

WCA / LGE TRAINING

2020 COUNTY OFFICIALS WORKSHOPS (COWS)



Extension

UNIVERSITY OF WISCONSIN-MADISON
LOCAL GOVERNMENT EDUCATION

ZOOM WEBINARS

**Monday,
June 8, 2020**

9:00 am - 10:30 am

- Who We Are
- Roles & Responsibilities
for County Officials

Monday, June 15, 2020

9:00 am - 10:30 am

- Wisconsin's Open
Meetings Law
- Agendas & Minutes

Monday, June 22, 2020

9:00 am - 10:30 am

- Running Effective Meetings
- County Budgeting

Monday, June 29, 2020

9:00 am - 10:30 am

- Wisconsin's Public Records Law
- Ethics and Conflicts of Interest



WISCONSIN COUNTIES ASSOCIATION

County Officials Workshops (COWS)
June 2020

History

- Created in 1935
- Wis. Stat. §59.52(22) authorizes counties to join an association committed to “the protection of county interests and the furtherance of better county government”

Governance

- WCA Board of Directors
 - 27 member board
 - 14 elected at district meetings
 - 4 populous counties
 - 1 NACo Director
 - 2 diversity appointments
 - 1 county executive
 - 5 constitutional officers
- Annual Business Meeting

Association Services

- Lobbying
 - Legislative Agenda / Platform
 - Capitol Watch
 - Budget Webinars
- Publications
 - *Wisconsin Counties*
 - *Wisconsin County Official's Handbook*
 - *Wisconsin County Officials Directory*
 - *County Government: History, Services, Funding*
 - *WCA eNews*
- Outreach

Association Services

- Public Relations
 - Website: www.wicounties.org
 - Facebook: Wisconsin Counties Association
 - Twitter: www.twitter.com/WisCounties
- Education
 - WCA Annual Conference
 - Legislative Exchange
 - Educational Seminars
 - Webinars
 - County Officials Workshops
 - The Wheeler Report/WisPolitics
 - *What are Counties?*

Association Services

- Wisconsin County Mutual Insurance Corporation
- WCA Group Health Trust
- WCA Services, Inc.

Ways to Get Involved

- Steering Committees
 - Personnel, Finance, and County Organization
 - Health and Human Services
 - Transportation and Public Works
 - Judicial and Public Safety
 - Agriculture, Environment, and Land Use
- County Ambassador Program (CAP Team)
- Seminars/Webinars
- Attend WCA Annual Conference/Legislative Exchange

QUESTIONS?



Local Government Education

Welcome to UW Madison-Extension's Local Government Education Program




LGE Mission & Goal:




UW-Madison Division of Extension's Local Government Center provides focus, coordination, and leadership to educational programs supporting local government, and expands the research and knowledge base for local government education.

Build the capacity of local government officials and county educators on local government best practices, legal requirements and practical applications to address governance and operational issues.




LGE Partners:






- Wisconsin Counties Association
- League of Wisconsin Municipalities -
- Wisconsin Towns Association
- County Based Extension Educators



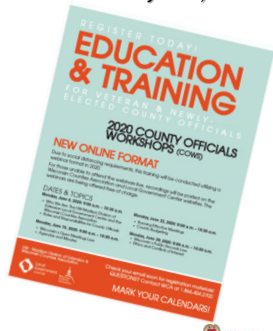


County Officials Workshops-(COWs)

Biennial (Spring of even numbered years)

"I will use this information on my county board level."...
County Board member

Over 3,000 county officials have participated since 2000



Town Officials Workshops (TOWs)

Biennial (Spring of odd numbered years)

Topics generally include:

- Duties of town officials
- Open meetings law
- Effective meetings
- Town road funding and operations
- Succession planning
- Ethics and conflicts of interest
- Enforcement of ordinances
- Budget and finance
- Over 8,700 participants since 2003

"Very informative... info that is very valuable to new board members."...Town Supervisor



Town and Village Officials Workshops

Each Fall

Topics generally include:

- Common effective meeting & parliamentary procedure issues
- Legislative update
- Annexation basics
- Budget and finance
- Department of Revenue update on forms, electronic filing, and levy limits
- "Hot Topics" session from the Wisconsin Towns Association
- Public engagement

"Very worthwhile."... Supervisor
22 years

"One of the best of all I've been to."... Supervisor 4 years

"I will use this information not only on a local board level, but on the county board level."...County Board member

