Sawyer County

Agenda
Administration Committee Meeting
Thursday, April 16, 2020 @ 10:00 AM
remote meeting

1. PUBLIC ACCESS TO MEETING LINK
   
   https://youtu.be/IkBY3gMGKXo
   a. If you wish to view the meeting and are unable to access YouTube, contact Sawyer County Clerk Carol Williamson prior to the meeting at 715-634-4866

2. CALL TO ORDER

3. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW

4. MEETING AGENDA

5. MINUTES FROM PREVIOUS MEETING
   3 - 4
   a. Admin 3-12-2020

6. VETERANS SERVICE DEPARTMENT REPORT
   5 - 8
   a. Veteran Service Office report March 2020

7. INFORMATION TECHNOLOGY DEPARTMENT REPORT

8. HUMAN RESOURCES REPORT
   9

9. COUNTY ADMINISTRATOR’S REPORT

10. BOARD OF SUPERVISORS POLICY & PROCEDURE MANUAL - DISCUSSION AND POSSIBLE ACTION
    10 - 29
    a. Board Policy Revision approved March 21 2019
b. Committee Structure

Committee Structure

c. Remote Meeting Procedure and Rules

d. Other changes

11. COUNTY BOARD ORGANIZATIONAL MEETING PREPARATION

32 - 39

a. Org Meeting FINAL

12. CONFIRM ADDITIONAL COUNTY BOARD MEETING - 4/30

a. Committee Assignments

b. Other Agenda items

13. FUTURE AGENDA ITEMS

14. OTHER MATTERS FOR DISCUSSION ONLY

A quorum of the County Board of Supervisors or of any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made a determination that attendance at the meeting is necessary to carry out the Board or committee’s function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed meeting.
Minutes of the March 12, 2020, Administration Committee Meeting, Sawyer County Board of Supervisors

Members present: Dale Schleeter, Ron Kinsley, Brian Bisonette, Tweed Shuman, Kathy McCoy

Others present: Tom Hoff, Carol Williamson, Gary Elliott, Linda Zillmer, Rose Lillyroot, Mike Coleson

Shuman called the meeting to order at 10:00

Motion by Kinsley, 2nd by Bisonette, to approve the minutes from the February 13, 2020 meeting. Motion carried

Veteran’s Service Officer Gary Elliott provided a written report to the Committee. The Veteran’s Service Office did 443 phone calls, 234 office visits and 73 counseling appointments in February. Michelle Pedersen started in the Veterans Office on March 2, 2020.

Information Technology Director Mike Coleson reported to the Committee. Working on security surveillance and installing additional cameras. Digital Audio Recording DAR installed in large courtroom. Configuring new storage for Sheriff’s Department.

Chair Shuman asked the Committee about establishing a circuit court task force. The consensus was a task force is not necessary.

Human Resource Coordinator Rose Lillyroot provided a written report to the committee. Time Clocks Plus scheduled to go live June 2020.

The Committee discusses COVID 19. Public Health Officer Julia Lyons is communicating with the schools and the community. Lyons has the authority to close facilities if she feels that is necessary. Emergency Manager Pat Sanchez is communicating with Lyons. IT will put a post on the county website.

Administrator Hoff provided a written report to the Committee; the report is attached to the agenda on the website.

The Committee discussed wages for the Treasurer, Register of Deeds, and County Clerk. The current 2020 rate is $56,502. Proposed rates are 2021 - $57,350; 2022 - $58,210; 2023 - $58,792; 2024 - $59,380. This will go to County Board for approval.

The Committee discussed phoning in for County Board and Committee meetings. This is silent in the current board rules. Some concerns are:
   Would the member receive a per diem?
   Would there be a limit to the number of times each year?
Can they participate in Closed Session?
Require prior approval by the Chair (Members should already be notifying the Chair of the Committee or County Board if they are not attending a meeting.)
Would the member phoning in be counted toward quorum?
Can they vote?
Need to check bylaws of Committee
May have different rules for County Board meeting, public hearing, etc.
This will be on the April Agenda.

Motion by McCoy, 2nd by Kinsley, to convene in Closed Session pursuant to Section 19.85 (c) Wisconsin Statutes, to consider the renewal of the Sawyer County Administrator Contract. The committee may reconvene into open session and may announce or take action on matters discussed in the closed session. Motion carried unanimous

Motion by Kinsley, 2nd by McCoy to come out of Closed Session. Motion carried

Motion by Kinsley, 2nd by McCoy, to offer the County Administrator a renewal contract for three years with an increase of 1.5% each year. In addition, the contract will include any vacation balance over the cap of 200 hours be paid out each year. Motion carried

Meeting adjourned 11:42 am

Minutes prepared by Carol Williamson
Administrative Committee Meeting, April 16, 2020

A. Budget Performance Report: Attached.

B. Office Report:

Contacts:

March: 386 phone calls, 220 letters/emails/faxes and 162 office visits.

VA Disability Compensation/Pension Claims:

The Veteran Service office submitted 35 disability/pension claims to date and received retroactive payment of $125,488.62 for claims decided in the Veteran's favor.

VET Center:

Vet Center Counselor held 34 counseling appointments.

Training: Up-to-date

Respectfully submitted,

Gary Elliott
CVSO
## Budget Performance Report

**Fiscal Year to Date 04/01/20**

Include Rollup Account and Rollup to Account

<table>
<thead>
<tr>
<th>Account</th>
<th>Account Description</th>
<th>Adopted Budget</th>
<th>Budget Amendments</th>
<th>Amended Budget</th>
<th>Current Month Transactions</th>
<th>YTD Transactions</th>
<th>YTD % Used/Rec'd</th>
<th>Prior Year Total</th>
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<td>.00</td>
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</table>

**Department 57 - Veteran's Administration Totals | $13,000.00 | $0.00 | $13,000.00 | $0.00 | $0.00 | $700.00 | $12,300.00 | 5% | $8,975.00 |

**REVENUE TOTALS | $13,000.00 | $0.00 | $13,000.00 | $0.00 | $0.00 | $700.00 | $12,300.00 | 5% | $8,975.00 |

| **EXPENSE** |
| Department 57 - Veteran's Administration |
| 50217 | Donation Expense |
| 50217-301 | Donations | .00 | .00 | .00 | .00 | .00 | .00 | .00 | 100.00 |

**50217 - Totals | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $100.00 |

| 50322 | Veterans' Relief Expenses |
| 50322 | Veterans' Relief Expenses | 5,000.00 | .00 | 5,000.00 | .00 | .00 | 500.00 | 4,500.00 | 10% | $1,894.18 |

**State Account 54710 - Veteran's Relief Totals | $5,000.00 | $0.00 | $5,000.00 | $0.00 | $0.00 | $500.00 | $4,500.00 | 10% | $1,894.18 |

**State Account 54720 - Veteran's Office Totals | $1,000.00 | $0.00 | $1,000.00 | $0.00 | $0.00 | $0.00 | $1,000.00 | 0% | $984.96 |

| 50349 | Flags |
| 50349-342 | Flags | 1,000.00 | .00 | 1,000.00 | .00 | .00 | 1,000.00 | 0 | $984.96 |

**50349 - Totals | $1,000.00 | $0.00 | $1,000.00 | $0.00 | $0.00 | $0.00 | $1,000.00 | 0% | $984.96 |

| 50351 | Vehicles & Fuel |
| 50351 | Vehicles & Fuel | 7,000.00 | .00 | 7,000.00 | .00 | .00 | 491.54 | 6,508.46 | 7% | $4,219.36 |

