

# **RULES OF ORDER OF THE WASHBURN COUNTY BOARD OF SUPERVISORS**

## **WASHBURN COUNTY MISSION STATEMENT**

Washburn County Government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

### **RULE 1: COUNTY BOARD OF SUPERVISORS**

1. The governing body shall be known as "the Washburn County Board of Supervisors" and are referenced in these rules as the "board". The Board shall consist of twenty-one Supervisors representing twenty-one Districts.

### **RULE 2: TERM OF OFFICE**

1. Supervisors shall serve a two year term beginning and expiring at the convening of the organizational meeting on the third Tuesday in April in the even numbered years.

2. A supervisor may be removed from office by the county board for cause by a vote of two-thirds of all the supervisors entitled to seats on such board. (See Statutes Sec.17.10. See also Sec. 59.15 Neglect of Duty.)

### **RULE 3: ELECTION OF OFFICERS**

1. The Board shall, on the third Tuesday of April, in the even numbered years, elect, by secret ballot<sup>1</sup>, a Chair, a First Vice Chair and a Second Vice Chair for a two year term. The manner in which the -Chairs are elected shall be as follows:

2. Following nominations which need not be seconded, secret ballots shall be used to elect the Chair and Vice Chairs until a majority vote of the members present elects such officers. Only persons nominated may be voted for by ballot. Each position shall be filled by separate ballot. Each nominee may speak for three minutes. If a ballot results in no candidate obtaining a majority vote, the election continues until a majority vote is obtained. A candidate may withdraw but is never dropped.

## **RULE 4: DUTIES OF THE CHAIR OF THE BOARD**

1. **General Duties** The Chair preserves the order of the Board, and decides all the questions of order and procedure subject to an appeal to the Board. The Chair may speak on points of order in preference to other Supervisors and shall vote on all questions which come before the board. Unless specifically named to a committee by these rules, the Chair shall be an ex officio member of all committees. The Chair shall ensure the Board and individual Board members act consistently with the Board's Rules and Policies. The Chair shall preside at Board meetings in an efficient and effective manner and shall set the general tone for each meeting through positive leadership. Deliberation will be fair, open, and thorough, but also efficient.

2. **Agenda, Minutes** The Chair shall ensure the other Board members are informed of current and pending Board issues and processes. The Chair, with the advice of the Executive Committee and the assistance of the Clerk, shall prepare the agenda of all business to come before each Board meeting, and shall provide via electronic means said agenda, proposed legislation and minutes of the preceding Board meeting if not already distributed to Board members at least four calendar days before each regularly scheduled meeting of the Board.

3. **Appointments** The Chair appoints members to committees authorized by the Board.<sup>4</sup> Officers of such committees are selected by committee members. (See Rule 13.1.) The Chair makes other appointments as authorized by statute.

4. At the Board's request, the Chair, or designee, shall represent the County at events or functions, serves as spokesperson for the County, where not in conflict with other statutory authority, and represents the County upon request of groups or organizations to present County positions or programs.

5. [Rule 4.5 was approved by the Board on Feb. 15, 2005 by Resolution 107-05.] The Board Chair shall chair no standing committees of the County Board except the Executive Committee. The Chair may chair ad hoc and other committees and boards associated with the role of the chairmanship.

## **RULE 5: ABSENCE OF OFFICERS OR SUPERVISORS**

1. The First Vice Chair shall assume the duties of the Chair in the event of the Chair's temporary absence. A temporary absence is deemed to mean that the Chair is unable to carry out the duties of the office for ninety days or less.

2. The First Vice Chair shall assume the duties of the Chair for the remainder of the Chair's term in the event of a permanent absence of the Chair. A permanent absence is deemed to mean that the Chair will be unable to carry out the duties of office in excess of ninety days. Upon absence of the First Vice Chair, the Second Vice Chair assumes the duties of the absent officer.

3. In the absence of the Chair and the Vice Chairs, the Clerk shall call the Board to order, and the Board shall then elect temporary or permanent officers as appropriate according to the procedure set forth in Rule 3.

4. If a Supervisor cannot attend a regularly scheduled meeting, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation of the anticipated absence. The Supervisor shall be entered in the Board minutes as excused. If circumstances render advance notice of absence impossible, the Supervisor shall contact the Chair within one week of the absence. At the next Regular Meeting, the Chair shall enter the excuse statement in the Board minutes.