Over 12,350 officials have participated since 1998



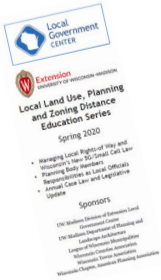
Distance Education

- Live discussion on an array of topics
- Informal dialogue with experts on the topic
- Chance for question and answers
- Archived Webinar Recordings and Teleconference Audiostreams available to hear the presentation again
- Over 55,400 have participated since 1993

Share your ideas



2019 Local Land Use Planning and Zoning Webinar Series



- ❖ Managing Local Rights-of Way and Wisconsin's New 5G/Small Cell Law
- ❖ Planning Body Members Responsibilities as Local Officials
- ❖ Annual Case Law Update & Legislative Update



Share your ideas

2020 Local Government Essentials Webinar Series

- ❖ Alcohol Beverage Regulation and Licensing - Part 1
- ❖ Alcohol Beverage Regulation and Licensing- Part 2
- ❖ Adjusting Levy Limit



Share your ideas

Local Government Issues, Strategies, and Challenges Webinar Series



- ❖ Effective Virtual Public Meetings During the Covid-19 Pandemic
- ❖ When Revenues Fall Short - Weathering the Covid-19 Recession

Share Your Needs

Sponsors
The Madison Institute of Extension Local Government Center
UW Madison Department of Planning and Landscape Architecture
League of Educational Institutions
Wisconsin Counties Association
Wisconsin State Association
Wisconsin League, Institute on Planning Association

Local Government Education



- Basic Local Government Structure
- Roles and Responsibilities (County, City, Town, & Village)
- Budget and Finance Basics
- Local Government Official Ethics
- Open Meetings Law & Effective meetings (Roberts Rules of Order)
- Voter Education/ How to Run for Public Office
- Fall Workshops - focus on budget and current interest topics
- Spring Workshops - focus on local government basics and current interest topics
- Webinars, Videos, Fact Sheets
- Formal and Informal Mandates (e.g., Comprehensive Planning vs. Zoning)
- LGE Website is a wealth of resources - <https://lge.uwex.edu/>





Thank You


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Roles & Responsibilities

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Think back to when you first decided to run for office

Why did you run?

- A. Someone asked me to.
- B. I was concerned about a particular issue.
- C. I wanted to give back to the community.
- D. I wanted to lower taxes.
- E. Other.


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All of us want to make things as good as they can be!


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Problem

- Being asked to do more while being provided with fewer resources.

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Solution

- Exercise Leadership


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Leadership and Management

- Leadership
 - Model the Way
 - Inspire a Shared Vision
 - Challenge the Process
 - Enable Others to Act
 - Encourage the Heart
- Management
 - Day to Day Operations


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Leadership in Context of County Government

- Understand the Context
- Understand your role in that context.


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Counties' Dual Purposes

- An arm of state government
- Local unit of government responsive to local needs.


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Counties' Dual Purposes

- An arm of state government
 - Law enforcement
 - Vital records retention
 - Circuit courts
 - Elections
 - Social Programs


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Counties' Dual Purposes

- An arm of state government
- Local unit of government responsive to local needs.
 - Parks
 - Trails
 - Land Use Regulations
 - County Extension
 - Soil Conservation


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County Government

- Each county is a body corporate
- Authorized to sue and be sued
- Acquire and hold, lease, rent, or sell real and personal estate for public uses or purposes
 - Includes lands acquired by tax deed
 - Includes leases or contracts with the state for conservation purposes
- "Such other acts as are necessary and proper to the exercise of the powers and privileges granted and the performance of the legal duties charged upon it."
 - Wis. Stat. §59.01

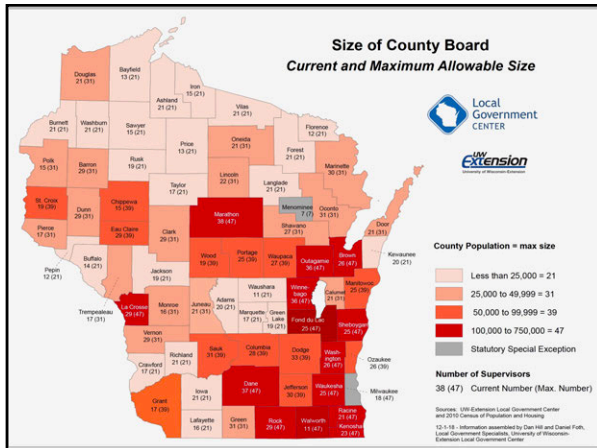
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County board

