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**MANITOWOC COUNTY BOARD RULES  
COUNTY BOARD ELECTED APRIL 2020**

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1	Applicability.	19	Department Director Input.
2	Open Meetings.	20	Public Input.
3	General Meeting Procedures.	21	Debate.
4	County Board Meetings.	22	Nonmembers Opportunity to Speak During Debate.
5	County Board Chair and Vice-Chairs.	23	Petitions, Resolutions, Ordinances, Written Motions, and Other Papers.
6	Policy Oversight.	24	Fiscal Impact Statement.
7	Appointments to Boards, Commissions, Committees, and Other Governmental Bodies.	25	Fiscal Note.
8	Special Committees.	26	Legal Note.
9	Joint Committee Meetings.	27	Voting.
10	County Board Documents and Mailings.	28	Expense Reimbursement.
11	Electronic Mail.	29	Budget and Funds.
12	Meetings, Agendas, and Documents.	30	Purchase and Sale of Real Property.
13	Attendance.	31	Agreements, Contracts, and Leases.
14	Quorum.	32	Amendments.
15	Unintended Quorum.	33	Suspension of Rules.
16	Minutes.	34	Rules of Construction and Severability.
17	Closed Sessions.	35	Effective Date and Repeal of Prior Rules.
18	Exclusion of County Board Members from Meetings.		

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## **1 Applicability.**

These rules apply to all meetings of the county board, its committees, and subunits, and all other Manitowoc County governmental bodies.

## **2 Open Meetings.**

- (a)** Policy. All meetings of the county board, its committees, and subunits, and all other Manitowoc County governmental bodies must comply with the Wisconsin Open Meetings Law.
  
- (b)** Notice. All meetings must be preceded by a public notice that specifies the time, date, place, and subject matter of the meeting, including any matter intended for consideration in closed session, in a manner that is reasonably likely to inform the public and the news media of the nature and purpose of the meeting. No additional public notice is required for any meeting of a subunit of a board, commission, committee, or other governmental body that is held during a recess from or immediately following a meeting of the parent group, provided that the person

presiding at the meeting of the parent group publically announces the time, place, and subject matter of the subunit meeting prior to the time the subunit meeting convenes.

- (c) The person preparing the notice shall submit a copy to the county clerk. The county clerk is responsible for reviewing the notice for compliance with the open meetings law and for posting the notice as required by the open meetings law.

### **3 General Meeting Procedures.**

- (a) All meetings will be conducted in accordance with ROBERT'S RULES OF ORDER (NEWLY REVISED), as modified by these rules. No past practice, rule, or action is binding unless codified in these rules. No action may be invalidated solely because of a failure to comply with ROBERT'S RULES or these rules.
- (b) Any motion must be reduced to writing upon the demand of any two members.
- (c) Any question which is divisible must be divided upon the demand of any member.
- (d) A motion, resolution, or ordinance offered for the purpose of rescinding something previously adopted may not be voted upon at a meeting unless specific notice of the subject matter was given as required by the Open Meetings law. If the matter was not noticed, any discussion and action must be set over to a later meeting for which notice is given.

### **4 County Board Meetings.**

- (a) Meeting Time. Meetings of the county board will commence at 6:30 p.m. or as soon after as may be practical, unless another starting time is specified in the meeting notice.
- (b) Annual Meeting. The county board will hold an annual meeting on the last Monday of October in each year.
- (c) Emergency Meetings. The County Board Chair may call an emergency meeting upon at least two hours' notice in the event of a declared emergency. A declaration of emergency must be included as part of the meeting notice. Upon convening, the county board shall ratify the existence of the emergency as a condition of proceeding further. For purposes of this rule, an emergency is deemed to exist if time is of the essence and a delay in meeting is likely to or will actually result in substantial damage, injury, or harm to the County, its residents, or property.
- (d) Organizational Meeting. The county board will meet on the third Tuesday of April in each even numbered year to organize and to elect a Chair, First Vice-Chair, and a Second Vice-Chair for the duration of the two-year term. The Board may also transact business, including any business permitted at the annual meeting.