5. Excessive absenteeism of a supervisor from board meetings may be considered cause for removal. See Rule 2 Term of Office.

6. If a committee member is absent with or without excuse from more than four meetings in a year the committee chair or the subject department head may ask the Board Chair to consider replacing the member.

7. If a vacancy occurs on the Board, the Chair, with the approval of the Board, shall appoint a person who is a qualified elector and resident of the Supervisory District to fill the vacancy for the unexpired portion of the term.

#### **RULE 6: TIME AND PLACE OF MEETINGS; EMERGENCY MEETINGS**

1. The Board shall meet in Regular Session on the following dates: (1) The third Tuesday in April in the even numbered years shall be the Organizational Meeting, (2) the Annual Meeting shall be held on the Tuesday after the 2nd Monday in November unless that date is November 11 in which case the meeting shall be held on November 12. (3) the third Tuesday in each month that the Board shall meet unless otherwise designated by a majority vote of the Board.<sup>2</sup>

2. All Board meetings shall begin at a time previously agreed upon by the Board except the Annual and Organizational Meetings shall begin at 9:00 a.m. The place of the meetings shall be in the County Board Room in the City of Shell Lake, Wisconsin. For good cause the Chair shall call special meetings, and cancel, reschedule or relocate Board meetings. The Chair may not change special meetings called by a majority of Supervisors pursuant to Sec. 59.11 (2) Wis. Statutes.

3. Upon determining that an emergency exists, the Chair may call an emergency meeting in any manner reasonably designed to give notice to supervisors and the public including by telephone, posting to the county website or email . Notice must precede meeting time by at least two hours. An emergency is defined as a situation which requires immediate Board action without which the County government or its citizens will suffer risk of physical, financial or other harm.<sup>3</sup>

## **RULE 7: QUORUM**

1. A majority of the Supervisors who are entitled to a seat on the Board shall constitute a quorum.

## **RULE 8: REIMBURSEMENT FOR SERVICES**

1. Supervisors and other County Board Committee members shall receive per diem and mileage compensation for the following service, unless otherwise indicated:

- a. They attend a duly scheduled meeting.
- b. No per diems will be paid for telephonic meetings.
- c. They have been requested to attend the meeting by either the Board Chair or the Chair of the Committee. This request should be included in the minutes of the meeting and such Supervisors shall indicate on their vouchers that they were requested to attend said meeting.
- d. If the Administrative Coordinator or a Department Head requests to meet with a Supervisor, the Supervisor is entitled to compensation for the meeting.
- e. Supervisors shall receive compensation for mileage when requested to sign vouchers only if so authorized by the Board Chair.
- f. Reimbursement for travel to and from meetings shall be for travel by the most usual and direct route.
- g. Supervisors and Committee Members are not entitled to compensation and mileage if they could be reimbursed from another source for attending the meeting.
- h. Per diems for all Board and Committee meetings shall be as set by separate resolution.
- i. All mileage and meals and lodging shall be reimbursed at the rate set by County travel policy.
- j. If a supervisor has two scheduled meetings in a day and there is a lay over of two hours or more between meetings, as compensation for the supervisor's lost regular employment time, the supervisor is entitled to mileage for both meetings.

## **RULE 9: ORGANIZATIONAL MEETING ORDER OF BUSINESS**

1. For the Organizational Meeting, the order of business may be:

- a. Call to order by the Clerk
- b. Certification of Legal Notice of Meeting by Clerk
- c. Reading of Certificate of Membership
- d. Administration of Oath of Office
- e. Call of the Roll
- f. Pledge of Allegiance
- g. Adoption of Rules of Order of the Washburn County Board of Supervisors
- h. Election of Chair (two year term)
- i. Approval of Agenda
- j. Election of First Vice Chair (two year term)
- k. Election of Second Vice Chair (two year term)

- l. Election of Highway Committee
- m. Appointment of two members to the Executive Committee
- n. Additional business
- o. Adjournment

