



# Reference Manual

WI Open Meetings Law  
Conducting Closed Sessions  
Agendas  
Minutes  
Resolutions and Ordinances

2006

Compiled by the Corporation Counsel & Administration



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## **DECLARATION OF POLICY - §19.81(1), Wis. Stats.**

...In recognition of the fact that a representative government of the American type is dependent upon an informed electorate, it is declared to be the policy of this state that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.

The open meetings law creates a presumption that meetings of governmental bodies must be held in open session. The policy of the State of Wisconsin dictates governmental bodies convene in closed session only when meeting in open session would be incompatible with the conduct of governmental affairs.

All references to the law in this section refer to the Wisconsin Law.

### **MEETINGS UNDER THE OPEN MEETINGS LAW**

- A meeting is defined as the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body.
- The law applies whenever a gathering of members of a governmental body satisfies two requirements:
  - (1) there is a purpose to engage in governmental business
  - (2) the number of members present is sufficient to determine the governmental body's course of action.
- Governmental business refers to any formal or informal action, including discussion, decision or information gathering, on matters within the governmental body's realm of authority.
- If one-half or more of the members of a governmental body are present, the gathering is presumed to be a meeting.
- If a governmental body operates under a two-thirds majority rule, the law applies whenever more than one-third of its member's gathers to discuss or act on matters within the body's authority.
- The requirements of the law also extend to walking quorums. A walking quorum is a series of gatherings among separate groups of members of a governmental body, each less than quorum size, who agree, tacitly or explicitly, to act uniformly in sufficient number to reach a quorum. This includes electronic mail and telephone conference calls if the gathering satisfies the purpose and numbers test. The Attorney General strongly discourages the members of every governmental body from using electronic mail to communicate about issues within the body's realm of authority.
- When a quorum of members of one governmental body attend a meeting of another governmental body in order to gather information or otherwise engage in governmental business regarding a subject over which they have decision-making responsibility, two separate meetings occur, and notice must be given of both meetings.
- The law exempts any social, chance gathering or conference not intended to circumvent the requirements of the open meeting law.

## **LOCAL GOVERNMENTAL BODIES SUBJECT TO THE OPEN MEETINGS LAW**

- A governmental body includes a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order. The term rule or order includes any directive, formal or informal, creating a body and assigning it duties.
- A subunit is constituted as a governmental body and defined as a separate, smaller body created by a parent body and composed exclusively of members of the parent body.
- Special study committees and other advisory committees created by constitution, statute, ordinance, rule or order, including such bodies composed entirely or partially of citizen members are also subject to the law.
- The primary test of applicability to a local body is whether a local governmental body or local officer, including mayors and county executives, created the body. In some situations, a body, such as an economic development corporation, may perform public duties and be so intertwined with a local government unit that it is deemed a “quasi-governmental corporation” subject to the law, even though the body was not created by a local governmental body or local officer.
- A local body conducting collective bargaining is not subject to the law. However, notice of reopening a collective bargaining agreement must be given under the law and final ratification of the agreement must be in open session.

## **NOTICE AND ACCESS PURSUANT TO THE OPEN MEETINGS LAW**

- Notice must be given to the public, to members of the news media who have submitted a written request for notice and to the official governmental newspaper, or if none exists, to a news medium likely to give notice in the area. Notice to the public may be satisfied by posting notice or by publication in the newspaper. Notice to the press may be given in writing or by telephone, the preferred practice is to give notice in writing.
- A single notice listing all meetings a governmental body plans to hold over a given week, month or year does not comply with the notice requirements of the law. A separate notice is required for each meeting.
- At least twenty-four hour notice is required; however, if for good cause twenty-four hour notice is impossible or impractical, a shorter notice may be given. In no case may notice be less than two hours. Good cause exists in very limited circumstances and presumably, the governmental body will provide twenty-four hour notice.
- The Attorney General has advised posting notices at three different locations within the jurisdiction in which the governmental body serves.
- Every public notice of a meeting must give the time, date, place and subject matter of the meeting, including subject matter contemplated for consideration in closed session. Notice shall be in such form as to apprise the public and news media of matters to be considered.
- Notice of closed session must contain the specific nature of the business to be considered as well as the statutory exemption under which the closed session is authorized.
- The law requires every meeting of a governmental body initially be convened in open session.
- Open session is defined as a meeting held in a place that is reasonably accessible to members of the public and open to all citizens at all times. This contemplates holding meetings in buildings and rooms that are accessible to persons with functional limitations. Local bodies should, whenever possible, meet in buildings and rooms that are accessible to all persons without assistance.

