

Vernon County Board of Supervisors
RULES OF THE BOARD
(Revised 09/20/2022 by Resolution 2022-30)

This document is to be a living, breathing document created on a foundation of principles to be preserved. While it is written broadly and is subject to modification, any such modifications should not be made lightly and instead always with the purpose of maintaining the underlying principles guiding its creation and effecting its purpose. The guiding principles of this document are namely to promote democratic ideals of honesty, openness and accountability in all matters of County government; to practice and support stewardship of the County's fiscal and natural resources; and to effect policy only when consistent with the best interests of the County's residents and environment.

County Authority and its Relation to Federal, State and Municipal laws.

The United States Constitution's Supremacy Clause mandates that federal law preempts contrary state laws. The Wisconsin Constitution, Article XI, Section 3(1) contains the "Home Rule" that grants cities and villages with the authority to determine their local affairs and government, subject only to the state constitution and to statutes addressing statewide concern or matters uniformly affecting all cities and villages. This constitutional amendment did not grant Home Rule authority to counties or towns. Towns, by statute, do however have a statutory means to obtain village Home Rule powers.

Counties are granted more limited Home Rule power in Article IV, Section 22, of the Wisconsin Constitution. It provides that "[t]he legislature may confer upon the boards of supervisors of the several counties of the state such powers of a local, legislative and administrative character as they shall from time to time prescribe." A County's powers, therefore, are limited to those defined by statute; and, those statutes may only grant powers related to local, legislative and administrative matters.

In Wisconsin Statute 59.03(1), the State legislature granted counties with the ability to exercise a more limited Home Rule authority. The Home Rule authority granted to counties is more limited than the Home Rule power that is granted to cities and villages; county powers are limited to organizational and administrative matters. Statutory Home Rule authority is limited to ordinances that complement, rather than conflict, with state legislation.

The hierarchy of laws thus may be summarized as follows:

- Federal law preempts contrary Wisconsin state laws.
- Wisconsin state laws preempt contrary local city or village ordinances adopted under Home Rule authority. City and Village ordinances, and ordinances of Towns with Village Home Rule authority, may relate to all local affairs and government.
- Wisconsin state laws preempt contrary County ordinances. County ordinances will be necessarily limited to matters of local organizational and administrative concern.

1. Code of Ethics

County Board Supervisors:

- Are dedicated to the democratic ideals of honesty, openness and accountability in all matters involving County government;
- Are willing to accept responsibility for decision-making that can affect many;

- Understand the County's mission, priorities, challenges, needs and demographics;
- Understand the difference between governance and management and accept that their role is to set policy while management carries out policy;
- Understand the importance of distinguishing between personal opinions and County Board positions when communicating with the public and the media, exert a good faith effort to communicate the full truth about County matters and avoid structuring information to achieve a personal advantage;
- Are good listeners and will speak to issues, but also recognize when discussion must conclude, and a decision must be made;
- Are committed to building community partnerships;
- Actively practice and support stewardship of the County's fiscal and natural resources by supporting public policy for the best use of 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.

2. County Board Officers

The County Board Officers shall be elected by a majority of the Board at its organizational meeting after the spring election. The County Clerk will run the meeting until a Board Chair is elected.

Board Officers are Chair and Vice Chair.

The Board Officers may be removed anytime by a majority vote of Supervisors. Committee Chairs and members may be removed anytime by the Board Chair.

The duties of the Board Chair and Vice Chair are defined in Wis. Stat. § 59.12. A few examples follow:

- The Chair will set the agenda and run the County Board meetings.
- The Chair will expedite all measures directed by the Board.
- The Vice Chair will assume the duties of the Chair if the Chair is unable to perform them.

The duties of the Chairperson of a Committee include:

- The Chairperson will set the agenda and timely provide the agenda to the Clerk for proper publication.
- The Chairperson will run the Committee meeting.

a. States of Emergency

When appropriate, the County Administrator, County Board Chair, or Vice Chair, in that order and pursuant to Wis. Stat. § 323.11 and the Vernon County Emergency Operations Plan, shall proclaim a Local Disaster in times of emergency and shall be allowed to exercise all of the powers of the County Board of Supervisors that appear necessary and expedient. Pursuant to Wis. Stat. § 323.14(4), this proclamation may be made without a meeting of the Board of Supervisors, if the emergency is such that the Board is unable to meet promptly. At its next meeting, the Board of Supervisors shall review the Proclamation and may ratify, alter, modify, or repeal the same. Any subsequent action taken by the Board shall not affect the prior validity of the proclamation.

