commission of which he or she is not a member only when such attendance has been directed by either the County Board Chair or by a committee, board or commission of which the Supervisor is a member.
 - 3. Mileage shall be reimbursed at the same rate set by the State as mileage reimbursement to its employees. In the case of multiple meetings in one day, payment is allowed only for miles actually traveled by the Supervisor to and from his or her residence and the meeting.
 - 4. In addition to the above, the Chair of the County Board shall be paid additional compensation of \$3,000 per year, to be paid in 12 monthly installments of \$250 (effective May 1, 2020).
 - 5. Reimbursement is not allowed for alcoholic beverages.
- (b) Supervisors shall be paid mileage and per diem for their attendance at all meetings of the County Board and all meetings of committees or boards, except as otherwise provided in this Rule. All payments to Supervisors shall be done by electronic deposit, effective January 1, 2008.
- (c) No compensation or per diem shall be allowed for committee meetings held one hour before or one hour after a meeting of the County Board, except that compensation and per diems may be paid for regularly scheduled committee meetings held on the day on which the County Board has met or is to meet.
- (d) Reimbursement to Supervisors for registration fees, mileage, per diems, meals and lodging for attendance at multi-day conferences or conventions held outside of the County shall be limited to 2 per calendar year, unless specific approval is granted by the Finance and Personnel Committee. Approval by the Finance and Personnel Committee is also required for any out-of-State event.

Rule 16

Supervisors shall follow the following expense reimbursement policy for supervisors while engaged in County business:

- (a) Policy as to reimbursement for overnight lodging:
 - 1. Supervisors shall obtain a governmental rate for the hotel or motel, if available. Actual expenses for the prearranged conference rates shall be reimbursed.
 - 2. Receipts must be submitted in all cases.
 - 3. When a supervisor is accompanied by his or her spouse, the additional expense over that otherwise reimbursed shall be paid by the individual supervisor.
- (b) Policy as to reimbursement for meals:
 - 1. The actual expenses for meals shall be reimbursed in an amount not to exceed \$20.00 in any one day (effective January 1, 2005).
 - 2. The above limitation shall not include applicable sales taxes which shall be reimbursed, and gratuities shall be reimbursed up to a maximum of 15 percent of the amount of the bill.
 - 3. Receipts shall be required in all cases.
 - 4. All supervisors' meal reimbursements must be approved by the Audit Committee.
- (c) Reimbursement may be paid for other business related expenses in an amount reasonable under the circumstances, and if approved by the supervisor's appropriate County Board Committee.
- (d) When registration fees for attendance at a duly authorized convention, seminar or meeting include the costs of meals and lodging, no other reimbursement for these items shall be allowed.
- (e) When State or Federal agencies are responsible for the payment of more than 50 percent or all of the supervisor's expenses otherwise reimbursable under these Rules, then State or Federal provisions relating to the reimbursement of such expenses shall prevail to the extent that these Rules are inconsistent with such provisions.

Rule 17

Supervisor's mileage and per diem shall be paid on a monthly basis in the following manner:

- (a) The County Clerk's Office will keep a record of each supervisor's attendance at meetings of the County Board and at meetings of committees and board.
- (b) The County Clerk shall only pay mileage and per diem for attendance at meetings of the County Board and at meetings of boards or committees after a claim has been filed by the Supervisor on forms provided by the County Clerk. Each Supervisor shall be

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Comment [5]: Not to do with County Administrator but this has been brought up many times as an outdated amount, hard to even eat fast food 3 times a day for \$20...we could recommend this be looked at as part of this document and the same changes should be made for employees

responsible for submitting mileage and per diem claims to the County Clerk for his or her attendance at such meetings.

- (c) Upon receipt of attendance information by the County Clerk, the Audit Committee shall review and approve the charges which shall then be paid to the Supervisor each month.
- (d) Supervisors are urged to have all per diem and mileage claims for any calendar year submitted to the County Clerk's Office by not later than the last business day of December of the following year.
- (e) The County Clerk shall prepare a list of all per diems and mileage claimed through the last business day of December for County Board attendance and for committee attendance, copies of this list shall be distributed by the County Clerk to each Supervisor by the February meeting of the County Board and a summary of this list shall be published as part of the minutes of each February's County Board meeting.