- (e) Regular Meetings. The county board will hold its regular monthly meeting on the third Tuesday of each month, except that the meeting will be held on the fourth Tuesday of the month if a primary or general election for a seat on the county board is held on the third Tuesday. Any regular meeting may be rescheduled to another date and time by the County Board Chair with such notice as is appropriate under the circumstances.
- (f) Special Meetings. The county board may call a special meeting as provided for in Wis. Stat. § 59.11(2).

## **5 County Board Chair and Vice-Chairs.**

- (a) The County Board Chair will preside at all meetings of the county board. The First Vice-Chair will preside in the absence of the Chair. The Second Vice-Chair will preside in the absence of the Chair and First Vice-Chair. The county board may elect a temporary chair to preside at a meeting in the absence of the Chair and Vice-Chairs.
- (b) The County Board Chair will call the new county board to order at its Organizational Meeting and preside over the meeting until the new board elects a Chair. In the absence of the Chair and Vice-Chairs, the County Clerk will call the meeting to order and preside over the election of a temporary Chair. The temporary Chair is not eligible to be elected County Board Chair and will preside over the meeting until the new board elects a Chair. Once a County Board Chair has been elected, the new Chair will preside over the remainder of the elections and the agenda.
- (c) The County Board Chair is an ex-officio member of every standing county board committee and may attend all committee meetings unless prohibited pursuant to state law, county ordinance, or county board rule.

## **6 Policy Oversight.**

- (a) All matters pertaining to county organizational or administrative power are to be broadly construed in favor of the will of the county board as set forth in rules and other enactments and consistent with the scope of authority set forth in Wis. Stat. § 59.03.
- (b) Each of the county's boards, commissions, and committees is the public focal point for all programs and activities under its respective jurisdiction.
- (c) Complaints concerning departments that are first stated at a county board meeting will be immediately referred to the appropriate board, commission, or committee.

## **7 Appointments to Boards, Commissions, Committees, and Other Governmental Bodies.**

- (a) In the event of a vacancy on the county board, the County Board Chair shall promptly appoint a person who is a qualified elector and resident of the unrepresented supervisory district to fill the unexpired portion of the term. The county board shall, at its first meeting following the appointment, vote on whether to confirm the appointment. If the county board does not confirm the appointment, the members of the county board shall nominate one or more persons who are qualified electors and residents of the unrepresented supervisory district to fill the vacancy and shall elect a person to fill the unexpired portion of the term.
- (b) Standing committees will be appointed by the County Board Chair as soon as practicable after the April reorganization meeting and, in no event, later than the next regular meeting of the board. The County Board Chair will also appoint a committee chair, unless the committee is authorized by statute to elect its own chair. Each committee will elect its own vice-chair and secretary. The County Board Chair will appoint a replacement to fill any vacancy that occurs on a committee.
- (c) Every member of the county board must serve on at least one standing committee.
- (d) The County Board Chair may replace any member of a county board committee when the member's service has been found to be unsatisfactory or when personality conflicts within the committee require a change.

## **8 Special Committees.**

- (a) The County Board may create special committees as the need arises. The County Board Chair will appoint the chair and members of each special committee, subject to approval by the county board.
- (b) Special committees will perform the tasks authorized or directed by the County Board or the County Board Chair.
- (c) Special committees may be dissolved at any time by order of the County Board and will automatically be dissolved upon completion of the tasks for which the committee was created.
- (d) Alternates may be appointed when authorized by statute, ordinance, resolution, or motion. An alternate may act when authorized to do so by the person for whom the alternative is serving as a replacement, provided that the committee chair is notified and the action is noted in the minutes of any meeting at which the alternate serves.

## **9 Joint Committee Meetings.**

- (a) A committee may request a joint meeting with another committee on matters of common concern.

- (b) When a joint committee meeting is requested, the committee chairs will cooperate in preparing for the meeting and in determining the time and place, who is to preside, who will take minutes, and all other arrangements for the joint meeting. The person presiding at the meeting is responsible for providing notice of the meeting.
- (c) If differences arise that the committee chairs cannot resolve, the chair of any affected committee may ask the County Board Chair to intervene. The County Board Chair may order whatever action is necessary to ensure the success of the joint committee meeting.
- (d) Each Committee participating in a joint meeting will vote separately on matters that come before the joint meeting.