**State Account 54720 - Veteran's Office Totals | $169,999.00 | $0.00 | $169,999.00 | $0.00 | $0.00 | $20,567.24 | $148,431.76 | 12% | $132,927.12 |

| **State Account 54730 - Care of Veteran's Graves** |
| 50220 | Contracted Expenses |
| 50220 | Contracted Expenses | 6,000.00 | .00 | 6,000.00 | .00 | .00 | 6,000.00 | 0 | $5,524.00 |

Run by Gary Elliott on 04/01/2020 09:10:01 AM
## Budget Performance Report
### Fiscal Year to Date 04/01/20

Include Rollup Account and Rollup to Account

<table>
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<tr>
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<th>YTD Budget - YTD Transactions</th>
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<td>Fund 213 - Veteran's Service Grant</td>
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<tr>
<td>Department 00 - General Totals</td>
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<td>9,594.39</td>
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2020 Turnover

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Time Clock project – currently on hold
Continue working with staff regarding enhanced FMLA requests, remote work accommodations, social distancing concerns
Continue working with other Counties, sharing ideas and information on COVID-19 related issues
Policy and Form development for Emergency Sick Leave and Enhanced FMLA – Family First Act
Ongoing personnel issues
Currently Recruiting for:
Summer Flaggers for Highway
Skilled Seasonal Laborers for Highway
Driver/Operator for Highway
Airport Mower
Part Time APS Position
Two Open Paramedic Positions
Part Time Maintenance Position
Table of Contents

Mission Statement
Self-Organization
Governing Rules of the County Board
Board Compensation
Committees, Boards and Commissions
Open and Closed Meetings
Public Records not drafted
Code of Ethics
Appendix and Statutory References not drafted
Mission Statement: To be developed by the county board.
Sawyer County, Wisconsin
Self-Organized County

Section A: Authority.

This ordinance is adopted under authority granted by Section 59.10, Wisconsin State Statutes. To give Sawyer County the largest measure of self-government under that Statute, the contents of the Sawyer County Board of Supervisors Policy and Procedure Manual 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 State of Wisconsin Constitution or to any enactment of the State Legislature that is of statewide concern and which uniformly affects every County.

Section B: Title.

This ordinance shall be known as the Sawyer County Self-Organized County Ordinance.

Section C: General Provisions.

1. For the purpose of improving the ability of the county government to organize its administrative structure, Sawyer County elects to become a self-organized county and to act under the provisions of Section 59.10 (1), Wisconsin State Statutes.
   a) Terms of office for election of County Board of Supervisors. Supervisors are county officers and shall be elected for two-year terms in the election to be held on the first Tuesday in April in even numbered years and shall take office the third Tuesday in April of that year.
   b) Methods for filling vacancies on the County Board. Vacancies shall be filled by procedures determined by the County Board and defined in the Sawyer County Board of Supervisors Policy and Procedure Manual.
   c) Compensation of County Board Members. The method of compensation for County Board Supervisors shall be determined by the County Board. The County Board shall at or before its annual meeting in odd numbered years by a two-thirds vote of members entitled to a seat, fix the compensation of the board members to be next elected. The Board may also at or before its annual meeting in odd numbered years by a two-thirds vote of members entitled to a seat, provide additional compensation for the County Board Chairperson. In addition to the per diem, the County Board Supervisors shall receive mileage for attending Board meetings and other official meetings in accordance with the Sawyer County Board of Supervisors Policy and Procedure Manual.

2. The County Clerk shall file a certified copy of the Self-Organized County ordinance with the Wisconsin Secretary of State upon passage by the Sawyer County Board.
Section D: Conflicting Ordinances.

Any prior Sawyer County ordinances or parts thereof in conflict with the provision of this ordinance insofar as they regulate the establishment of Sawyer County as a self-organizing county are hereby repealed and rescinded effective the effective date of this ordinance.

Section E: Severability.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Sawyer County Board of Supervisors would have passed the other provision of this ordinance irrespective of whether one or more provisions may be declared invalid and if any provisions of this ordinance, the application thereof to any person or circumstances is held invalid the remainder of the ordinance and the application of such provision to other persons or circumstance shall not be affected thereby.

Section F: Effective Date

This ordinance shall take effect upon passage and publication as provided by law.
Sawyer County Board of Supervisors
Governing Rules of the County Board

Role of a County Board Member

Service as a Board Member is an honor and a trust requiring the holder to serve the public through use of judgement for the benefit of the public. A Board Member is sworn to uphold the Constitution of the United States of America and the State of Wisconsin. A Board Member is responsible to impartially carryout the laws of our nation, our state, and the county.

County Board Members come from society at large. It is probable that Board Members will hold different views, have different perspectives and see things differently. However, it is not these individual traits that must prevail. It is the collective action of the Board that must prevail. Board Members are required to courteously work together for the public good of the whole county.

Board Members are expected to individually contribute to a collaborative effort to set the county’s mission and advance the county’s priorities. Examples of such activity include:

1. Participating in the process of debate and voting on proposed ordinances, resolutions and motions at the county board and committee meetings.
2. Serving on one or more standing committee(s) or other committee(s), boards and commissions
3. Spending the time needed to understand the issues that come before the board and their committees by preparing for such discussion in advance of the meetings.
4. Setting policy for the county, accepting that the County Administrator and county employees are responsible to carry out the policy. As such, a board member should not interfere with the County Administrator’s duties to oversee the daily operations of the county.
5. Being responsive to the issues raised by their constituents.
6. Conducting themselves so that all aspects of their public life reflect positively on the board and its members.
7. Avoiding the appearance of a conflict of interest, bring to the Ethics Board attention any potential conflict.

Rule 1: Board Members

1. The County Board shall consist of fifteen (15) board districts.
2. Board Members 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.
3. If a vacancy occurs on the Board, the Chair shall appoint a person who is a qualified elector and resident of the board district to fill the vacancy subject to confirmation by majority vote of those members voting. The successor shall serve for the unexpired portion of the term to which the person is appointed, unless the Board orders a special election to fill the vacancy, in which case the person appointed shall serve until their successor is elected and qualified. A person so elected shall serve for the remainder of the unexpired term. Vacancy occurs upon the death of an incumbent, written resignation, removal or ceasing to be a resident of the district or for any other reason set forth in state statute.
4. No county officer or employee is eligible to hold the office of County Board Supervisor, but a Supervisor may be a member of a town board, city council or village board of trustees.
5. The Chair and Vice Chair may be removed by a majority vote of those members voting.
Rule 2: Meetings and Quorum

1. The Annual Meeting of the County Board will be on the Tuesday after the second Monday in November, unless that date falls on November 11 in which case the meeting will be held the following day.

2. The Organizational Meeting of the County Board will be on the third Tuesday in April and the November meeting will be on the first Tuesday after the second Monday. Other regular meetings of the County Board shall be on the third Thursday of each month starting at 6:30 pm. Such meeting dates and times may be changed by a majority vote of the county board.

3. A special meeting, which is not an emergency meeting, may be called by a written request of a majority of board members by delivering such request to the County Clerk. The special meeting will be held within seven calendar days from the delivery of the request.

4. A special meeting may be called in the event of an emergency. 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 electronic means. 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.