- Wisconsin counties are governed by elected county board of supervisors
- Some have nearly 40 members representing different supervisory districts that include different towns and municipalities within the county

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County Board Functions

- Counties do not have “Home Rule” Authority”
 - Only those powers granted by statute
 - For example, Public Protection and Safety under Wis. Stat. §59.54
- Adopt budget & Levy taxes
- Administrative and management authority only to extent not otherwise provided to others by statute
 - Wis. Stat. §59.51


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County Board Functions

- Collaboratively oversee county operations
 - Set expectations (ends), delegate, evaluate progress
- Regulate
- Involve, represent & accountable to public
- Cooperate with other governments
- Focus on long-term rather than past or short-term

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County Supervisor Functions

- Supervisor’s authority is collective versus individual
- “Supervisor” is a historical, not a descriptive term

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County Supervisor Functions

- Supervisors serve primarily a legislative function
 - (in contrast to the commission form of county government in some states)
- The legislative function is policy making through
 - law making
 - budgetary approval
 - cooperative decision-making

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Committee Functions

- Much preliminary work on policies before taken up by full board
- Collaborative policy oversight for departments and offices
- Review and make budget recommendations
- Draft ordinances and resolutions
- Access staff expertise
- Focus on policy development


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Committee Chair

- Leadership role for matter's in committee's jurisdiction
- Authority to
 - Set the agenda,
 - preside at meetings
 - make reports and recommendations on committee's behalf


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How the Board Makes Policy

- Plans
- Budgets
- Ordinances & Resolutions


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Plans

- A Plan involves setting desired future conditions and steps to get there.
- Comprehensive Plan
 - State law in effect "required" adoption by 2010 & review every 10 years
- Other common plans
 - strategic plans
 - capital improvement plans (how money will be spent on infrastructure)
 - a parks plan
 - a transportation plan
 - etc.


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Budgets

- Document through which the board determines what services will be provided, how they will be funded, and to what level they will be funded.
- The Budget is the single most important document in the board's duty to provide services


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Ordinances

- An ordinance is a local law
- Prescribes rules of conduct related to the corporate powers of the governmental body.
- Enforced by the officials of the governmental body, including court actions
- It is intended to be a permanent part of the governmental code.
- Ordinances can also be regulatory
 - Licensing
 - Zoning
 - Transient Merchants, Junk and Second Hand Car Dealers


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Resolutions

- Usually less permanent addressing matters which are less permanent or temporary in character
- Used to grant special privileges, state policy, express opinions, or communicate with other governmental bodies.
- Resolution may be used to adopt a budget.


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County Board Chair

- Presides over meetings of the county board of supervisors
- Administers oaths
- Countersigns all ordinances
- Commonly acts as spokesperson for the county board
 - Wis. Stat. §59.12


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Administrative Home Rule

- Every county may exercise any organizational or administrative power, subject only to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county.
- Limitation Example: County with County executive cannot place appointment authority with board
 - AG Opinion January 28, 2010

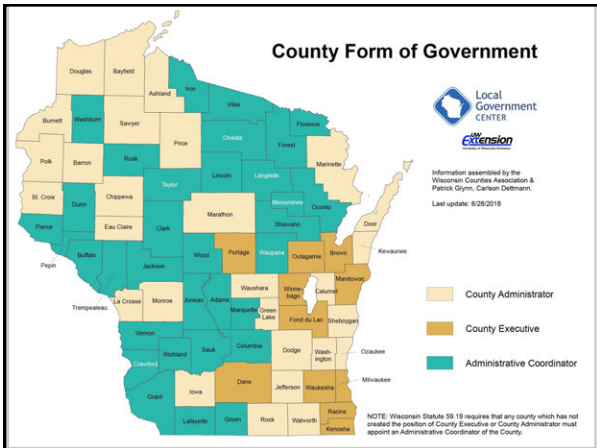
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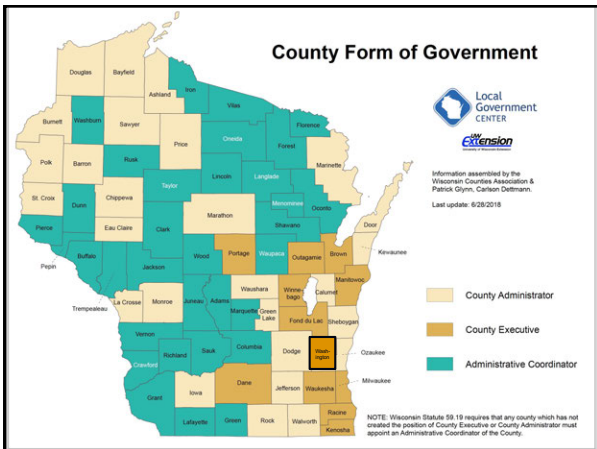