## **10 County Board Documents and Mailings.**

- (a) In an effort to reduce costs and pursue good environmental stewardship, the delivery and distribution of agendas, resolutions, ordinances, information packets, and other documents shall be paperless when possible.
- (b) The committee chair, or his or her designee, will submit a copy of a resolution, ordinance, or written motion to the County Clerk at least one week before the regular meeting at which it is to be reported to the county board. The County Clerk will provide a copy of each resolution, ordinance, or written motion to the Comptroller and Corporation Counsel for review.
- (c) The County Clerk will distribute a copy of the agenda, resolutions, ordinances, and written motions included on the agenda to each Supervisor not less than five days before each regular meeting. The County Clerk will distribute the agenda and related documents to each Supervisor at least 72 hours prior to any special meeting. The County Clerk will provide the agenda and related documents to each supervisor at the time of any declared emergency meeting.
- (d) The County Clerk will distribute the proposed budget to each Supervisor and the Corporation Counsel at or before the first regular meeting after the County Clerk has received a copy of the proposed budget from the Finance Committee.
- (e) The County Board Chair may direct that the County Clerk provide the members of the county board with copies of any communications or other papers addressed to the county board either as part of an agenda mailing, in a separate mailing, or in person at a county board meeting.
- (f) Copies of late resolutions, ordinances, written motions, and other papers will be distributed to the county board by the County Clerk and may be considered if the matter has been properly noticed in accordance with the Wisconsin Open Meetings Law.

- (f) The County Clerk will keep at least one copy of the agenda and related documents on file for public review.

## **11 Electronic Mail.**

- (a) Each supervisor will be provided with a county email account. While no supervisor is required to conduct county business by email, a supervisor who does so is required to use the county email account for all communications that pertain to county business.
- (b) Each supervisor's county email address will be published in the county's official directory and on the county's web site.
- (c) A supervisor who does not wish to use email to conduct county business must notify the county board chair and the county clerk. Email sent to the supervisor's county email account will be automatically forwarded to the county clerk, who will provide the supervisor with a hard copy of that email.
- (d) The county clerk will distribute meeting notices and other information to each supervisor by email at the same time that meeting notices and other information are distributed to the news media. The county clerk will distribute meeting notices and other information by regular mail to any supervisor who has notified the clerk that he or she does not wish to use email to conduct county business.
- (e) A supervisor may communicate with other supervisors by email for the purpose of setting a meeting time, place, and agenda; but a supervisor should not engage in any substantive discussion of county business with any other supervisor by email.
- (f) A supervisor who uses email to share information with all of the members of a board, commission, or committee shall send a copy of the email to the county clerk.
- (g) A supervisor must not send, forward, or reply to an email if doing so will result in a violation of the open meetings law by creating a quorum of any board, commission, committee, or other governmental body as defined by Wis. Stat. § 19.82(1).
- (h) A supervisor may communicate with his or her constituents by email.
- (i) A supervisor's county email communications are subject to the open meetings law, the public records law, and the county's computer resources policy. A supervisor's email, text, and recorded communications from any other electronic device are subject to the open meetings law and the public records law.
- (j) The standards contained in paragraphs (e) through (h) apply to all members of county governmental bodies.
- (k) Each email sent by a county employee, officer, or official in connection with official business must contain the following disclaimer:

This message is intended for the use of the person or organization to whom it is addressed. It may contain information that is confidential, privileged, or otherwise protected from disclosure by law. If you are not the intended recipient or a person responsible for delivering this message to the intended recipient, any copying, distribution, or use of this message or the information that it contains is not authorized and may be prohibited by law.