5. In the event of inclement weather, the Chair may cancel a meeting at least three hours before the meeting. Any meeting so cancelled shall be held within the next succeeding week.

6. Board members not able to attend a Board Meeting shall contact the Chair, County Administrator or County Clerk before the meeting giving an explanation for the anticipated absence. The Board Member will be entered in the Board minutes as excused.

7. A majority of Board Members who are entitled to a seat shall constitute a quorum.

Rule 3: Organizational Meeting

1. At its Organizational Meeting, the Board shall elect a Chair and Vice Chair.

2. Following nominations (including self-nominations), which need not be seconded, each nominee may address the board for three minutes.

3. Secret ballots will be used to elect the Chair and Vice Chair by separate votes for each. Only persons nominated may be voted for.

4. A person receiving a majority vote of Members entitled to a seat shall be declared elected. If no majority is reached, balloting shall continue, including all nominees, until a majority is reached.

Rule 4: Chairperson Powers and Duties

1. The Chair, or in their absence, the Vice Chair shall call the meeting to order and preside over the meeting.

2. In the absence of the Chair and Vice Chair, the County Clerk will preside until the Board elects a Chair Pro-Tem.

3. If the office of the Chair is vacated, new elections for Chair and Vice Chair will be held. Following nominations, which need not be seconded, each nominee may address the Board for three minutes. Secret ballot will be used to elect the Chair and Vice Chair by separate votes for each. Only persons nominated shall be voted for. A person receiving a majority of votes cast on the primary ballot shall be declared elected. If no majority is reached, balloting shall continue, including all nominees, until a majority is reached.
4. The Chair shall preserve the order of the Board and decide the questions of order and procedure subject to an appeal to the Board. The Chair will ensure the Board and individual Board Members act consistent with the rules of order. 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. Board deliberations will be fair, open and thorough, with all Members wishing to speak given a chance to do so.

5. The Chair, working with the County Administrator, will be responsible for the preparation of the written agenda. The Board agenda, related resolutions, ordinances and other attachments and minutes from the preceding meeting will be distributed to the board members at least five calendar days before the scheduled board meeting.

6. The Chair can be a member of standing committees and will be an ex officio member of all other committees of the County Board.

7. The Chair shall have the power to vote at committee meetings when requested by that committee chair to fill a position caused by the absence of a Member of that committee.

8. The Chair shall appoint all Members of the standing committees of the Board with approval by the majority of the Board so voting, with the exception of elected committees. The full Board shall elect by a majority of those voting, members of the elected committees.

9. The Chair shall remove appointed committee members with approval by majority of those Board Members voting. The full Board can replace a member of elected committees by a majority of those Board Members voting. The Chair shall be entitled to vote on all questions coming before the Board. The Chair shall sign all ordinances and resolutions approved by the County Board and where required to do so by Board action counter sign orders, contracts, and the like. The Chair shall transact all necessary County Board business with others and represent Sawyer County at legislative hearings, conventions or other matters pertaining to the county. The Chair may delegate to department heads, County Administrator, other elected and appointed officers and other Board Members such roles and responsibilities.

Rule 5: Order of Business

1. Organizational Meeting
   - Call to order
   - Administration of oath of office
   - Roll call by the County Clerk
   - Pledge of allegiance
   - Certification of compliance with the open meeting law
   - Approval of agenda
   - Approval of minutes of last meeting
   - Election of Chairperson and Vice Chairperson
   - Adoption of Rules of Order
   - Election of members of the committee which has jurisdiction over the Highway Department
   - Follow order of business as established for other meetings
2. Other meetings
   - Call to order
   - Roll call by County Clerk
   - Pledge of allegiance
   - Certification of compliance with the open meetings law
   - Approval of agenda
   - Public comment See Rule 8
   - Approval of minutes of last meeting
   - Presentations when appropriate
   - Public hearing when needed
   - Committee reports, resolutions and ordinances
   - Election and appointments as needed
   - Correspondence, reports from conferences and meetings, other matters for discussion
   - Adjourn

Rule 6: Resolutions and Ordinances

1. All resolutions or ordinances must be in writing.
2. Resolutions or ordinances sponsored by committees, or by at least two Board Members, shall be
delivered to the County Administrator 6 calendar days before the Board meeting.
3. Resolutions or ordinances sponsored by at least two Board Members and not previously
considered by a committee of the Board shall, without motion to adopt or discussion, be
referred by the Chair to the appropriate committee. This rule may be waived by a two-third vote
of those members voting.
4. Any resolution or ordinance presented for consideration must bear the signature of the
   Members offering the resolution or ordinance, or if being presented by a committee, the
   signatures of those committee members approving the resolution or ordinance.

Rule 7: Voting and Procedure

1. Unless provided for elsewhere, Robert’s Rules of Order shall govern the procedures of the
   Board.
2. When a Board Member wishes to speak, they will activate the red light on their speaker, wait to
   be recognized by the chair, and address the chair. When two or more Members activate the red
   light at the same time, the Chair shall designate the Member who is to speak first. In all cases, a
   Member who activates the red light first shall speak first after being recognized by the Chair.
   Members speaking to the Board shall confine their remarks to the subject at hand and shall not
deal in personalities. When called to order, the Member speaking will not proceed further
without express permission of the Chair.
3. Any unanimous vote shall be considered and recorded as an affirmative unanimous roll call vote
   when so directed by the Chair.
4. Any Board Member can request a roll call vote. Whenever there is a roll call vote, the County
   Clerk shall call the roll by name. The County Clerk shall take roll call votes in rotating fashion.
5. No vote shall be taken on any orally presented motion or amendment to a resolution or
   ordinance until the County Clerk has written it out in full and read it back to the Board.
6. When a motion is made and seconded, it shall be stated by the Chair or designee prior to debate
   (except for motions to adjourn, postpone, table or commit). Thereafter, it is in the possession of
the Board for debate. If agreed to by all the sponsors, the motion may be withdrawn at any time before amendment or decision. If withdrawn, it shall not be entered into the minutes.

7. Each Board Member will be allotted two opportunities to speak on an action being discussed by the Board.

8. If a motion before the Board contains several points, any Member may have it divided so that each point may be voted upon separately.

9. Any Member wanting to terminate the debate may call for the previous question (“call the question”). The Chair will ask if there is an objection to closing debate. If a Member objects to calling the question, the Chair may call for a motion to end debate. If the motion is made a seconded, the Chair should immediately call for a vote on the motion to close debate. Such a motion requires a two-thirds vote of Members attending to pass.

10. Once debate on a motion has begun, no other motions are permitted except the following, all of which need a second:

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<td>To table</td>
<td>No</td>
<td>Majority</td>
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<tr>
<td>Call the question</td>
<td>No</td>
<td>2/3rds</td>
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<tr>
<td>Postpone to certain day</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>To refer to a committee</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>To amend</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>To postpone indefinitely</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>To consider</td>
<td>Yes</td>
<td>Majority</td>
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Majority shall mean the majority of those voting.
Two-thirds shall mean two-thirds of members voting.

See appendix A for a more complete list of resolutions requiring a supermajority vote of the Board.

11. A motion to adjourn or to table does not authorize a Member to move for adjournment or to table when another Member has the floor or when the Board is voting.

12. All motions amending or changing the current year budget as approved by the Board shall clearly state the reason for the amendment or change, the dollar amounts involved and the source of funding. Such motions require a two-thirds vote of the board membership to pass (10). Voting shall be by roll call.