Rule 18

Each committee composed of a majority of supervisors shall appoint a person who shall take minutes who shall not be a Supervisor. In the event of the absence of the appointed person, the committee chair shall appoint a person to take the minutes for that meeting. The appointed person shall take minutes of all meetings of the committee. The appointed person shall, within 14 days after the meeting, type up the proposed minutes of the meeting and file them with the County Clerk. The minutes shall indicate the supervisors who are in attendance at the meeting and those who were excused. The Chair of boards, commissions or committees shall be a Supervisor when a majority of the members of the board, commission or committee is made up of Supervisors.

Rule 19

Except as otherwise provided in these Rules or in the Wisconsin Statutes, all agenda items requiring action by the Board except appointments shall initially be brought to the consideration of the Board by written resolution or ordinance, except that a majority of the Board may, upon motion, permit an agenda item to be brought to the consideration of the Board by oral motion. Any Supervisor may direct the Corporation Counsel to prepare a proposed resolution or ordinance, but the identity of that Supervisor shall be public information. No resolution or ordinance shall be brought to the consideration of the Board unless it has been signed by a majority of the members of the appropriate committee. Upon signing a proposed resolution or ordinance, members may indicate on the resolution or ordinance their position for or against that proposed resolution or ordinance; in doubtful cases, the Chair shall assign proposed resolutions and ordinances to the appropriate committee.

Rule 20

Vacancies on the County Board are created in the following ways:

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Comment [6]: Should we insert language here for current practice? We are not signing at county board meetings, clerk is assuming everyone is in favor unless we tell him otherwise. Not CA related but change could be recommended.

- (1) removal for cause by a two thirds vote of all Supervisors;
- (2) removal for cause per Wisconsin Statutes, section 17.14 (2) relating to valuation or equalization of real estate for tax assessment purposes;
- (3) by death;
- (4) by moving out of the County; Supervisors who move out of their District but remain a resident of the County, may serve the remainder of their term.
- (5) by submitting a letter of resignation to the Sheriff per Wisconsin Statutes, section 17.01 (7). The Sheriff shall then file the resignation with the County Clerk. The effective date of the resignation shall be stated in the resignation document. Resignations can be effective: immediately; at a future date; or upon the happening of a future event.
- (6) conviction of a felony.

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Rule 21

The following procedure shall be utilized when there is a vacancy in a County Board Supervisory District which occurs when there is not less than 5 months remaining in the Supervisor's term:

- (a) Within 30 days of the seat becoming vacant, the County Clerk shall place a standard advertisement (not in the legal section) for 2 consecutive weeks in The Richland Observer and The Shopping News, as follows:
 - 1. Notifying the public that there is a vacancy in Supervisory District # _____ and setting forth a map which reasonably informs the public of the boundaries of the District.
 - 2. Stating that persons interested in being appointed as a County Board Supervisor from the vacant District shall submit the following information to the County Clerk in any format, except verbally, by a stated deadline which shall be not less than 30 days from the date of the last publication:
 - i. The applicant's name and address
 - ii. That the applicant is at least 18 years old
 - iii. That the applicant is qualified to vote in the District.
 - iv. A brief statement as to the applicant's qualifications to serve on the County Board.
 - 3. Stating that the vacancy will be filled from the list of applicants, at the next County Board meeting after the expiration of the application deadline. The advertisement should state the place, date and time of that County Board meeting.
 - 4. Stating the County Clerk's mailing address, fax number and e-mail address.

- (b) The vacant seat shall be filled in the manner set forth in Rule 5 of the Rules of the Board for the selection of the members of the Committee on Committees and the Highway Committee. Only persons who have timely filed applications in accordance with paragraph 1 shall be eligible for appointment.
- (c) If no applications have been received, the Board will receive nominations of qualified and willing persons from the floor.
- (d) The person appointed shall, if present, take the oath of office immediately following the appointment. Otherwise, the person appointed shall take the oath of office at the start of the next County Board meeting. If the person originally elected to the District in which the vacancy exists, remains a resident of Richland County, and is willing to do so, he or she shall continue to serve until his or her replacement takes the oath of office.

Rule 22

A committee, board or commission may adopt a motion requesting another committee, board or commission to attend a future meeting of the requesting body. In such event, each participating committee, board or commission shall prepare an agenda for the joint meeting in the usual manner.

Rule 23

In the event no Rules of the Board have been heretofore established and if there is no legal impediment, Robert's Rules of Order, as amended, shall apply.