## **12 Meetings, Agendas, and Documents.**

- (a) The person presiding over a board, commission, or committee may schedule and call such meetings as are appropriate and necessary. A regular meeting of a standing committee that is comprised solely of members of the county board must be scheduled to start at or after 4:00 p.m. A special meeting of a standing committee that is comprised solely of members of the county board may be scheduled to start before 4:00 p.m. if the committee chair has asked and been granted permission by the county board chair to start the meeting at an earlier time. Any public hearing must be scheduled to start at or after 4:00 p.m. unless the person presiding over the hearing has asked and been granted permission by the county board chair to start the hearing at an earlier time.
- (b) The person presiding at a meeting is responsible for the preparation of an agenda for each meeting and may determine the order of business. The person presiding may require that a department director who reports to the committee provide staff assistance in the preparation and distribution of the agenda.
- (c) The person presiding at a meeting will make the members aware of any correspondence that has been received and may direct that any appropriate document be read, distributed, or placed on file. However, anonymous correspondence will not be read.
- (d) A governmental body will deny consideration to any ordinance, resolution, or motion which is substantially similar to any ordinance, resolution, or motion brought before the body on three or more occasions during any 365-day period. An ordinance, resolution, or motion may be considered substantially similar despite the fact that a different individual brings it before the committee for action. A governmental body may waive application of this rule only upon a two-thirds vote of its entire membership.

## **13 Attendance.**

- (a) A member is expected to attend all meetings and to notify the County Clerk of an expected absence at least two hours prior to the start of the meeting. If the meeting is held outside normal business hours, the member must notify the County Clerk prior to the close of business on the day of the meeting. The County Clerk will report the expected absence to the person presiding at the meeting, and that person shall

determine whether to excuse the absence. All absences should be noted in the minutes of the meeting along with an indication of whether the absence was excused.

- (b) The person presiding will direct that a roll call or other action is taken to record the names of the members in attendance at a meeting.
- (c) The person presiding will report the name of any member who accumulates three or more unexcused absences within a year from properly noticed meetings to the County Clerk. The County Clerk will provide a quarterly report to the county board of any member of the county board, its committees, subunits, or other governmental bodies who accumulates three unexcused or more absences within a year.
- (d) The county board may, consistent with the requirements of Wisconsin law, take whatever action it deems appropriate with respect to a person who has three or more unexcused absences within a year. Such action may include censure, suspension, or removal from the committee, subunit, or other governmental body.

#### **14 Quorum.**

- (a) A majority of all members constitutes a quorum, except that three members of any standing committee will constitute a quorum.
- (b) A member may raise a point of order related to the absence of a quorum and may request a roll call to determine whether a quorum is present.
- (c) Any business conducted in the absence of a quorum, except for procedural actions to adjourn, fix the time for adjournment, recess, or take measures to obtain a quorum, is null and void.

#### **15 Unintended Quorum.**

Members of the county board are entitled to attend the meetings of subunits of the county board, even when they are not members of the subunit. It is possible that the attendance of one or more nonmember supervisors at a meeting may result in the creation of a quorum of another subunit of the county board. Such a quorum is unintended and the nonmember supervisors are not meeting for the purpose of and shall not exercise the responsibility, authority, power, or duties of any other subunit of the county board.

#### **16 Minutes.**

- (a) Minutes will be kept of each meeting. The minutes will include the name of the person taking the minutes and a record of attendance, motions, and votes taken. Minutes may, at the direction of the person presiding, contain a description of the views expressed and a summary of any actions taken along with the reason for the action. Separate minutes will be kept for each closed session.

- (b) The person presiding at a meeting is responsible for the preparation of minutes for each meeting and may require that a department director who reports to the committee provide staff assistance in the taking, preparation, and distribution of the minutes.
- (c) The person taking the minutes must provide draft minutes to the County Clerk within one week of any meeting. Draft minutes will normally be reviewed, corrected, and approved at the next meeting of the governmental body. However, draft minutes of the county board meeting as a committee of the whole will be reviewed at the next regular meeting of the county board. A copy of the approved minutes must be on file with the County Clerk within one week of approval.
- (d) Minutes of any open session are open to the public for inspection and copying. Minutes of any closed session will remain closed to the public for so long as the reason for convening the closed session continues, but will be open to the public once the reason for convening the closed session has ended.
- (e) The County Clerk will provide one copy of the minutes of any meeting to a member of the county board upon request and without charge, unless the supervisor was excluded from the meeting.
- (f) A copy of the approved minutes of each county board meeting will be printed in the county board proceedings book.