- Absent a statutory requirement for public hearing, the governmental body itself is free to determine whether to allow citizen participation at meetings. If notice provides a period for public comment the body may receive information from members of the public and discuss such matters, however, the body may only take action on such matters as were properly noticed.
- An item with the notation “action, if any” must list specific information as to the issue or subject of the potential action.
- Attachment items mailed with an agenda must relate to topics listed on the agenda or be clearly marked “for informational purposes only”.

### **OPEN MEETINGS LAW NOTICE REQUIREMENTS**

List topics and specifically the action to be taken concerning each topic in such a form as to reasonably apprise the public and the news media thereof.

- Date
- Time
- Place
- Subject matter
- Subject matter intended for consideration at a closed session
- WI State Statute exemption under which the specific closed session is authorized
- Americans with Disabilities Act information

### **CONDUCTING CLOSED SESSIONS**

- When a closed session is contemplated, notice must contain the subject matter to be considered in closed session. The notice must also contain the specific nature of the business, as well as the statutory exemption under which a closed session is authorized.
- Every meeting of a governmental body must initially be convened in open session.
- To convene in closed session, upon motion to do so, the presiding officer must announce in open session the nature of the business to be discussed and the specific statutory exemption which is claimed to authorize the closed session. The meeting body is required to pass a motion to convene in closed session by a majority vote and the motion and vote of each member shall be recorded
- The meeting body may not commence a meeting, subsequently convene in closed session and thereafter reconvene again in open session within twelve hours after completion of the closed session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session.
- Motions and decisions must be recorded. Motions and votes should be in open session, unless doing so would compromise the need for the closed session.
- Discussion in closed session must be limited to the business specified in the announcement.

## **19.85 EXEMPTIONS. (WIS. STATS.,)**

(1) Any meeting of a governmental body, upon motion duly made and carried, may be convened in closed session under one or more of the exemptions provided in this section. The motion shall be carried by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes. No motion to convene in closed session may be adopted unless the chief presiding officer announces to those present at the meeting at which such motion is made, the nature of the business to be considered at such closed session, and the specific exemption or exemptions under this subsection by which such closed session is claimed to be authorized. Such announcement shall become part of the record of the meeting. No business may be taken up at any closed session except that which relates to matters contained in the chief presiding officer's announcement of the closed session. A closed session may be held for any of the following purposes:

(a) Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body.

(b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. This paragraph and par. (f) do not apply to any such evidentiary hearing or meeting where the employee or person licensed requests that an open session be held.

(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

(d) Except as provided in s. 304.06(1)(eg) and by rule promulgated under s. 304.06(1)(em), considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention.

(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

(ee) Deliberating by the council on unemployment insurance in a meeting at which all employer members of the council or all employee members of the council are excluded.

(eg) Deliberating by the council on worker's compensation in a meeting at which all employer members of the council or all employee members of the council are excluded.

(em) Deliberating, under s. 157.70 if the location of a burial site, as defined in s. 157.70(1)(b), is a subject of the deliberation and if discussing the location in public would be likely to result in disturbance of the burial site.

(f) Considering financial, medical, social or personal histories or disciplinary data of specific

persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

(h) Consideration of requests for confidential written advice from the ethics board under s. 19.46(2), or from any county or municipal ethics board under s. 19.59(5).

(2) No governmental body may commence a meeting, subsequently convene in closed session and thereafter reconvene again in open session within 12 hours after completion of the closed session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session.