**RULE 10: AGENDA FOR REGULAR MEETINGS**

1. The order of business for regular meetings may be as follows:

- a. Call to order
- b. Certification of Legal Notice of Meeting
- c. Roll Call
- d. Pledge of Allegiance
- e. Approval of agenda
- f. Approval of previous board minutes
- g. Public Comments
- h. Administrative report on current issues
- i. Committee of the Whole
- j. Consent Agenda Resolutions
- k. Other Resolutions and Ordinances
- l. Committee reports
- m. The Chair’s appointments and report on current issues
- n. Public Comments
- o. Note next meeting date
- p. Closed Session, pursuant to Statute, Chapter 19
- q. Return to Open Session
- r. Action if required from Closed Session.
- s. Adjournment

2. Agendas should include the following statement or equivalent:

Any person wishing to attend an open meeting of a County governmental body who, because of a disability, requires special accommodation, should contact the appropriate department in advance of the scheduled meeting time so needed arrangements can be made.

3. Certification of notice of the meeting may be accomplished by the following statement or equivalent:

I have given timely notice to members of this board, to the public, to the news media which have requested notice and to the official newspaper as required by Sec. 19.84 of Wisconsin Statutes.

**RULE 11: VOTING**

1. Voting may be done by voice, by show of hands, but by paper ballot only if the Supervisor’s identity may be determined from the ballot. The exception to this rule is that election of Board officers shall be by secret ballot. A vote on any question shall be taken by roll call when called for by any member of the Board. Votes with fiscal impact shall be by roll call. Also see Rule 18-Definitions of Ex Officio Members.

2. A supervisor with a conflict of interest shall not vote and shall prior to the matter being debated seek authority from the Chair to abstain from voting. The Attorney General advises that a supervisor with a conflict of interest should leave the board room during debate and voting.

## **RULE 12: COMMITTEES, BOARDS AND COMMISSIONS**

1. All committee, board and commission appointments shall be for two year terms unless otherwise set by law.

2. Committees, boards and commissions shall be governed by Board Rules to the extent Board Rules are applicable and the body has not adopted other rules.

## **RULE 13: COMMITTEE ORGANIZATION AND FUNCTION**

Committee creation and appointments are described at Rule 4.3. The jurisdiction and composition of each Board committee and other commissions and boards which are appointed or otherwise influenced by the County Board are set forth in Part II of these Rules.

1. At its first meeting a committee shall elect a chair and a vice chair. The County Clerk shall act as clerk of the county board at the board's regular, special, limited term, and standing committee meetings and shall keep and record the minutes of such meetings in a format chosen by the clerk.

2. In the event the chair leaves the position of chair during the term of office, the vice chair shall assume the chair position and an election shall be held to elect a vice chair for the remaining term.

3. Ex officio members are excluded from the quorum count unless a quorum would not otherwise be present, in which case exofficio members shall be deemed regular members.

4. Each committee shall with the advice of department personnel approve goals and objectives for all programs and activities of the departments that report to it and shall monitor the expenditure of county funds committed to the department or agency.

5. After approval as to purpose and members by the Executive Committee, each committee may create subcommittees.

6. Each committee shall act on all resolutions and ordinances affecting any department or agency that reports to it.

7. The chair of each committee shall report to the Board about committee activities.

8. Each departmental fee which is not set by statute shall be reviewed annually at budget time and set by the department's committee of jurisdiction.

9. Each department which charges fees to the public shall maintain a departmental fee schedule.
10. Fees which should be uniform for the whole County government shall be determined, set and reviewed by the Finance Committee. The County Clerk shall maintain this schedule and distribute it to County departments. The Committee may for cause authorize exceptions to County wide application of this fee schedule. (This rule was amended by Resolution dated Aug. 16, 2005.)

#### **RULE 14: RESOLUTIONS AND ORDINANCES**

1. Unless otherwise approved by the Chair, all Resolutions and Ordinances shall be delivered to the County Clerk by the time of the Executive Committee meeting prior to the upcoming Board meeting.
2. Resolutions and Ordinances presented by a Committee of the County Board may be acted on upon their first presentation at a County Board meeting. Resolutions and Ordinances not presented by a Committee may be referred by the Chair to a Committee of the Board.
3. Resolutions and Ordinances presented for consideration at any meeting must be in writing and bear the signature of at least two Supervisors offering the same, or if by a Committee, the signatures of a majority of that Committee.
4. Beginning with each new calendar year, Resolutions and Ordinances, once approved at a County Board meeting, shall be designated by the year followed by the sequential number of the Resolution or Ordinance introduced in that Session. For example: Resolution 2004-1 or Ordinance 2004-1.