## **17 Closed Sessions.**

- (a) Closed sessions are authorized by Wisconsin law when necessary to protect the public interest and when holding an open session would be incompatible with the proper conduct of government affairs.
- (b) Every meeting must be initially convened in open session. The meeting may subsequently convene in closed session only if a closed session is permitted under Wis. Stat. § 19.85(1); if the meeting notice provides for a closed session or if the need for a closed session was not known to the person providing the notice at the time it was given; and if a majority votes to convene in closed session.
- (c) Closed sessions should be held sparingly and a meeting should remain in open session if there is any doubt about whether a closed session is permitted. All discussion during closed session must be limited to the business specified in the meeting notice for the closed session.
- (d) Discussions held, information presented or obtained, and actions taken during closed sessions are deemed to be confidential information. Disclosure of confidential information without proper legal authorization violates MCC § 5.06(3)(e) and is punishable by forfeiture.
- (e) When the reason for holding a closed session has passed, any information presented or obtained during the closed session becomes available for public inspection.

## **18 Exclusion of County Board Members from Meetings.**

- (a) No county board member may be excluded from any meeting or session, open or closed, of the county board or any subunit of the county board except as provided in Rule 18(b).
- (b) A county board member may be excluded from a closed session of a committee or other subunit of the county board by a majority vote only if the closed session directly concerns the county board member, a family member of the county board member, or someone maintaining a close personal relationship with the county board member.
- (c) A county board member may be excluded from a closed session of a board, committee, council, commission, or other subunit of county government by a majority vote only if the closed session directly concerns the county board member, a family member of the county board member, or someone maintaining a close personal relationship with the county board member.
- (d) For purposes of this rule, the term “family member” means a person who is related to a county board member as a child, parent, sibling, or spouse; grandchild or grandparent; brother-in-law, daughter-in-law, father-in-law, mother-in-law, sister-in-law, or son-in-law; or stepbrother, stepdaughter, stepfather, stepmother, stepsister, or stepson; who is the domestic partner or legal dependent of a county board member; or who claims the county board member as a legal dependent for tax purposes. The term “close personal relationship” includes confidential relationships, such as those between attorney and client, medical provider and patient, or religious counselor and petitioner; personal relationships in which there is a long personal friendship and mutual trust between the parties; and legal or professional relationships, such as those where the county board member is an employee, official, or officer of an organization or is an adverse party in a legal matter.

## **19 Department Director Input.**

A department director may not address a governmental body during public input on any matter that affects or relates to his or her department or to the terms and conditions of his or her employment. A department director who wishes to address a governmental body on such matters may do so either in a department director’s report that has been properly noticed or during debate as provided for by Rule 22(a) or (d).

## **20 Public Comment.**

- (a) The purpose of public comment is to provide nonmembers with an opportunity to present information to a governmental body. It is not intended to provide for interactive debate or for the cross-examination of citizens or members.

- (b) The person presiding at a meeting may require that a nonmember who wishes to speak must provide the nonmember's name, address, and topic prior to the start of public comment.
- (c) A nonmember must be recognized by the person presiding. Once recognized, the nonmember may speak without interruption, except for procedural matters. A nonmember who is called to order by the person presiding must immediately cease speaking.
- (d) A nonmember will normally be allowed five minutes to present his or her own comments. However, the person presiding may establish a shorter time limit. Additional time will not normally be granted, but the person presiding has the discretion to do so.
- (e) A nonmember shall address his or her comments to the governmental body as a whole and may not directly address any person other than the person presiding.
- (f) The person presiding may limit the number of persons who speak on an issue and may call a nonmember to order if the nonmember's statements are not germane or are unduly repetitive.
- (g) A person who wishes to ask a question during public comment must direct his or her question to the Chair. A person who directs a question to anyone other than the Chair may be ruled out of order. When the person has concluded his or her comments, the Chair may present the question to the board, refer the question to a committee, forward the question to the county executive, or take such other action as the Chair deems appropriate. No one may be compelled to answer a question that is asked during public comment.
- (h) The person presiding may take whatever action is necessary to maintain an appropriate level of decorum and order at all times. The person presiding will not permit public comment to become a running debate or to serve as a platform for personal attacks, and the person presiding may rule any citizen or member out of order if that person's comments or conduct is inappropriate.
- (i) The members of a governmental body may, during the period of public comment, discuss any matter raised by the public. However, the chair may limit discussion of a subject raised by the public if it does not otherwise appear on the agenda and may defer any extensive discussion of the subject to a later meeting for which specific notice is given that places the subject on the agenda.

