

## MINUTES

### **Executive & Legislative Committee**

**Tuesday, April 4, 2017 at 9:00 a.m.**

**Sauk County West Square Building, Room 213, 505 Broadway, Baraboo WI**

**Members Present:** Krueger, Fordham, Polivka, Hambrecht and Czuprynk.

**Members Absent:**

**County Personnel:** Jeff Jelinek, Emergency Management; Steve Pate, MIS Coordinator; Becky Evert, Sauk County County Clerk; Todd Liebman, Corporation Counsel and Alene Kleczek Bolin, Administrative Coordinator

**County Personnel Absent:**

**Others Present:** Peter Vedro, Tom Kriegl, Bill Wenzel, Jean Berlin, Tim Damos, John Eric Allen, Rose E. Lee, Theresa Krusko, Sara Silberstein and Chuck Spencer (arrived at 11:45 a.m.)

Chair Krueger called the meeting to order at 9:00 a.m. and compliance with the Open Meeting Law was verified.

MOTION (Polivka/Hambrecht) to adopt the agenda. Motion carried unanimously.

MOTION (Fordham/Polivka) to approve the minutes of the regular meeting on March 7, 2017 and the minutes of the special meetings on March 13, 2017 and March 21, 2017. Motion carried unanimously.

### **Public Comment:**

- 1) Rose E. Lee, re: current Administrative Coordinator agreement.
- 2) Theresa Krusko, re: misuse of tax payer money.
- 3) John Eric Allen, re: proposed special meeting.

### **Communications**

- 1) 03/15/2017 Letter: Madison Area Technical College District Board Appointment Committee.

### **Jeff Jelinek, Emergency Management:**

- a) Jelinek presented the monthly report and list of bills for his department.

MOTION (Fordham/Czuprynk) to approve bills in the amount of \$441.20. Motion carried unanimously.

### **Criminal Justice Coordinator:**

- a) Kleczek Bolin presented the monthly report and list of bills for the department.

MOTION (Czuprynk/Polivka) to approve bills in the amount of \$1,486.56. Motion carried unanimously.

### **Steve Pate, MIS Department:**

- a) Pate presented the monthly report and list of bills for his department.

MOTION (Fordham/Czuprynk) to approve bills in the amount of \$232,668.34. Motion carried unanimously.

- b) Consideration of computer donation requests: None.

- c) Review of MIS Carryforward Requests. *(Handout on file)*

MOTION (Hambrecht/Czuprynk) to approve MIS carryforward requests in the amount of \$525,046.00. Motion carried unanimously.

- d) Review of MIS Technology Use Policy revisions. *(Handout on file)*

MOTION (Polivka/Fordham) to approve and forward to the personnel committee for their approval. Motion carried unanimously.

**Becky Evert, Sauk County Clerk:**

a) Evert presented the monthly report and list of bills for her department.

MOTION (Polivka/Czuprynko) to approve bills in the amount of \$23,873.81. Motion carried unanimously.

b) Annual Report.

MOTION (Polivka/Hambrecht) to receive the 2016 annual report for the department. Motion carried unanimously.

**Todd Liebman, Corporation Counsel Department:**

a) Liebman presented the monthly report and list of bills for his department.

MOTION (Polivka/Czuprynko) to approve bills in the amount of \$376.91. Motion carried unanimously.

**Alene Kleczek Bolin, Administrative Coordinator:**

a) Kleczek Bolin presented the monthly report and list of bills for her department.

MOTION (Czuprynko/Polivka) to approve bills in the amount of \$397.49. Motion carried unanimously.

b) Kleczek Bolin presented the 2016 annual report for her department.

MOTION (Polivka/Hambrecht) to receive the 2016 annual report for the department. Motion carried unanimously.

**County Board Chair Report:**

a) Chair Krueger presented his monthly report of meetings, activities and concerns over the past month and highlighted upcoming events and meetings. *(Report on file)*

b) Chair Krueger announced the appointment of Andrea Lombard to fill the unexpired term of Douglas Ament in District 19. *(Appointment letter on file)*

c) Supervisor Request – Augment County Board Minutes *(handout on file)*

Liebman opined that he has no legal objection to this request and stated that this is the decision of the committee and the County Clerk. Kriegl gave an overview of his request.

MOTION (Hambrecht/Czuprynko) to include staff present (at the front table) in the minutes of future county board meetings. Motion carried unanimously.

**Discussion: April 20, 2017 Special Board Meeting:**

Discussion took place between the committee and attending board members. Supervisors Krueger, Fordham and Vedro will meet with Dan Hill, Facilitator, prior to the special meeting to set a productive outline for the April 20, 2017 meeting.

**Amend Resolution 80-2016 Authorizing The Formation Of An Ad Hoc Committee Regarding Board Structure, Compensation and Size:**

MOTION (Fordham/Polivka) to amend Resolution 80-2016 and forward to the county board for approval. Motion carried unanimously.