#### **RULE 15: ADMINISTRATIVE HOME RULE**

1. To give the County the largest measure of self-government under the Administrative Home Rule authority granted to Counties in Section 59.03(1), these Rules shall be liberally construed in favor of the rights, powers and privileges of the County to exercise any organizational or administrative power not contrary to the Constitution or to any enactment of the Legislature that is of statewide concern and which uniformly affects every County.

## **RULE 16: PARLIAMENTARY PROCEDURE**

1. Except as modified by these Rules and in all matters not specifically provided for, the Rules of Parliamentary Procedure contained in the latest edition of Robert's Rules of Order shall govern the Board in all cases where applicable.
2. Each member of the Board shall be issued a current edition of Robert's Rules of Order by the County Clerk following their first Organizational Meeting.
3. The Chair shall preserve order and shall decide questions of order, subject to an appeal to the whole Board, and shall vote on all questions.
4. A unanimous voice vote shall be considered and recorded as an affirmative unanimous roll call vote when so directed by the Chair.
5. When a motion is made and seconded, it shall be stated by the Chair or the Chair's designee previous to debate. If a majority of the Supervisors present ask, the motion (except to adjourn, postpone, table or commit), shall be reduced to writing and if a motion contains several points, any Supervisor may require it to be divided.
6. On all questions, it shall be proper to call for a division of the ayes and nays if the request is made previous to the decision of the Chair. A motion, Resolution or Ordinance may be withdrawn at any time before an amendment or decision upon agreement but all motions, amendments, Resolutions or Ordinances shall be entered at large upon the minutes unless withdrawn.
7. Every Supervisor shall vote when a question is put to vote, unless excused by the Chair.
8. Any Supervisor speaking to the Board shall address the Chair, confine remarks to the question under debate, and avoid personality.
9. The Supervisor who shall first address the Chair shall speak first. Where two Supervisors address the Chair at the same time, the Chair shall name the Supervisor who is to speak first.
10. Any Supervisor called to order shall immediately cease debate, unless permitted to explain. The Board, if appealed to, shall decide the case. If there is no appeal, the decision of the Chair shall be submitted to by the supervisors.
11. All questions shall be put in the order in which they were moved, except privileged questions.



12. When a question is under debate no motion shall be received except:

	Need a Second?	Vote Debatable?	Required for Passage?
a. To adjourn	Y	N	Majority
b. To lay on the table	Y	N	Majority
c. For the previous question	Y	N	2/3rds
d. To postpone to a certain day	Y	Y	Majority
e. To commit to a Committee	Y	Y	Majority
f. To amend	Y	Y, if motion to be amended is debatable.	Majority
g. To postpone indefinitely	Y	Y	Majority
h. To reconsider	Y	Y	Majority

All other separate motions shall have precedence in order in which they are named.

13. Any Supervisor may require a separate vote on any consent agenda item by asking for the Chair to pull the item before remaining consent agenda items are considered. Any Supervisor desirous of terminating the debate may call for the previous question. The Chair shall ask if there is any objection to closing the debate. If a member objects to the call of the previous question, the Chair may call for a motion to end the debate. If the motion has been seconded, the Chair must immediately take a vote as to whether to order the previous question. To close the debate requires a two-thirds vote of the Board.

14. A motion to adjourn shall always be in order; a motion to lay on the table shall be decided without debate; but this rule shall not authorize any Supervisor to move for adjournment when another Supervisor has the floor or when the Board is voting.

15. It shall be in order for any Supervisor who voted on the prevailing side, or a Supervisor who has been excused from the previous Board meeting, to move for reconsideration of the vote on any question on the same or next regular meeting of the Board.

16. If the Chair is participating in debate, the Chair shall, upon the request of any Supervisor, relinquish the gavel to a Vice Chair who is not participating in the debate.

17. Except as otherwise authorized, non-supervisors may not participate in board meetings. Any person not a supervisor, desirous of addressing the Board on any subject shall, if time permits, first obtain permission from the Chair prior to the meeting so the item can be placed on the agenda. Any person may, at the request of a supervisor and approval by the Chair, address the Board. The Chair shall set time limits for such speeches.