## **21 Debate.**

- (a) Robert's Rules of Order notwithstanding, a motion is not required for debate if the county board chair has presented an agenda item to the board for discussion.

- (b) Robert's Rules of Order notwithstanding, the county board chair is not required to step down from the chair in order to participate in discussion or debate of an agenda item, resolution, or ordinance.
- (c) Robert's Rules of Order notwithstanding, a member is limited to speaking no more than twice on the same topic and may not speak in excess of ten (10) minutes on the same topic.
- (d) Robert's Rules of Order notwithstanding, after a motion to table, each member may personally speak to the merits of the motion to table once, for no more than two minutes.

## **22 Nonmembers Opportunity to Speak During Debate.**

- (a) A member may ask the person presiding to allow a nonmember to speak on any agenda item that is properly before the meeting.
- (b) A nonmember may be denied permission to speak by a majority vote of the members present.
- (c) The person presiding may limit the number of nonmembers who are permitted to speak and may limit the amount of time that a nonmember is permitted to speak.
- (d) The person presiding may call upon a department head or the department head's designee to speak on any agenda item that is related to the department.
- (e) Corporation Counsel may provide advice relating to any matter that is properly before the meeting at any time during discussion or debate at the request of any member.

## **23 Petitions, Resolutions, Ordinances, Written Motions, and Other Papers.**

- (a) All resolutions, ordinances, and written motions must be submitted to and approved by the appropriate standing committee, board, or commission before being presented to the county board. This provision may be waived by the County Board Chair. If a supervisor objects to the addition of an item added to the agenda as the result of a waiver, the supervisor may move to strike the item from the agenda at the time the agenda is considered for approval.
- (b) Any resolution, ordinance, or written motion which is reported to the county board must be signed by the committee chair or other person making the report and may be signed by one or more other members of the county board as sponsors.

## **24 Fiscal Impact Statement.**

- (a)** Every resolution, ordinance, or written motion presented to the county board must contain a fiscal impact statement that describes the cost, revenue, and economic impact of the resolution, ordinance, or written motion. If the fiscal impact cannot be determined, a written explanation indicating why the fiscal impact cannot be determined must be provided.
- (b)** The person drafting the resolution, ordinance, or written motion is responsible for drafting the fiscal impact statement.
- (c)** Resolutions supporting or opposing legislation or honoring an individual, group, or event are exempted from the fiscal impact statement requirement.

## **25 Fiscal Note.**

- (a)** Every resolution, ordinance, or written motion that contains a fiscal impact statement must be presented to the Comptroller for review and must contain a Fiscal Note in the following form:

FISCAL NOTE: Reviewed and approved by Comptroller. \_\_\_\_\_

- (b)** The Comptroller will initial the fiscal note on the original document if the fiscal impact statement is approved or provide a statement indicating why the fiscal impact statement was not approved.

## **26 Legal Note.**

- (a)** Every resolution, ordinance, or written motion must be presented to the Corporation Counsel for review as to form and must contain a Legal Note in the following form:

LEGAL NOTE: Approved as to form by Corporation Counsel. \_\_\_\_\_

- (b)** The legal note will indicate whenever more than a simple majority vote is required.
- (c)** The Corporation Counsel will initial the legal note on the original document if the matter is approved as to form or provide a statement indicating why the matter was not approved as to form.

## **27 Voting.**

- (a)** It is the duty of every member who has an opinion on a pending question to express that opinion by voting, however a member cannot be compelled to vote and may abstain from voting.