Forms of County Government

- **Three types:**
 - County Executive
 - County Administrator
 - County Administrative Coordinator

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County Executive

- County Executive is the chief executive officer
- “Coordinates and directs all administrative and management functions”
 - Wis. Stat. §59.17


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County Executive

- Population of 750,000 or more, a county executive shall be elected for a 4-year term
 - Wis. Stat. §59.17(1)(a)
- “Counties with a population of less than 750,000 may by resolution of the board or by petition and referendum create the office of county executive or abolish it by petition and referendum.”
 - Wis. Stat. §59.17(1)(b)


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County Executive Veto

- Veto authority
 - Ordinances and resolutions
 - Appropriation in whole or part
 - County board can override with 2/3 vote
- Wis. Stat. §59.17(6)


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County Executive: Appointments and Budget

- Appoints and supervises department heads subject to county board confirmation
 - unless confirmation waived or civil service
- Appoints members to boards and commissions, where statutes give this authority to county board or its chairperson
 - subject to board confirmation
- Submits the annual budget
 - Wis. Stat. §59.17(2)


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County Administrator

- Counties having a population of less than 750,000 may create the office of county administrator
 - By resolution of the board, or
 - by petition and referendum and
- Appointed by majority vote of the board.
 - Wis. Stat. §59.18(1)


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County Administrator

- Chief administrative officer of the county
- Coordinate and direct all administrative and management functions of the county government
- Appoints and supervises department heads
 - subject to county board confirmation, unless confirmation waived or civil service
- Appoints members to boards and commissions, where statutes give this authority to county board or its chairperson
 - subject to board confirmation


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County Administrator

- Answers to the county board of supervisors
- Submits annual budget
- “Appointed solely on merit”; no weight given to residence, political affiliation, etc.
 - Wis. Stat. §59.18


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Administrative Coordinator

- County must designate an Administrative Coordinator if it has neither an Executive or Administrator
- “The administrative coordinator shall be responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.”
 - Wis. Stat. §59.19


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Administrative Coordinator

- An elected or appointed official shall be designated Administrative Coordinator
 - Wis. Stat. §59.19
- The positions of County Supervisor and Administrative Coordinator are legally incompatible
 - Attorney General Opinion, October 27, 2011


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Constitutional Officers

Office	Statute	Duties
• Sheriff	59.27	(jail, law enforcement)
• Clerk of Court	59.40	(court records)
• Register of Deeds	59.43	(record deeds, mortgages)
• Clerk	59.23	(board & other records)
• Treasurer	59.25	(collect & disperse funds)
• District Attorney	978.05	(criminal prosecution)
• Coroner*	59.34	(medical examiner)
• Surveyor*	59.45	(public lands survey system)


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Constitutional Officers

- County Board has very limited control over Constitutional officers
- Primarily restricted to budgetary control;
 - however must fund sufficiently to meet state mandates


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Rationale: Why is this so?

- The limitation on board control of constitutional officers provides a portion of the system of checks and balances in county government
- Executive versus Legislative Functions
- Elections make Constitutional Officers regularly accountable to Public


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State or County?

- While the Constitutional Officers are part of the County Government and works with (not for) the County Board of Supervisors, their powers and authority emanate from the state through the Constitution and statutes.


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Statutory protections (requirements)

- Wis. Stat. 59.22(1) protects a Officials from the board arbitrarily reducing salary or refusing to pay unless recalled or removed by the Governor.
- County board of supervisors **MUST** fund the sufficiently to meet state mandates and provide law enforcement


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Other County Departments

Health & Human Services	• Human Resources
University Extension	• Land Conservation
Aging	• Veterans Affairs
Highway	• Corporation Counsel
Planning & Zoning	• Parks/Recreation
Finance	• Waste Management
	• Others

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County Board *and* Offices/Depts.