18. The public may also address the Board at the portion of the agenda listed as Public Comments. Such persons shall identify themselves, and limit their comments to three minutes unless a supervisor sponsors such person for an additional time period determined by the Chair.

19. All Board Supervisors shall adhere to and be governed by the Washburn County Code of Ethics.

## **RULE 16C CLOSED SESSIONS**

This rule is intended to be a short restatement of Wisconsin's law on closed meetings. The intent of the law is that government should be as open as possible and that the public needs to know what its governments are doing but that sometimes closed sessions are necessary for government to function.

1. When a closed session is anticipated, that nature of the business and the statutory authority for the closed session shall be set forth on the meeting agenda. See Statutes, Sec. 19.85.
2. Even if the agenda doesn't give notice of a closed session a member, who believes that the agenda item under discussion in an open session should be discussed in closed session, may make a motion to convene in closed session. (In this situation it would be a good idea to move the item under discussion to the end of the meeting because if a body goes into closed session where no notice of it is given in the agenda that body may come out of closed session only to adjourn.)
3. Commencement of the closed session shall be by roll call vote. (The vote to end the closed session may be by any type of vote.)
4. If a member disagrees with going into closed session (either because the member thinks it is illegal or for public policy reasons) the member should vote against the closed session but should nevertheless attend so that his/her constituency is represented and so that the member will be a witness to any illegality.
5. All supervisors have a right to attend a closed session.
6. The Chair should state who, if any, non-supervisor(s) may attend a closed session.
7. Substantive votes should not be made in closed session unless voting in closed session is necessary to attain the objective of the closed session.
8. Penalties for violation of the open meeting law include a forfeiture of \$25 or greater, invalidation of the action taken and payment of the complainant's reasonable attorney fees.
9. Penalties for violation of the secrecy of a legal closed session include censure by the body and payment of any damages the body suffers by reason of the unlawful breach of secrecy.

[Rule 16C was approved by the Board on Dec. 21, 2004.]

## **RULE 17: RULE CHANGES**

1. These Rules may be suspended by a two-thirds (2/3rds) majority vote of the Supervisors present.
2. These Rules may be amended by Resolution at any Regular Session of the Board by a two thirds majority vote of all Supervisors of the Board then present.
3. Changes to Part II (Committees) will be by majority vote.

## **RULE 18 : DEFINITIONS**

1. Pronouns of masculine gender used herein refer to persons of either sex.
2. Majority shall mean the majority of the elected or appointed Supervisors in attendance unless otherwise defined by law.
3. An ex officio member of a Committee is one who, by reason of his/her office, serves on a Board Committee. Ex officio members do not vote unless specifically authorized by the Committee description to do so. Exception: Ex officio members vote when a quorum would not otherwise be present for such committees as authorized. In such event all Ex officio members present are counted toward the committee's standard quorum.

### Foot Notes

- 1 according to Wisconsin State Statute 19.88(1)
- 2 (See sec. 59.11 Wis. Stats.)
- 3 This section is intended to comply with Sec. 59.11 (2)a Stats.
- 4 See Sec. 59.13 (1) Wis. Stats.

## RULES INDEX

Term	2.1	Conflict Of Interest	11.2
Election	3	Abstain From Voting	11.2
Chair	4	Committees	Part Ii, 12, 13
Agenda	4.2, 10	Boards And Commissions	12
Committee Chairs	4.4	Administrative Home Rule	15
Absence	5	Resolutions And Ordinances	14
Vacancy	5.8	Parliamentary Procedure	15
Meetings	6	Robert’s Rules	15.1
Emergency Meetings	6.3	Consent Agenda	16.13
Special Meetings	6.2	Public May Address Board	16.17,18
Quorum	7.1	Code Of Ethics	16.19
Reimbursement	8	Rule Changes	17
Per Diems	8	Suspend The Rules	17.1
Organizational Meetings	9	Amend The Rules	17.2
Disability	10.2	Definitions	18
Certification Of Notice	10.3	Majority	18.2
Voting	11	Ex Officio Member	4.1, 18.3

I certify that the above Rules of Order reflect the proceedings of the Washburn County Board of Supervisors as of the amendment date set forth above the general title hereof.

Mary Ann Swan  
Corporate Counsel

Enacted on October 8, 2004  
Amended August 16, 2005  
Amended March 20, 2018  
Amended March 17, 2020