- (b) A member shall abstain from voting when the member believes that he or she is legally required to do so. A member who abstains shall inform the person presiding of the reason for the abstention. A member who abstains because the member is legally required to do so will not be counted when determining the number of votes required for a majority.
- (c) Regular Method of Voting. The regular method of voting by the county board is by electronic tabulation, but the county board may vote by other means. The regular method of voting by any committee, subunit, or other governmental body is by voice vote.
- (d) Unanimous Consent. Any governmental body may take action by unanimous consent.
- (e) Secret Ballots. A secret ballot will be used when voting for the election of officers. Unless specifically authorized by statute, no secret ballot may be utilized to determine any other election or decision of a governmental body.
- (f) Closed Session Votes. A governmental body may vote in closed session when the vote is an integral part of deliberations authorized to be conducted in closed session under Wis. Stat. § 19.85(1). The governmental body must vote in open session unless doing so would compromise the need for the closed session. Whenever a vote is taken in closed session, the motion and the result of the vote, including the name and vote of each person in attendance, will be recorded and made a matter of public record.
- (g) Ascertaining and Recording Votes. Any member may request that a vote be taken in such a manner that the vote of each member is ascertained and recorded, except when voting to determine the election of officers.

## **28 Expense Reimbursement.**

- (a) It is the policy of Manitowoc County to reimburse certain authorized, reasonable, and necessary expenses incurred while conducting official county business as set forth in the County's Policy and Procedure Manual, Section 26, Travel Policy. For purposes of this rule, official county business includes attendance at county board and committee meetings, educational programs, professional associations, public hearings and meetings, training seminars, and other similar activities that are related to county business and that have been properly authorized.
- (b) Other Expenses. Other reasonable and necessary expenses incurred while conducting official county business may be reimbursed provided that the reimbursement is authorized by the county board prior to the date on which the expense is incurred.
- (c) Mileage will be paid for one trip per day from a person's residence to one meeting location and from one meeting location to the person's residence, even if the person

attends more than one meeting and returns home between meetings. Mileage will be paid for necessary travel between meeting locations.

- (d) No expenses will be paid to any person attending any meeting when that person has not been authorized to attend the meeting as a member of the group that is conducting the meeting, as a program participant, or by direction of the County Board Chair, the county board, or a county board committee, subunit, other governmental body, the County Executive, or a department head.
- (e) A member's expenses associated with attending a public hearing may be reimbursed only if approved in advance by the county board or the appropriate committee. Such approval shall be recorded in the minutes of the county board or committee.
- (f) Members of the county board, committees, subunits, and other governmental bodies may, upon request, receive an advance toward reimbursable expenses other than mileage that are expected to be incurred while conducting official county business outside Manitowoc County which has been authorized by the county board.
- (g) Claims, Verification, and Receipts. All claims for reimbursement by members of the county board, committees, subunits, or other governmental bodies must be submitted to the County Clerk in a form approved by the County Clerk. All such claims must be itemized and accompanied by receipts for the expenses claimed or by a statement explaining the absence of a receipt. All claims must be signed by the person seeking reimbursement swearing or affirming that the claim is accurate and that the expenses were reasonably and necessarily incurred while conducting official county business.

## **29 Budget and Funds.**

- (a) Annual Budget. The county board shall adopt an annual budget in compliance and conformity with Wis. Stat. § 65.90 by a majority vote of the county board. Any amendment to the budget subsequent to its adoption requires a two-thirds vote of the members present.
- (b) Contingent Fund. The Finance Committee may, with the approval of the appropriate board, commission, or committee, supplement the appropriation for an activity, department, or office by a transfer from the contingent fund. The total amount transferred may not exceed the amount in the contingent fund and may not exceed 10 per cent of the amount originally appropriated for the activity, department, or office in the annual budget. Any other transfer or appropriation from the contingent fund requires a vote of two-thirds of the members of the county board.
- (c) General Fund. A two-thirds vote of the members of the county board is required to make an appropriation from the General Fund.
- (d) Borrowing Funds. A two-thirds vote of the members of the county board is required to borrow funds.

- (e) Transfer of Funds. The Finance Committee may, with the approval of the appropriate board, commission, or committee, transfer funds between line items in a departmental budget.
- (f) This rule and its subparts may not be amended or suspended except by a unanimous roll call vote.

### **29A Expo Special Revenue Fund.**

A four-fifths vote of the members of the county board is required to move any proceeds that were received from the sale of real property located at the Manitowoc County Expo Grounds pursuant to the Real Estate Option Contract approved by the Manitowoc County Board of Supervisors on January 26, 2016 from the Expo Special Revenue Fund to any other fund.