13. It is in order for a Member who voted on the prevailing side, or a member excused from the previous board meeting, to move for reconsideration of the vote on any question in the same or next regular meeting of the Board.

14. If the Chair is participating in debate, the Chair shall upon the request of any Member, relinquish the gavel to the Vice Chair who shall not participate in the debate.

15. Other than election of Board officers, all votes will be public by voice (ayes and nays), show of hands, paper if the Board Members name is on the ballot, or by electronic voting if implemented.

16. All Members are required to vote unless there is a conflict or excused by the Chair.

17. A Member with a conflict of interest shall not vote, and prior to the matter being debated, seek authority from the Chair to abstain.

Rule 8: Public Participation in Board Meetings
The public is encouraged to attend Board meetings and participate in its proceedings. Such participation must be balanced with the orderly and efficient proceeding to the Board meetings. Members of the public will be given the opportunity to address the Board during public comment for items not on the agenda or at the time of consideration for items on the agenda.

Those wishing to speak will sign up before the Board meeting indicating their name and topic they wish to address. They will be recognized by the Chair at the appropriate time. Once recognized, the person wishing to speak will approach the podium and state their name and subject upon which they will speak. The time allocated to any person addressing the board will be 3 minutes or less at the discretion of the Chair, with all public comment limited to a maximum of 30 minutes.

Rule 10: Suspension of the Rules

These rules may be amended by resolution at any regular session of the Board by a two-thirds vote of those Members voting.

Sawyer County Board of Supervisors
Board Compensation

Section A: Per Diem

1. Board Member shall receive a per diem of $50 per meeting plus an additional $15 for any meeting exceeding four hours in length for each hour thereafter up to a maximum of $110 per meeting. The per diem will be paid to committee members, a substitute for an absent committee member, or if requested to attend the committee meeting by the committee chair or Board Chair. Committee meetings are defined as:
   a. All Board and County Board committee meetings.
   b. Meetings of other entities or committees to which the board member has been appointed.
   c. Formally schedule meetings such as the interviewing candidates to fill an open position or to provide guidance.

2. Board Member shall receive a per diem of $50 per meeting plus an additional $15 for any meeting exceeding four hours in length for each hour thereafter up to a maximum of $110 per meeting to attend conventions and training sessions where the attendance has been approved by the Chair, standing committee of the Board, or requested to attend the meeting by the Chair.

3. Travel time is not counted as meeting time except to attend the Wisconsin Counties Convention, other conventions and training sessions that involves a significant commute. Per diem will be calculated as in Section A 1. Above.
Section B: Mileage and Other Travel Expenses

A Board Member may charge mileage for travel to drive from their homes to any meeting, convention or training session for which they are eligible to receive a per diem. The mileage rate will be the same as that paid to county employees who drive their own car when no county car is available. When traveling to events involving a significant commute, board members are encouraged to car pool.

All other travel related expenses will be reimbursed according to what is set forth in the Personnel – Administrative Manual.

Section C: Board Chairman Compensation

The Chair shall be paid $7,200 per year plus a per diem as described in Section a 1. for attending the board meeting. The Chair is entitled to mileage to attend any meeting as described in Section B.

Section D: Change in Board Compensation

Wisconsin State Statutes Section 59.10 (3)(f) provides that the County Board at its Annual Meeting may, with a two-thirds vote of all members, fix the per diem of the Board Members to be next elected.
Sawyer County Board of Supervisors
Committees, Boards and Commissions

Part I Standing and Ad hoc Committees of the Board

Section A: General Rules for All Committees

1. At its first meeting, a committee shall elect a chair and a vice chair. Following nominations, which need not be seconded each nominee may address the committee for three minutes. Secret ballots will be used to elect the committee chair and vice chair by separate votes on each. Only persons nominated may be voted for. A person receiving a majority vote of Members entitled to a seat shall be declared elected. If no majority is reached, balloting shall continue, including all nominees, until a majority is reached.

2. When approved by the County Clerk, the committee may appoint a recording secretary. The recording secretary shall submit all agendas, minutes, and other records of all committee meetings to the County Clerk.

3. The committee chair, or in their absence, the vice chair shall call the meeting to order and preside over the meeting following the order of business as prescribed in Board Rule 5.

4. If the office of committee chair is vacated a new committee chair and vice chair will be elected as in item 1 above.

5. If the committee does not have a quorum, the meeting can take place for discussion only or the chair of the committee can reschedule the meeting. If a makeup meeting is to be scheduled, the time required to properly notice the meeting should be considered when setting the new meeting date.

6. Board Rule 7 shall apply to committee meetings.

7. No board member may serve on more than three standing committees nor less than two standing committees unless the board member requests to be on fewer that two

8. Ex officio members are excluded from the quorum count, unless a quorum would not otherwise be present, in which case ex officio members or other County Board Members shall be deemed regular members.

9. Each committee shall approve goals and objectives for all programs and activities of the departments the committee oversees.

10. After approval by the Board as to purpose and members, each committee may create ad hoc subcommittees.

11. The committee chair working with the County Administrator will be responsible for the preparation of the written agenda. The agenda, related resolutions, ordinances and other attachments and minutes from the preceding meeting will be distributed to the committee members at least five calendar days before the scheduled meeting. In rare instances it may be necessary to add items to the committee agenda subsequent to the agenda being distributed. In such case, the documentation concerning that agenda item will be distributed to committee members as soon as possible.

12. The County Clerk is responsible for publishing committee agendas and proceedings in compliance with the open meeting policy.

13. Board Members not on the committee will be considered as part of the public and have the right to speak when called on by the committee chair. If the Board Member is attending at the
invitation of the committee chair, they may participate in the discussion on the relative agenda item.

14. Each committee shall act on all resolutions and ordinances which come before it that affect any department or agency that reports to it.

15. Resolution and ordinances presented for consideration at any meeting must be in writing. If approved by the committee, to be forwarded to the County Board they should bear the signatures of committee members voting for the resolution or ordinance.

16. Approved resolutions and ordinances must be forward to the County Administrator within two days of the committee meeting.

17. The chair of each committee shall present that committee’s resolutions and ordinances to the Board.

18. Members of the public will be given the opportunity to address the Board during public comment for items not on the agenda, or at the time of consideration for items on the agenda. The committee chair will call on the member of the public at the appropriate time. The committee chair has the discretion to limit the amount of time each person may speak and the total amount of time devoted to public comment.

19. A member with a conflict shall not vote and prior to the matter being debated, seek authority from the chair (vice chair in the case of the committee chair) to abstain. It is the State Attorney General’s opinion that such member shall leave the meeting room during debate and voting.

Section B: Standing Committees

1. Except for the Health and Human Services committee, Members shall be appointed for two-year terms by the Chair after spring election, and prior to the May meeting. The Chair’s appointment shall be confirmed by a majority of the Board voting. The standing committees are:
   a. Administration consisting of the County Board Chair and Vice Chair sitting as Chair and Vice Chair of the committee plus three appointed members.
   b. Public Safety/Court System consisting of five appointed members.
   c. Zoning, Forestry, Land Records, Survey and Register of Deeds consisting of six members five of which will be members of the Sawyer County Board and one representative of the Sawyer County farm service agency (Wisconsin statute s. 59.56 (3) (b)).
   d. Health and Human Services Board consisting of nine members, five of which will be County Board Members, shall be appointed by the County Administrator with confirmation by the majority of the Board voting. See the Health and Human Services Board section for more details about board selection and board terms.
   e. Public Works consisting of five appointed members.
   f. Economic Development/UW-Extension Committee consisting of five appointed members.
   g. Zoning Committee consisting of five appointed members.
   h. Finance Committee consisting of five appointed members.