**Review: Submitted changes to rules of the board for April 18, 2017 regular meeting :**

**Proposed Rule Change #1**

**Current Rule Text:** I. B. The Chairperson of the County Board (“Chair”) and Vice-Chairperson (“Vice-Chair”) shall be elected biennially by the Board at the April meeting in even-numbered years. Such officers shall take office upon election.

**Proposed Rule Change:** I. B. amended as follows: The Chairperson of the County Board (“Chair”) and the Vice-Chairperson (“Vice-Chair”) shall be elected ~~biennially~~ annually by the Board at the April meeting in ~~even-numbered years~~. Such officers shall take office upon election.

**Proponent:** Scott Von Asten

**Legal Review:** The current chair has been elected at the beginning of this term pursuant to the Rules of the Board adopted at the time for the full two-year term. Presumably, this rule amendment would apply to future boards and in that case, adoption of this rule at this time could not apply to a future board since that board will make its rules when elected. This rule change should properly be deferred until April 2018.

Discussion took place between the committee and attending board members. No action was taken.

#### **Proposed Rule Change #2**

**Current Rule Text:** New Rule I G.

**Proposed Rule Change:** New Rule I G. to read as follows: if the voting machine is not used to record attendance, the clerk will visually inspect the room and initially record and announce names of missing members, instead of taking time to call every member's name.

**Proponent:** Tom Kriegl

**Legal Review:** No legal objection. However, I find the roll call to be a preferable manner of determining the supervisors in attendance.

Supervisor Kriegl gave an overview of his proposal. Discussion took place between the committee and attending board members. No action was taken.

#### **Proposed Rule Change #3**

**Current Rule Text:** Create a new Rule III F. (note, no Rule III E. currently exists)

**Proposed Rule Change:** New Rule III F. to read as follows: County board member's requests for information needed to carry out their county board duties shall be accommodated, even if the request results in the creation of a new document by any county employee, department, or constitutionally elected officer. County board members shall not be charged for information requested to carry out their county board duties.

**Proponent:** Tom Kriegl

**Legal Review:** Creates a mandate upon departments to comply with supervisor requests for any information, which may or may not be lawful. This could conflict with statutes where a supervisor is asking for confidential information to which they are not entitled. Further, this proposed rule conflicts with Sauk Co. Code Ch 37, which would need to be amended. A change of this nature would need to be created by ordinance. Further, the rule is vague. It does not specify who determines what is necessary for a supervisor to carry out their duties. Conceivably, county employees would be redirected from their duties to serve the public to answering voluminous requests of supervisors. Further, the county board does not have the authority to direct constitutional officers to simply produce any information whim of a supervisor.

Discussion took place between the committee and attending board members. No action was taken.

#### **Proposed Rule Change #4**

**Current Rule Text:** Create a new Rule III G. (Again, no Rule III E. exists)

**Proposed Rule Change:** New Rule III G. to read as follows: Sauk County will not contest open record lawsuits without approval by resolution of the Sauk County Board.

**Proponent:** Tom Kriegl

**Legal Review:** This is not an appropriate rule of the board. The rules of the board prescribe the rules for the operation of the county board. Ordinances and policies prescribe the operations of county government. A policy of this nature would need to be adopted by ordinance. Even if done correctly, it would infringe on the authority of records custodians and could lead to violations of the law if records were released in violation of state law.

Discussion took place between the committee and attending board members. No action was taken.

**Proposed Rule Change #5**

**Current Rule Text:** Create a new Rule IV P. (7) and renumber existing Rule IV P. (7) to (8)

**Proposed Rule Change:** New Rule IV P. 7 to read as follows: Working together, the committee chair and appropriate department head(s) will construct the committee meeting agendas. Items must be added to the agenda in compliance with the Wisconsin Open Meeting Law, if requested by any committee member.

**Proponent:** Tom Kriegl

**Legal Review:** No legal objection.

Supervisor Kriegl gave an overview of his proposal. Discussion took place between the committee and attending board members. No action was taken.

**Proposed Rule Change #6**

**Current Rule Text:** Create a new Rule IV S.

**Proposed Rule Change:** New Rule IV S. to read as follows: All meetings of the county board and standing committees will be videotaped and made available for public viewing within 3 days of the end of each meeting.

**Proponent:** Tom Kriegl

**Legal Review:** No legal objection. However, some committees do not meet in rooms with video capability. Will these rooms be retrofitted? Will committees be instructed to meet in rooms with this capability? Where will the funds come from to retrofit rooms? Has anyone coordinated with MIS to determine if the three-day time-period can be met?

Discussion took place between the committee and attending board members. No action was taken.