3. Parliamentarian and Legal Advisor

The corporation counsel shall attend Board meetings and serve as parliamentarian and legal advisor to the Board of Supervisors. Duties of corporation counsel are defined in part in Wis. Stat. § 59.42(a). The duties of the corporation counsel shall be limited to civil matters and will include giving legal opinions to the board and its committees, interpreting the powers and duties of the board and county officers and approving all Ordinance and amendment drafts. Whenever any of the powers and duties conferred upon the corporation counsel are concurrent with similar powers or duties conferred by law upon the district attorney, the district attorney's powers or duties shall cease to the extent that they are so conferred upon the corporation counsel and the district attorney shall be relieved of the responsibility for performing such powers or duties. Opinions of the corporation counsel on all such matters shall have the same effect as opinions of the district attorney.

4. Rules and Guidelines for Public Participation

Every committee of the Board shall follow these rules of public participation and conduct for meetings of that committee. The appropriate rules will be posted on the Clerk's bulletin board and available at meetings and printed on agendas.

All requests by the general public to have an item placed on the agenda shall be reduced to writing and presented to the Clerk at least fourteen (14) days before the published date of a County Board meeting.

For committee meetings, public participation must be limited to the "Opportunity for Public Comment" agenda line unless a request is made at that time to speak during a different agenda line and is authorized by the Committee Chair.

- Please state name and address.
- Please limit comments to three (3) minutes.
- Please state subject to be presented.
- Personal attacks or comments are out of order and will be so ruled by the Chair.
- Questions may be presented and become part of a discussion or agenda item at the next committee meeting if requested and appropriate for committee discussion and action.
- No action will be taken on public participation comments during the "Audience to Visitors" agenda line. Items for discussion may be placed on a future Board agenda.
- Committee members may respond to questions or information requests personally or in writing following the meeting.

5. Procedural Rules

a. Robert's Rules: All meetings of the County Board of Supervisors, as well as all Committee meetings, will be conducted using parliamentary procedures as defined by Webster's New World Robert's Rules of Order Simplified and Applied, latest edition.

At the appointed time the Chair shall call the Board to order, the Clerk shall call the roll of members in order by districts, marking the stated times. Should it appear that no quorum is present, the Board shall adjourn until a stated time. In the absence of the Chair and Vice Chair the Board shall elect a Chair pro tem.

A majority of the members of the Board shall constitute a quorum to conduct business. A number less than a quorum may adjourn from time to time in the event of absence, excused departure or other circumstances.

A special session of the Board may be called on petition of a majority of the members to the County Clerk or by the County Board Chair.

The order of business shall be as follows:

1. Roll call of members.
2. Reading/waiver of the reading/approval of the minutes of previous meetings.
3. Presentation of petitions.
4. Presentation of resolutions.
5. Presentation of ordinances.
6. Presentation of remonstrance and memorials.
7. Report of standing or elective committee.
8. Report of special committees.
9. Consideration of unfinished business.

All petitions, resolutions, ordinances, remonstrance, and accounts, when presented, shall be read at length or displayed on screen, unless otherwise ordered.

All appropriations for moneys shall be voted upon by ayes and nays by roll call of the Clerk. The ayes and nays may be called for on any question by any member present. The ayes and nays when taken on any question shall be entered at length in the proceedings of the Board.

Any member excused from voting shall not participate in any discussion on the matter. Every member present, when a question is put, or upon roll call, shall vote, unless for special cause the Board shall excuse them, but it shall not be in order for a member to be excused after the Board has commenced voting. A member shall be excused by the Chair based on absence, conflict or abstention and the request should be made prior to the commencement of discussion or as soon as the conflict or need for abstention becomes apparent.

Every member is granted with the ability to request a roll call vote on all matters to be voted on by the Board of Supervisors.

The procedure to be followed when a roll call vote is conducted is as follows:

Every member participating in person is to vote via paper ballot. The Clerk shall collect the paper ballots.

Following collection of the paper ballots and prior to reading the same aloud, the Clerk shall record the vote of each individual who is appearing virtually by asking each member in chronological order based on their respective district to verbally state and affirm their vote. The Clerk shall only then read aloud the results of the paper ballots.

Lastly the Clerk shall read aloud the results of the roll call vote of the body.

Every member, previous to speaking, shall address the Chair and shall not proceed until recognized by the Chair. They shall confine themselves to the question under debate and avoid personalities. They shall not be interrupted except by call to order. Each speaker shall be limited to four minutes.

When a member is called to order they shall take their seat and not proceed except in explanation, until it shall have been determined by the Chair whether they are in order or not. The Chair's decision, on points of order shall be subject to an appeal to the County Board.