Roles and responsibilities of the standing committees are as follows:

This section will be drafted by the standing committees and approved by the majority of board members voting.
Part I Section C. 3. Land, Water, Forestry, Surveyor, Land Records and Register of Deeds

Mission: Develop, guide and implement policies that protect and ensure the sustainability of our bio-diverse community.

Composition: Six members appointed by the Chair with approval of the board. Five members will be members of the Sawyer County Board. Two of which are to be members of the Committee of jurisdiction for agriculture and extension education (Sawyer County Economic Development Committee) and a representative of the Sawyer County farm service agency (Wisconsin statute s. 92.06 (1)(b) 1. & 2)

Committee of Jurisdiction for: Land, Water, Forestry, Land Records, Land Information, Surveyor and Register of Deeds

Primary Responsibilities:

- Approve the sale of property acquired by tax foreclosure.
- Approve semiannual forestry stumpage bids.
- Approve bids for trail work on trails overseen by the Forestry Department.
- Approve events to be held on County forest land
- Approve Forestry, Land and Water Conservation and Land Information plans that are required by governmental bodies.
- Hear reports from Sawyer County Trails Alliance, LCO Conservation, Wisconsin DNR Forestry and National Resources Conservation Services.
- Receive monthly reports from departments subject to the committee’s jurisdiction.
- Approve annual goals and objectives and long-range plans for departments subject to the committee’s jurisdiction.
- Approve grant requests for departments subject to the committee’s jurisdiction where such approval is required by the grantor. Such approvals are forwarded to the County Board for approval
- Approve contracts and agreements, and where the counter party requires board approval, forward to the County Board for approval.
- Review budgets for the departments subject to the committee’s jurisdiction. Provide recommendations to the County Administrator about his/her proposed changes to the budgets submitted by the departments
- Approve changes or amendments to the previously adopted annual budget (excluding line item transfers) for departments subject to the committee’s jurisdiction. This action will be passed on to the Finance Committee and then the County Board.
- Deal with all other issues of policy raised by the departments subject to the committee’s jurisdiction while avoiding interfering the day to operations of county government.
Section C Ad Hoc Committees

The Chair will recommend creation of an ad hoc committee and shall appoint members of that committee with the approval of the majority of those board members voting. Prior to voting, the purpose of the ad hoc committee will be clearly stated. Once that purpose has been accomplished, the committee will automatically disband.

Part II Boards, Commission and other Committees

Section A: Other Boards and Commissions

County board members and/or other members where indicated will be appointed by the County Administrator, confirmed by a majority of the board members voting to the following committees and boards:

- Aging and Disability Resource Center of the North - one appointed board member
- American Birkebeiner Foundation - one appointed board member
- Criminal Justice Coordinating Committee – two appointed board members
- Ethics Board – three appointed board members and two Sawyer County citizens
- Hayward Lakes Visitor/Convention Bureau - two appointed members of which one must be a board member
- Indianhead Community Action Program - one appointed board member
- LCO Library - one appointed board member
- Local Emergency Planning Committee - one appointed board member
- Northern Regional Trail Advisory Committee-NoRTAC – one appointed board member
- Northern Waters Library Service - one appointed board member
- Northwest Regional Community Development Block Grant Housing Program – one appointed board member
- Northwest Regional Planning Commission - two appointed board members of which second member is an alternate.
- NW Wisconsin CEP - one appointed board member
- Sawyer County Fair - one appointed board member
- Sawyer County Housing Authority Commission - two board members. By State Statute all members appointed to the commission must be approved by the County Board
- Sawyer County Justice Committee
- Sawyer County/LCO Economic Development Corporation – two appointed board members
- Sawyer County/LCO Joint Committee – two appointed board members
- Sawyer County/LCO Transit - three appointed members
- Senior Resource Center (Aging unit) – two appointed board members
- Traffic Safety Committee – one appointed board member
- Visions Northwest – one appointed member
- Weiss Community Library Board - one appointed board member
- Winter Library Board - one appointed board member
- Zoning Board of Appeals - no board members
Sawyer County Board
Open/Closed Meetings

Section A: Policy

It is the policy of the Sawyer County that the public is entitled to the fullest and most complete information regarding the affairs of county government as is compatible with conduct of county affairs and the transaction of county business. All meetings of the Board, committees, boards and commissions shall be held in public buildings or any place accessible to members of the public and shall be “open sessions” as provided by s. 19.83, Wis. Stats. To that end:

1. The Board of Supervisors, committees, boards and commissions shall comply with the Open Meeting Law. Every meeting shall be preceded by a public notice. Discussion shall be held and action shall be initiated, deliberated upon and acted upon only in open session.

2. Every public notice of a meeting of board meeting, standing or ad hoc committees shall set forth the time, date, place and subject matter of the meeting, including the intended consideration at any contemplated closed session. The notice must be in enough detail so that it is reasonably clear to members of the public and the news media the business to be transacted. Public notice of every meeting shall be given at least 24 hours prior to commencement of such meeting, unless for good cause such notice is impossible or impractical, in which case shorted notice can be given, but no less than 2 hours prior to the meeting. The “good cause” provision should be used sparingly and only when truly necessary.

Section B: Closed Session

The County Board or any committees, upon motion duly made and carried by roll call vote may convene in closed session. This motion may not be adopted unless the Chair announces to those present at the meeting the nature of the business to be considered in closed session and the specific statutory exemption by which such closed session is claimed. Such announcement will be recorded in the minutes. No business may be taken up at any closed session except that which relates to matters germane to the closed session. If the agenda does not 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 such case, the closed session will be placed at the end of the agenda. This provision should be used sparingly.

The Chair will state which, if any, non-board members may attend a closed session.

A closed session may be held for any of the following purposes:

1. Deliberating after any judicial or quasi-judicial trial or hearing.
2. Considering dismissal, demotion, licensing, or discipline of any county employee, unless an open session is requested by the person charged or otherwise under discussion.
3. Considering employment, promotion, and compensation or performance evaluation of any county employee.
4. Considering strategy for crime detection or prevention.
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session.

6. Considering financial, medical, social or personal histories or disciplinary action of specific persons, which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of such person.

7. Conferring with county legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation.

8. Consideration of requests for confidential written advice from the government accountability board or from any county or municipal ethics board.

If the Board or committee intends to meet in open session after a closed session, the public notice must indicate this intent. If not, the Board or committee cannot convene within 12 hours of recession of the closed session.

No member of the county board shall be excluded from any closed session of the County Board or any standing committee of the Board. No person attending a closed session shall divulge any information pertaining to such closed session without specific authorization to do so. Penalties for violation of the secrecy of a legal closed session include censure and payment of damages the Board suffers by reason the unlawful breach of secrecy.

The minutes, records, proceedings and papers of a closed session shall be privileged and shall not be made available to the public unless authorized by the County Board, committee, board, or commission involved until such time as the purpose necessitating such closed session no longer exists.
Sawyer County Board of Supervisors
Code of Ethics

It is in the best interests of the members of the Sawyer County Board of Supervisors to be aware of and properly disclose all conflicts of interests and appearance of conflict of interests. Such action will improve the standards of public service. Such action will straighten the faith and confidence of the citizens of Sawyer County in their county board members.