### **30 Purchase and Sale of Real Property.**

- (a) Except for tax foreclosed real estate, no real estate owned by the county may be sold unless the sale is first authorized by majority vote of the county board in open session.
- (b) The county board will not consider, vote upon, or accept any offer to purchase real property owned by the county that provides for a conveyance by warranty deed unless the offer is in a form customarily used for the purchase and sale of real estate and will create a binding contract for sale upon acceptance.
- (c) All offers to purchase or sell real property are contingent upon review and approval as to form by the Corporation Counsel, unless the county board directs otherwise.

### **31 Agreements, Contracts, and Leases.**

- (a) No County employee, official, or officer may enter into, execute, or continue an agreement, contract, or lease without first securing all necessary approvals and authorizations. Any agreement, contract, or lease entered into, executed, or continued in violation of this rule is voidable by a majority vote of the county board.
- (b) It is the responsibility of the employee, official, or officer executing or otherwise entering into an agreement, contract, or lease to seek, in advance, all necessary advice from Corporation Counsel regarding the terms of the agreement, contract, or lease and to request the assistance of any other department which has expertise necessary to prepare the agreement, contract, or lease.

### **31A Automatic Payroll Deduction Policy for Charitable Contributions.**

The Manitowoc County Board of Supervisors authorizes its' standing Finance Committee to permit automatic payroll deductions for various non-profit and charitable organizations under the following terms and conditions.

- (a) For purposes of this policy, charitable and non-profit organizations are defined as those entities that are exempt from taxes under Internal Revenue Code, such as a 501(c)(3) or other applicable status. Elected official is defined as a current elected county board member or any of the following Manitowoc County elected positions, County Clerk, Register of Deeds, Clerk of Court, Sheriff, Treasurer, Coroner, Executive, or District Attorney.
- (b) The charitable or non-profit organization (hereinafter the "organization"), shall contact and arrange for two (2) elected officials to be the contact and solicitor of donations for its organization with the County. The organization and the two (2) elected officials shall contact the Comptroller to be placed on the finance agenda to request an employee payroll deduction organization option. This request must be made by November 30 of each year and will take effect on January 1 of the following year and be effective for that calendar year only (the "effective year").
- (c) In order for the Finance Committee to approve an organization, the organization must comply with and present to the Finance Committee its non-discrimination policy which must equal or exceed that of Manitowoc County's. The organization must have an office or place of business within Manitowoc County. The organization must meet the criteria necessary to establish that it could receive certification that the organization provides or conducts real services, benefits, assistance, or program activities in Manitowoc County as described in 5 CFR § 950.202, as amended.
- (d) Once approved by the Finance Committee, an organization must obtain a minimum of twelve (12) signed employee donation payroll deduction forms (form to be approved by the Comptroller's Office). If an organization fails to obtain twelve (12) signed county employee payroll deduction participants before December 10 for the upcoming year, the Comptroller's Office will not initiate payroll deductions.
- (e) If there are at least twelve (12) participants, the Comptroller's Office will initiate payroll deductions starting with the first payroll of January and continue the deduction the first payroll of each month through December of the effective year. The amount deducted each month will be remitted to the organization along with the deduction register showing who and how much is being contributed.
- (f) As Finance Committee approval and participation in this activity is good for one calendar year only, organizations will have to reapply each year and obtain new employee payroll deduction certificates each year if they wish to continue the program.

### **32 Amendments.**

Except as provided in Rule 29(f), these rules may be amended by a two-thirds vote of the members of the county board. An amendment may be voted upon only if it has been reduced to writing and distributed to the members of the county board at least five days prior to the meeting at which it is presented to the county board for adoption.

### **33 Suspension of Rules.**

Except as provided in Rule 29(f), any rule may be suspended by a vote of two-thirds of the members present. Immediately upon completion of the business for which the rule was suspended, the suspended rule will automatically be reinstated without any further vote.

### **34 Rules of Construction and Severability.**

Nothing in these rules may be construed to conflict with any statute. These rules are severable and if any rule is held invalid, void, or unenforceable, the remainder of the rules will remain in full force and effect.

### **35 Effective Date and Repeal of Prior Rules.**

These rules are effective immediately upon adoption and repeal any and all prior rules.