All amendments to any document before the Board shall be reduced to writing by the Clerk before the Board action is taken.

The official postings for meetings shall be in no less than three (3) of the following: WVRQ radio station, bulletin board on the first floor of the courthouse annex, the city halls of Westby and Hillsboro as well as the village hall of Stoddard, the Vernon County website (www.VernonCounty.org) and the Vernon County Times. All Board and Committee meeting agendas and approved minutes will be posted on the Vernon County website. Agendas, and all amended agendas, shall be sent to agendas@vernonCounty.org for posting to the media, physical locations, and the website. Approved meeting minutes, along with the next scheduled meeting date shall be sent to minutes@vernonCounty.org for posting.

When possible all resolutions, petitions, ordinances, shall be reduced to writing and presented to the County Clerk at least fourteen (14) days before the published meeting date of a County Board meeting. Resolutions from committees need only the signature of the Committee Chair and/or their designee and a report of the vote by the committee.

The Vernon County Board of Supervisors, upon motion made by the Board Chair, shall review any action taken, any approval of action to be taken or any failure to act, by any committee of the Board so long as said motion is made within fourteen (14) days of the Committee Meeting wherein such action, approval of action or failure to act occurred. The Board may act on, retract, reverse or modify any such action, approval of action or failure to act reviewed under this Rule. This Rule shall not apply to approval of any action taken by a Committee with regard to payment of debts of said Committee.

The committees of the Vernon County Board of Supervisors may, at the election of the respective Committee Chair, request that the Board Chair comprise part of the quorum of the respective committee at any meeting of said committee, granting the Chair the same authority of a regular member during such meetings.

The committees of the Vernon County Board of Supervisors shall provide a written draft of the Minutes of a committee meeting to the Vernon County Clerk's Office within seven (7) days of said committee meeting.

b. Electronic Attendance at Meetings: Electronic participation, including but not limited to teleconference calls, video chats, or other similar methods are an acceptable means of participation by Board members in meetings, but are not the preferred means of participation. Teleconference calls may be restricted in meetings that require public input or when complex plans, drawings, and charts are displayed and explained. These means of participation are limited by the rules set forth herein:

- A Board member participating electronically/telephonically is counted in determining whether a quorum is established.
- Board members may attend and participate in closed sessions electronically/telephonically. Board members participating in this manner are still bound by all of the requirements of a closed session.
- The presiding Chair is authorized to sign the participation sheet with the phrase "participated electronically."
- A committee member who participates electronically shall be solely responsible for the cost, if any, of such participation, and at no time shall Vernon County be responsible for payment of any such cost. The participant will receive a per diem allowance for participating electronically.

c. Budget and Purchasing.

- A two-thirds vote of the members of the Board is only required for budget alterations, purchase or sale of land (excluding Quit Claim Deeds), or contingency fund revisions.
- Prior to any County Department entering into a purchase agreement where the estimated cost of such contract exceeds \$25,000, the Committee overseeing said Department shall ensure that the contract be let by sealed competitive bid and awarded to the bidder whose bid is determined by the relevant Committee or the County Board to be the most advantageous to the County unless the Committee makes a finding that to let said contract by sealed competitive bid is not consistent with the County's best interest.
- Supervising committees are responsible for their respective department's expenditures and revenues in comparison to budget. Finance committee must approve all deviations from budgeted line items over \$10,000.

- Bonding Issues Before the Board. Wis. Stat. § 67.045 sets forth the debt issuance requirements for borrowing of money for building projects for municipalities as well as counties.