Wisconsin State Statute Section 946.13 sets forth conduct which is deemed unlawful. This code is not a criminal code. This code covers acts which may not be illegal but which might cast doubt on the integrity of the Board and on County Board Members.

Generally, a conflict of interest may occur if:
1. The Board Member or any member of their family may receive a financial or other significant benefit as a result of their position on the county board. Significant benefit is anything of value that could reasonably be expected to influence a board members official action or judgement, or could reasonably be considered as a reward for any official action or inaction.
2. The Board Member has the ability to influence a decision for personal gain or advantage.
3. The Board Member has a financial or other significant interest, which impairs or might appear to impair the individual’s independence in the discharge of their responsibilities as a Board Member.

Although each circumstance will be different, some examples of conflict of interests include:
1. Self-benefit. Using your position or relationship as a board member to promote your own interests or those of your family.
2. Influence peddling. Soliciting or receiving benefits for yourself or your family from outside entities in exchange for using your influence to advance the interests of that entity within the County operations.
3. Other business relationships and dealings. Voting for purchases or contracts with entities in which you or your family have a significant financial or other interest or relationship.
4. Outside commitments. Participating in social or political activities is not restricted as long as you participate as an individual or as requested by the Chair or board.
5. Use of Sawyer County property for personal advantage. Using or taking Sawyer County resources, including facilities, equipment, personnel and supplies for private use or other unauthorized use
6. Recording or reporting false information. Misrepresenting, withholding or falsifying relevant information required to be reported to external parties or used internally for decision-making purposes in order to derive personal benefit
7. Using inside information. Using information obtained as a board member to promote your own interests or those of your family
8. Closed session proceedings. Disclosing information discussed in closed sessions to others not part of the closed session.

Real or potential conflicts of interest should be disclosed to the Ethics Board. When deciding what kind of relationships should be disclosed consider the situation from the perspective of an outsider and
whether the relationship is of such a nature that it could raise an allegation of an apparent or actual conflict of interest. When making the decision about disclosure, err on the side of transparency. This will alleviate or avoid future misunderstandings.

Any county board member having a conflict of interest in any matter before the board should disclose that conflict and refrain from voting. Any Board Member who has reason to believe that the vote of another Board Member would be a conflict of interest shall request that board member to abstain from voting.

The recourse of the Board Member requested to abstain from voting is to request a ruling from the Chair. Any Board Member dissatisfied with the Chair’s decision has the right to apply for a hearing before the Ethics Board.

Each Board Member will be required to annually sign a Conflict of Interest Statement. Each Board Member is required to disclose to the Ethics Board real or perceived conflicts that arise after the Conflict of Interest Statement is submitted.

The Ethics Board will be appointed by the County Administrator with confirmation by a majority of Board Members voting.

Since the Ethics Board deliberations deal with personnel matters, the Ethic Committee shall deliberate in closed session. All deliberations of the Ethics Board will be documented. This documentation and the Conflict of Interest Statements are open for inspection by any Board Member on the condition items contained therein will not be disclosed to any person not on the Board.

Each year, all Board Members will be required to sign a Conflict of Interest Statement similar to Appendix B.
1. 92.06(3)(b) - Committee on agriculture and extension education. If a board establishes a university extension program, it shall create a committee on agriculture and extension education.

2. 59.56(3)(g) – (UW Extension section) Department of government. For the purposes of s. 59.22 (2) (d) the university extension program shall be a department of county government and the committee on agriculture and extension education shall be the committee which is delegated the authority to direct and supervise the department. In cooperation with the university extension of the University of Wisconsin, the committee on agriculture and extension education shall have the responsibility to formulate and execute the university extension program.
   a. 59.22 (2) (d): The board or any board, commission, committee or agency to which the board or statutes has delegated the authority to manage and control any institution or department of the county government may contract for the services of employees, setting up the hours, wages, duties and terms of employment for periods not to exceed 2 years. Effect: UW Extension Department = department of County government that has authority to contract for services, etc.
   b. Department = UW extension program

3. LWFR Bylaws: Composition - Six members appointed by the Chair with approval of the board. Five members will be members of the Sawyer County Board. Two of which are to be members of the Committee of jurisdiction for agriculture and extension education (Sawyer County Economic Development Committee) and a representative of the Sawyer County farm service agency (Wisconsin statute s. 92.06 (1)(b) 1. & 2)

4. Analysis:
   a. Bylaws state that Econ. Dev. Committee is committee of jurisdiction for Ag/Extension Committee required by 59.56(3)(g).
   b. Nowhere else does it state that LWFR = Ag/Extension Committee required by 59.56(3)(g). Are there other Bylaws for Econ. Dev. Committee or other standard to establish that LWFR equals Ag/Extension Committee required under 92.06(3)(b), and states that the Committee on Ag/Extension directs and supervises the UW Extension Department per 59.56(3)(g)?
   c. If not, the Econ. Dev. Committee is the Ag/Extension Committee and UW Extension reports to Econ. Dev. Committee per 59.56(3)(g).
   d. LWFR is not the Ag/Extension Committee required by 92.06(1)(b).

**Economic Development Committee**

*Oversees Activities of:*

- Outside Organizations:
  - Sawyer Co/Lac Courte Oreilles Economic Development Corp
  - Sawyer County fair
  - Hayward Lakes Visitors and Convention Bureau
  - Northwest Regional Planning
  - Bike/Ped advisory committee

- UW Extension
Relevant state statues 92.06 (1) (b) 1 & 2:
UW Extension – “if a county establishes a university extension program, it shall create a committee on agriculture and extension education”. Currently the Economic Development Committee has jurisdiction over UW Extension, but does not have a farmer representative nor does it have any interaction with our Conservation Department which deals with issues important to farmers.

Land, Water and Forest Resources Committee (the old Zoning and Conservation Committee) – “two members of this committee are to be members of the committee which has jurisdiction over UW Extension. One member of this Committee is to be appointed by Farm Service”. Since by statute, two members of the Land, Water and Forest Resources Committee need to be member of the committee having jurisdiction over UW Extension, it is simpler to have this Committee have jurisdiction over UW Extension.

Other outside Organizations:
These organizations receive county funding but do not report to any committee of the board: Senior Resource Center, Weiss library, Winter library and LCO library.

County Board Representation:
All outside organizations receiving county funding have at least one County Board member on their board of directors

Possible course of action:
- Disband the Economic Development Committee
- Move jurisdiction of UW Extension to the Land, Water and Forest Resources Committee.
- Since there are County Board members on all of the outside organizations funded by the county, discontinue having these outside organizations reporting to any County Board Committee. An alternative is to have the County Board member representative report to the Board once a quarter.
- The County Administrator would include funding outside organizations in his budget recommended to the Finance Committee. Where deemed appropriate, the outside organizations would be asked to present their funding request the Finance Committee following the requirements outlined in the Board approved funding of outside organization policy.
THE COUNTY BOARD ORGANIZATIONAL MEETING
Q & A ON CONDUCTING THE MEETING IN THE “NEW” ENVIRONMENT
Updated: April 13, 2020

Now that the statewide elections for county board supervisors are nearly complete, counties are faced with the challenges presented by holding the statutorily required “Organizational Meeting” in the midst of the COVID-19 pandemic. Many counties have switched to virtual meetings or canceled monthly committee meetings, but what about the statutorily required Organizational Meeting? If a county chooses to hold a virtual Organizational Meeting, how does the county ensure compliance with applicable legal requirements, such as conducting the business of the Organizational Meeting and the open meetings requirements?