**Proposed Rule Change #7**

**Current Rule Text:** Rule V A. Supervisors shall be authorized up to a maximum of 90 days' compensation (at a per diem rate of \$60.00 for each day of attendance when the Board is in session and meetings, and \$50.00 for other authorized service including committee meetings), plus mileage and reimbursement of authorized expenses, for committee work when attending committee meetings of which they are members, or as chair of a committee (or their designee) when attending a committee meeting of which they are not a member for the purpose of providing testimony on an issue. Authorized service includes service required by ordinance or resolution. The maximum limits established for committee work shall be in addition to the per diems and mileage supervisors are entitled to receive for attendance at meetings of the Board and exclusive of per diems paid by non-county boards or commissions where the payment of the per diem or mileage is not made from County funds.

**Proposed Rule Change:** Add the following language at the end of existing Rule V A. In addition to any other per diem and mileage entitlement available to all supervisors in accordance with Rule V A. as provided by Sauk County Code 35.03, all supervisors will receive a base stipend of \$100 per month to incentivize attendance at committee meetings wherein the supervisor is not a member, other county meetings in the community, as well as preparation time for all meetings attended.

**Proponent:** Peter Vedro

**Legal Review:** Wis. Stat. ss 59.22 provides that supervisor compensation cannot be changed mid-term and can only be changed by resolution or ordinance.

Discussion took place between the committee and attending board members. No action was taken.

### **Proposed Rule Change #8**

**Current Rule Text:** V C. Any increase in the number of days of committee work for which supervisors may be paid compensation and mileage in any year shall require approval by two-thirds vote of the members of the Board present, prior to payment. In addition to the above, the Chair shall receive compensation for performance of the duties of that office. The Chair is authorized to act as a member of all committees in an ex officio capacity, and per diem shall be paid under this rule for attendance at all committee meetings attended by the Chair.

**Proposed Rule Change:** An increase in the number of days of committee work which supervisors may be paid compensation and mileage in any year shall require approval by two-thirds vote of the members of the Board present, prior to payment. In addition to the above, the Chair shall receive compensation for performance of the duties of that office. The Chair may vote on committees of which he is not a regular member only if his participation is required to reach a quorum. ~~Is authorized to act to make a quorum as a member of all committees in an ex officio capacity, and~~ Per diem shall be paid under this rule for attendance at all committee meetings attended by the Chair.

**Proponent:** Tom Kriegl

**Legal Review:** No legal objection. (I changed “needed” to “required” in the proposed rule. I also note that the text provided by the requesting supervisor did not seem to be the current language of the rule).

Discussion took place between the committee and attending board members. No action was taken.

### **Proposed Rule Change #9**

**Current Rule Text:** VI C. Any member wishing to speak to a question shall be permitted to do so at least once, and a motion for the previous question shall not be in order until every member has had such opportunity. No member may speak twice on any question until every member choosing to speak has spoken; nor shall any member, or other person, speak more than three minutes upon being recognized on a question.

**Proposed Rule Change:** Any member wishing to speak to a question shall be permitted to do so at least once, and a motion for the previous question shall not be in order ~~until every member has had such opportunity.~~ No member may speak twice on any question until every member choosing to speak has spoken; nor shall any member, or other person, speak more than three minutes upon being recognized on a question.

**Proponent:** Tom Kriegl and Scott Von Asten have proposed a nearly identical rule change only making the phrase “A motion for the previous question shall not be in order” into a separate sentence.

**Legal Review:** No legal objection. This then modifies Robert’s Rules and provides that a motion for the previous question is never in order at county board meetings.

Discussion took place between the committee and attending board members. No action was taken.

### **Proposed Rule Change #10**

**Current Rule Text:** VI C. Any member wishing to speak to a question shall be permitted to do so at least once, and a motion for the previous question shall not be in order until every member has had such opportunity. No member may speak twice on any question until every member choosing to speak has spoken; nor shall any member, or other person, speak more than three minutes upon being recognized on a question.

**Proposed Rule Change:** Amend the last sentence of Rule VI C. as follows: No member may speak twice on any question until every member choosing to speak has spoken; nor shall any member, or person, speak more than ~~three~~ four minutes upon being recognized on a question.

**Proponent:** Scott Von Asten

**Legal Review:** No legal objection.

Discussion took place between the committee and attending board members. No action was taken.

Supervisor Fordham left the meeting at 12:35 p.m.

**Proposed Rule Change #11**

**Current Rule Text:** Rule IX Committees

**Proposed Rule Change:** Increase the size of the Property & Insurance Committee to six.

**Proponent:** Marty Krueger

**Legal Review:** No legal objection.

Discussion took place between the committee and attending board members. No action was taken.

**Proposed Rule Change #12**

**Current Rule Text:** Other Organizational Issues:

**Proposed Rule Change:** Term limits on Chair and Vice-Chair

**Proponent:** Andy Andrews

**Legal Review:** A current board cannot bind a future board in the election of its Chair and Vice-Chair.

Discussion took place between the committee and attending board members. No action was taken.

MOTION (Czuprynyko/Polivka) to adjourn until Tuesday, May 2, 2017 at 9:00 a.m. Motion carried unanimously and the meeting adjourned at 12:45 p.m.

Respectfully submitted,

Becky Evert  
Sauk County Clerk