6. Definitions

- Adjourned Meeting – a meeting in continuation of the session of a regularly scheduled or special meeting at which the County Board or its committee(s) was unable to complete its work and which is scheduled for purposes of completing that work in advance of the next regularly scheduled meeting.
- Adjournment – the act of an assembly which terminates a meeting. The adjournment of a regularly scheduled meeting ordinarily ends the session. However, if another meeting to continue the same business has been set for a definite time (i.e. an adjourned meeting), then the session continues at the call of the adjourned meeting.
- Board – a body of elected or appointed persons whose operation is determined by responsibilities and powers delegated to it or conferred on it by authority outside itself.
- Commission – a body of persons consisting of elected officials and members of the public who are acting under lawful authority to perform a specified public service.
- Committee – a body of persons elected or appointed to consider, investigate, and/or take action on identified specific matters or subjects.
- Committee of the Whole – a meeting of the full assembly to allow detailed consideration of a matter under conditions similar to those of a committee meeting. The results of votes taken in a Committee of the Whole are not final decisions of the body but instead have the status of recommendations which the assembly is given the opportunity to consider further and which it votes on finally under its regular rules.
- Department – a principal branch or division of County governmental operations.
- Majority – majority means at least one more than half, and unless otherwise specified, shall mean more than half of the votes cast by persons entitled to vote, excluding abstentions, providing a quorum is met.
- Motion – a formal proposal, made by the member of an assembly during a meeting, that the assembly take a certain action.
- Motion to Postpone – This subsidiary motion is defined simply as ‘to put off to a later time’; it must be seconded, can be debated and amended, and is adopted by a majority vote. A more detailed definition of this motion is ‘a motion by which action on a pending question can be put off, within limits, to a definite day, meeting, or hour, or until a certain event’
- Motion to Table – This motion puts a Main Motion aside for a short while because some other more urgent business has arisen. It requires a second, it cannot be debated, and it takes a majority vote to pass. If it passes, the Main Motion is placed in the Clerk’s care—on the secretary’s table, as it were. There is no set time to take it up again. The motion just waits until it is “Taken from the Table,” by motion which similarly requires a second, is not debatable, and takes a majority vote. If it passes, the group resumes discussion of the Main Motion where it left off. However, if by the end of the next meeting the Main Motion has not been “taken from the table,” then it falls to the ground, and is functionally dead.
- Ordinance – legislation enacted by the Vernon County Board which regulates or prohibits certain types of conduct or action on the part of those subject to Vernon County jurisdiction. Unless indicated otherwise in the body of an ordinance or otherwise required by law, every ordinance passed by the Vernon County Board shall be effective on the day after the date of its publication. A newly proposed ordinance may not be passed at the County Board meeting at which it is introduced. An existing ordinance may be amended at the County Board meeting at which the amendment is introduced unless multiple readings are required by law or are otherwise requested by the committee forwarding the proposed amendment to the Board.
- Per diem – compensation, determined by resolution and paid to 1) voting supervisors & citizen members or 2) non-voting supervisors who were invited to attend the meeting by the Chairperson, for participation in committee and board meetings
- Policy – the general principles by which a government is guided in its management of public affairs.
- Recess – a short intermission or break within a meeting that does not end the meeting, and after which the proceedings are immediately resumed at the point where they were interrupted.
- Regularly Scheduled Meeting – a meeting regularly scheduled at a particular interval for purposes of

conducting the ordinary business of the County. Unless noticed otherwise, the regularly scheduled meeting of the Vernon County Board shall occur on the third Tuesday of each month. Each regularly scheduled meeting of the County Board or its committees shall constitute a new and separate session.

- q. Resolution – a formal, written determination or expression of the Vernon County Board’s policy or position on a particular subject matter. The Board may pass resolutions to express its consensus on matters of public policy, including but not limited to: social issues, legal rights, court opinions, and actions taken by the State or Federal government. The Vernon County Board also may pass resolutions for internal, administrative purposes and as otherwise authorized or prescribed by law. Unless indicated otherwise in the body of a resolution, every resolution passed by the Vernon County Board shall be effective immediately upon passage and shall remain in full force and effect until amended or rescinded by further action of the Board.
- r. Session – a continued meeting or a series of connected meetings devoted to a single order of business, agenda, or announced purpose.
- s. Special Committee – a committee of Board members appointed, as the need arises, to carry out a specified task, at the completion of which the special committee automatically ceases to exist.
- t. Special Meeting – a meeting held at a time different from a regularly scheduled meeting and convened for purposes of either (1) considering one or more items of specified business that may arise between regularly scheduled meetings and that require action before the next regularly scheduled meeting, or (2) dedicating an entire session to one or more particular items of business.
- u. Standing Committee – a committee that is constituted to perform a continuing function and which remains in existence permanently for the purposes of carrying out that identified function.
- v. Subcommittee – a group of members of a committee appointed for a particular function by that committee who are responsible to and report to that committee.
- w. Subsidiary Motion – a motion that is applied to a pending motion to aid in treating or disposing of the pending motion without expressly adopting or rejecting it.
- x. Term of Member – the preferred term of a member of a commission, committee, work group, board, or other deliberative body under the Vernon County Board shall be six years in length unless prescribed otherwise by the Vernon County Board Rules, by resolution, or by other governing law.
- y. Term of Elected County Board Supervisor – the term of an elected County Board Supervisor, shall be a period of two years beginning on the third Tuesday in April of even-numbered years.
- z. Walking Quorum – a series of gatherings or communications among separate groups of members of a governmental body, each less than quorum size, who agree, tacitly or explicitly, to act uniformly in sufficient numbers to reach a quorum. Walking quorums are prohibited by Wisconsin’s Open Meetings Law.