The Wisconsin Counties Association and its general counsel, von Briesen & Roper, s.c., have received many questions surrounding how to conduct the Organizational Meeting during the COVID-19 pandemic. Our general counsel has prepared the Q & A below to provide information related to the Organizational Meeting based upon the questions received and information shared by counties as to how they plan to conduct the meeting.

This information should be reviewed carefully with corporation counsel to ensure county compliance with other applicable laws and regulations, including its own board rules, policies and procedures.

Organizational Meeting

Q: What is an Organizational Meeting?
A: In counties with a population of 750,000 or less, a county board of supervisors is required to hold its “Organizational Meeting” on the third (3rd) Tuesday of each April to “organize and transact business.” Wis. Stat. § 59.11(1)(c).

Q: In light of the COVID-19 pandemic, may a county simply reschedule its Organizational Meeting?
A: Section 59.11(1)(c) provides that a county board shall meet on the third (3rd) Tuesday of each April. While Wis. Stat. § 59.11(1)(c) does not specify items of business that must be on the agenda for the meeting, Wis. Stat. § 59.12 requires that the board elect a chair and vice chair “at the first meeting after each regular election at which members are elected for full terms,” i.e., the Organizational Meeting. Reading these statutes together, it would be possible for a county board to take up the election of chair and vice chair as the only official item of business at the Organizational Meeting and postpone all remaining typical items of business to a meeting at a later date. In addition, it is important to remember that
a board chair is elected by majority vote of the board and may be replaced at any time. (OAG 1-07). As a result, a county board could elect a recognized “temporary” chair and vice chair at the meeting on the third Tuesday in April and place the election of chair and vice chair on the agenda for a later meeting.

Q: The statute states that the board shall meet to “organize and transact business.” What does that mean?
A: The Organizational Meeting provides an opportunity for a county board to literally “organize;” it elects board leadership and establishes the board rules that will govern for the two-year session of the board. A board may also “transact any business” that is otherwise permitted. Beyond election of leadership, practice varies from county to county in terms of the typical agenda for the Organizational Meeting. Many counties use the meeting primarily for ceremonial and educational purposes – new supervisors are sworn in and, once officers are elected, the board receives information concerning the affairs of the county. Other counties proceed with a more typical agenda at the meeting. While the statutes provide flexibility as it relates to the agenda for the meeting and county practice varies, it is important to remember that there may be board rules or ordinances dictating the agenda as well.

Q: What other business is usually conducted at the Organizational Meeting?
A: In addition to the election of the chair and vice chair, many county boards adopt or modify board rules at the Organizational Meeting. There is no statutory requirement that a county board adopt rules; however, board rules contribute to the proper and efficient functioning of the board. In addition, County board supervisors may also take the oath of office at the Organizational Meeting. Finally, many counties use the Organizational Meeting to appoint committee membership and otherwise establish the board’s governance foundation.

Q: If a county board may postpone the majority of the typical Organizational Meeting agenda to a later date, is there any “business” that must be completed at the initial Organizational Meeting?
A: As indicated above, the only statutorily required item of business is the election of the chair and vice chair. It is important to review local rules and ordinances to determine if there are other requirements for the Organizational Meeting beyond that required by statute.

Q: Can the Organizational Meeting be adjourned to a later date to complete the agenda?
A: A board could adjourn the typical order of business for an Organizational Meeting to another board meeting, but Wis. Stat. § 59.11(1)(c) requires that the Organizational Meeting be adjourned in the same manner as the annual meeting, which is “not less than one week nor more than 3 weeks” from the date of the annual meeting. If this statute is applied literally to the Organizational Meeting, this means that the continued meeting may not occur before April 28, 2020 and no later than May 12, 2020. However, if a board is interested in postponing action
on what would be considered the typical agenda for the Organizational Meeting for that county, it seems the better practice would be to complete only those items of business required of the Organizational Meeting (election of Chair and Vice Chair) and then take other matters up at the next scheduled board meeting. In other words, there is no need to adjourn the Organizational Meeting because all of the required items of business (election of chair and vice chair) will have been completed. Again, it is important to review local rules and ordinances when determining the agenda and order of business for the Organizational Meeting and any subsequent meeting to ensure compliance.

Q: Is it necessary that committees be organized, and members appointed during, or immediately following, the Organizational Meeting?
A: Pursuant to Wis. Stat. § 59.13, a board may “by resolution designating the purposes and prescribing the duties thereof and manner of reporting, authorize their chairperson to appoint before June 1 in any year committees from the members of the board, and the committees so appointed shall perform the duties and report as prescribed in the resolution.” While many county boards and chairs appoint committees at the Organizational Meeting, it is possible to delay action on committee appointments so long as the committees are appointed prior to June 1. It is important to remember, however, that the committee structure is important for the conduct of a county’s business so boards should be mindful of not leaving vacancies in committees for an extended period of time.

Open Meetings Law Compliance During COVID-19

Q: What if a county desires to hold its Organizational Meeting in-person? How does the county comply with the Wisconsin Open Meetings Law if the county’s facilities are closed to the public?
A: A county may designate the Organizational Meeting as an “Essential Government Operation” pursuant to the State’s Safer at Home Order. This would allow board members and committee members to travel to and attend the meetings. Nonetheless, all individuals attending an in-person meeting must comply with social distancing requirements. Some counties are exploring the option of using multiple rooms in the county facilities to maintain distancing and utilizing “runners” to gather ballots. This process seems workable, but it would seem wise to consult with health officials about best practices in that circumstance.

Even if the county building is closed to the public, the county may still comply with the Wisconsin Open Meetings Law by publicly streaming real-time video of the meeting and/or providing a conference line and dial-in number. In both cases, the platform should only allow observation and listening, not direct participation in order to ensure an orderly meeting can be held.¹ In addition, the

¹ The Wisconsin Department of Justice (“DOJ”) has provided guidance indicating that remote participation by members of the public complies with the Open Meetings Law. DOJ’s current guidance is available at: https://www.doj.state.wi.us/news-releases/office-open-government-advisory-additional-information-regarding-covid-19-and-open; DOJ also recommends providing
public should be made aware of alternate monitoring environments in the event viewing or listening on a particular platform is unavailable.

Q: What if a county desires to hold its Organizational Meeting virtually? Does the Open Meetings Law apply?
A: Yes. The Wisconsin Open Meetings Law applies to any virtual meeting that (1) is for the purpose of conducting governmental business; and (2) involves a sufficient number of members of the body to determine the body’s course of action on the business under consideration.

Q: How does a county comply with the Open Meetings Law if it holds its Organizational meeting virtually?
A: If a county holds its organizational meeting by teleconference or videoconference, the county is able to comply with the Open Meetings Law by providing remote access to the general public. This includes the provision of a conference line and dial-in number in order to monitor a phone call meeting and/or a live-stream available for viewing by the public on a video conference platform. In both cases, the platform should only allow observation and listening, not direct participation in order to ensure an orderly meeting is held. Whatever accommodations are made to allow for public monitoring, it is important that the instructions be contained on the notice of the meeting. As well, it is recommended that the notice also contain a name and contact number of a designated person at the county that can be contacted in the event a member of the public is unable to participate in the remote means so the county is able to evaluate its potential obligation to accommodate participation.