- While the county board has overall budget authority, its relation to the county offices and departments must be consistent with the statutes and constitution


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Governance

- Effective board operations are based on mutual understanding and respect for each other's position and viewpoint
- Leadership responsibility can easily become confused and controversial


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Roles

- Chair of each commission and committee takes the leadership role in matters under commission or committee's jurisdiction.
- Commission and committee leadership includes setting the tone, agenda, goals, and presiding at the meetings


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Staff

- County board supervisors and department heads/staff have vastly different responsibilities
- Board supervisors serve in a primarily legislative role
- Officials, Dept. Heads and Staff serve in an operational and advisory role

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**Court Ruling on Roles:
Board vs. Administrative**

- County board’s function is primarily as a policy making and legislative and the county executive is administrator and manager
 - *Schuette v. Van De Hey*, 205 Wis 2d 475, 556 NW2d 127 (Ct App. 1996), *approving of the Attorney General Opinion* at 68 Wis. Op. Att’y Gen. 92 (1979) (OAG 32- 79).


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**Courts:
Board vs. Administrative**

- County Boards have only such powers as are conferred upon them by statute, expressly or by clear implication.
 - *Maier v. Racine County*, 1 Wis 2d 384(1957).
- Board limited in ability to change salaries.
 - *Schultz v. Milwaukee County*, 250 Wis 18(1947), and *State ex rel. Conway v. Elvod*, 70 Wis 2d 448(1975).


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Policy vs. Admin/Ops

- Policy (Board) = “What” and “Why”
- Administration and Operations (Staff) = “How” “When” and “Where”


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Attorney General

- The decision to enter into a public works contract is policy, but
- The administration of the contract terms is a manager function.
 - 80 Wis. Op Att’y Gen. 49 (1991).


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Private Business Analogy

- Corporate Board sets Policy for the business
- CEO and other Executives manage the company

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Policy vs. Admin/Ops

- **Policy**
 - “What” - Will we fund a new highway equipment?
 - “Why” - Is it a necessary service to our citizens?
- **Admin/Ops**
 - “How” - How will we plow the roads?
 - “When” - When will we start repairs?
 - “Where” - Where will we fill potholes?


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Policy (Board)

- Related to overall mission and purpose
- Requires vision
- Longer term
- Addresses key issues
- Strategy development


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Operations (Departments & Staff)

- Implementation of policies and strategies
- Shorter term
- Day to day operations
- Related to smaller functions
- Addresses department or individual issues
- Requires attention to detail
- Requires specialized training


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Staff vs. Board

<ul style="list-style-type: none"> • Staff <ul style="list-style-type: none"> ▪ Education ▪ Experience ▪ Background checked ▪ Bonded ▪ Professionally current ▪ Professional associations 	<ul style="list-style-type: none"> • Board <ul style="list-style-type: none"> ▪ Elected by people ▪ Local connection
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Leadership Roles

- Non-elected) department heads have the leadership role in their departments within the guidelines of the policies and procedures set by the county executive, administrator, and/or the board of supervisors
- Individual supervisors have no management or leadership role outside of board, committees or commissions their
- Individual supervisor's authority is collective as a member of the board

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Staff Roles and Responsibilities

- Staff (non-elected departments heads and other key staff) has an obligation to carry out their duties in a manner consistent with the policy direction of the board and executive/administrator
- Staff makes recommendations and give professional advice. They generally do NOT make policy other than internal department policies as authorized

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Summary Ends and Means

- Policy making = Ends
- Administration = Means

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Summary Ends and Means



- Green Bay Packers have a Board of Directors
- You do not see the Board Members on the sidelines calling plays
- Nor are they in the huddle


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Resources


- *Boards that Make a Difference*, John Carver
- *The Leadership Challenge*, James M. Kouzes and Barry Z. Posner
- *Leadership without Easy Answers*, Ronald A Heifetz
- *Wisconsin Statutes, Chapter 59*
- *Wisconsin County Officials Handbook*, Wisconsin Counties Association
 - Presented by Philip Freeburg, UW-Madison Division of Extension, Local Government Education
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Roles & Responsibilities



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