It is recommended that counties thoroughly vet the technology used for virtual meetings. Some platforms provide better security than others. Likewise, some platforms are easier than others when it comes to controlling participation (mute, unmute, chat features, etc.)

Q: Because some members of a community may not possess the means to monitor a virtual meeting, is a board required to provide a public place where video or audio of the meeting is streamed?
A: Likely no. Boards are not required to take every possible step to provide opportunities to monitor board meetings. Whether a meeting place is reasonably accessible depends on the facts in each individual case. In light of the ongoing public health emergency and the State’s Safer at Home Order, a public gathering of this nature would not be permitted as it would be nearly impossible to ensure proper social distancing. DOJ has provided guidance to local units of government endorsing the use of telephone and video conferences for conducting board business, so long as the public has the opportunity to monitor board deliberation and action. Boards therefore have the ability to utilize such options telephonic access to the public in all cases so as to not discriminate against those without internet access.
Q: Is any additional language necessary for the public notice and posted agenda if the Organizational Meeting will be held virtually?
A: Counties must comply with the Open Meetings Law’s public notice requirements. Notices should follow typical practice, but should also note that the Organizational Meeting will be held remotely and include instructions for how the public may access the meeting. This includes providing the telephone number, video conference link, and any necessary passcodes or other login information. The agenda should also include this information to help ensure the meeting’s accessibility to the public. As indicated above, it is recommended that the notice also contain a name and contact number of a designated person at the county that can be contacted in the event a member of the public is unable to participate in the remote means so the county is able to evaluate its potential obligation to accommodate participation.

Q: Is a board required to reserve time for public comment and direct participation by the public during the Organizational Meeting?
A: Unless required by local rule or ordinance, no. The Wisconsin Open Meetings Law only requires the ability of the public to monitor meetings of governmental bodies in a meaningful way. Direct participation and public comment is not required unless a statute specifically provides for public participation (i.e., a zoning petition.) Nonetheless, some counties have a requirement in local rules or ordinances requiring a public comment period during board and/or committee meetings. Consistent with a county’s emergency powers, the designated person/committee/board should suspend such a rule during the emergency or require public comment be submitted electronically beforehand. Either option would appear consistent with Open Meetings requirements that the public simply be able to monitor board deliberation and action.

Q: If a county typically records meetings, including the Organizational Meeting, should it continue doing so if the county holds remote meetings?
A: Yes, and counties that are not recording meetings are encouraged to begin doing so. While real-time monitoring is required under the Wisconsin Open Meetings Law, DOJ is recommending that governmental bodies post recordings on websites as soon as practicable after the meeting concludes if a board or committee meets by remote communication. Again, posting a recording is not a substitute for real-time monitoring, but still provides an additional level of access to the public showing a good faith attempt to maintain openness.

Q: Are there any special procedures or practices that county boards should follow when holding the Organizational Meeting by teleconference or videoconference?
A: There are no required additional or special practices or procedures that must be implemented for remote meetings. However, it is good practice for the chair (in
consultation with others) to develop a “script” to read at the beginning of any virtual meeting to establish the process for the meeting. In addition to other items, the script should indicate that all members should identify themselves before speaking and to avoid speaking over one another. This will help both members and the public to hear speakers clearly and follow the progression of the meeting. When it comes to voting, votes on any matters other than the truly routine should be conducted by roll call vote. Likewise, members should be required to announce when they are temporarily absent from a virtual meeting. Finally, it is important that the chair maintain decorum and order during the meeting to allow for the orderly transaction of business. By following a script and announcing these procedures prior to taking up the order of business, members of the board and the public will have a better understanding of how to conduct themselves.

Secret Ballots for Officers

Q: May a county board elect its officers by use of secret ballots?
A: Yes. The election of officers for a governmental body is the only time secret ballots are permitted under the Wisconsin Open Meetings Law. See Wis. Stat. § 19.88(1).

Q: Are secret ballots “records” subject to disclosure under the Wisconsin Public Records Law?
A: Generally, no. While county boards must create a record of all motions and roll call votes and make the record available for public inspection under the Wisconsin Public Records Law, this requirement likely does not apply to secret ballots authorized for the election of officers. Secret ballots used to elect officers are an exception to the Wisconsin Public Records Law because they are expressly authorized to remain secret by statute.

Q: How can a board vote for officers by secret ballot if the Organizational Meeting is being held virtually?
A: Counties are exploring several different means of engaging in “remote” secret balloting. There are some conferencing services that allow anonymous polling or voting. Other counties are exploring the use of an internet-based platform (e.g., Surveymonke) that allows for real time anonymous responses. These platforms allow for respondents to submit votes without disclosing any personally identifying information, thus remaining truly anonymous.

Email may be a functionally easier and more efficient option for many boards, but it may not be truly anonymous. Even if the designated recipient is not a board member (e.g., the clerk), the vote of each board member will be known by at least one person. There is also the possibility of technical errors where unintended recipients are mistakenly included on a vote submission. Further, using email raises possible Open Meetings and Public Records concerns. Again, an email vote is not truly secret, even if only one person knows how individuals voted.
Votes that are not “secret” are therefore generally recorded and subject to potential disclosure. Counties interested in this option should consider the creation of a special email address designated for the sole purpose of collecting the anonymous ballot and a form email should be created to preserve anonymity.

**The Oath of Office**

**Q:** How are supervisors sworn into office if the Organizational Meeting is conducted by remote means?

**A:** Section 59.21(1) provides that “every county supervisor shall take and file the official oath within 20 days after receiving official notice of election or appointment, or if not officially notified, within 20 days after the commencement of the term for which he or she is elected or appointed.” Typically, the oath is administered prior to or at the board’s Organizational Meeting.

Section 19.01(1) provides the form of the written oath that is required for a board supervisor to take office. Section 19.01(1m) provides the form of the oral oath, which may be used in addition to the written oath if desired. Based upon these statutes, the written oath is the operative oath and every attempt must be made to have the written oath administered prior to the Organizational Meeting or, at the very least, within 20 days after notice of election.

Oaths are usually administered in-person by an individual authorized under Section 887.01, but the process is not clearly defined in statute. Section 887.03 provides that any oath required by law “may be taken in any of the usual forms.” However, the meaning of the phrase “any of the usual forms” is not defined in statute or interpreted in Wisconsin case law. Given the challenges presented by the COVID-19 pandemic, it is reasonable to interpret Wis. Stat. § 887.03 as permitting oaths to be administered by remote live audio and video connection. This interpretation is also consistent with guidance issued by the Wisconsin Department of Financial Institutions providing that remote notarization is permissible until further notice in light of the pandemic.

An option for county boards to consider would be for the board to publicly acknowledge during the Organizational Meeting that all oral oaths of office are being administered remotely because of the mandate in Emergency Order #12. While the physical act of taking the oral oath is conducted remotely, it is again imperative that counties arrange for the signature and return of the written oath (including witness signature) within the statutory timeframe. When the constraints of Emergency Order #12 are relaxed, a county board that administered the oral oath by remote means may consider ratifying prior acts by having all board supervisors take a new oral oath in person.

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The purpose of the oath of office is primarily related to granting rights and privileges to the office holder. It is a statutory prerequisite to a person being cloaked with all such rights and privileges under the law. Given the serious nature of the oath, it is critically important that counties work with corporation counsel to determine the best process to ensure that board supervisors are legally qualified to take appropriate action.