# AGENDA FORMAT

**VERIFY ALL CLOSED SESSION ITEMS WITH CORPORATION COUNSEL BEFORE PUBLICATION**

DATE →  
 TIME →  
 PLACE →

Specify Date of Minutes →  
 Specify Issue and Action →

Reference & Include Proper Statutory Exception →

Allows Committees to Discuss Items Out of Order if Necessary →

List the Members of the Committee and the Required Recipients of all Agendas. →

Required on all Agendas Pursuant to the ADA →



## AGENDA

### EXECUTIVE COMMITTEE

Friday, January 20, 2006  
 1:00 p.m.  
 Jury Assembly Room  
 Lower Level, Courthouse Annex

1. Call to order
2. Approve/amend agenda
3. Approve/amend minutes of January 14, 2005
4. Discuss/consider Section 2.08 (5) (d) Duties of Committees – relating to ratification of agreements by the County Board absent specific committee authority to act otherwise, action if any,
5. Discuss/consider BAMC recommendation to re-appoint Jeff Zeratsky to the BAMC Board of Directors, action if any
6. Discuss/consider number of County Board meetings, action if any
7. Discuss/consider size of committees and possible mergers, action if any
8. Discuss/consider ordinance amending Supervisory districts due to annexations, action if any
9. Closed session per Wisconsin Statute 19.85 (1) (c) considering compensation and performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; to wit: County Administrator
10. Open session per Wisconsin Statute 19.85 (2), action if any
11. Schedule next meeting date
12. Adjourn

**Note:** Agenda items may not be considered and acted upon in the order listed.

#### List the Members of the Committee

County Board Chairperson	County Clerk (2)
County Administrator	Media (3)
Corporation Counsel	Posting

If you are an individual who needs a special accommodation while attending the meeting as required by the “Americans with Disabilities Act”, please notify the County Clerk, Marinette County Courthouse (715-732-7406) at least 24 hours prior to the meeting in order to make suitable arrangements. Thank you. (TDD 715-732-7760)

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1926 Hall Avenue, Marinette, WI 54143-1717

# AGENDA ADDENDUM FORMAT



## ADDENDUM

### AGENDA

#### EXECUTIVE COMMITTEE

Friday, January 20, 2006

1:00 p.m.

Jury Assembly Room

Lower Level, Courthouse Annex

List New Item →  
Renumber Adjourn  
to be Last Item Listed →

12. Discuss/consider Public Comment at board meetings with identification of speakers noted in County Board minutes, action if any
13. Adjourn

**Note:** Agenda items may not be considered and acted upon in the order listed.

List the Members of  
the Committee and the  
Required Recipients of  
all Agendas. →

List the Members of the Committee

County Board Chairperson  
County Administrator  
Corporation Counsel

County Clerk (2)  
Media (3)  
Posting

If you are an individual who needs a special accommodation while attending the meeting as required by the "Americans with Disabilities Act", please notify the County Clerk, Marinette County Courthouse (715-732-7406) at least 24 hours prior to the meeting in order to make suitable arrangements. Thank you. (TDD 715-732-7760)

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1926 Hall Avenue, Marinette, WI 54143-1717

## PUBLIC MEETING NOTICE



### NOTICE

### PUBLIC MEETING

Monday, February 11, 2006

1:20 p.m.

St. Mary's Parish Hall, Crivitz WI

This meeting is for informational purposes only and the discussion will focus on Governor James Doyle's balanced budget proposal. Representatives John Gard/Jeff Mursau and Senators Roger Breske/Dave Hansen, as well as officials of Marinette County municipalities are invited to discuss the budget impact on local government.

A majority of the members of the County Board of Supervisors, or of any of its committees, may be present at this meeting to listen, observe and participate. If a majority of any such body is present, their presence constitutes a Meeting under the Open Meeting Law even though no action will be taken at this meeting by County Board member.

If you are an individual who needs a special accommodation while attending the meeting as required by the "Americans with Disabilities Act", please notify the County Clerk, Marinette County Courthouse (715-732-7406) at least 24 hours prior to the meeting in order to make suitable arrangements. Thank you. (TDD 715-732-7760)

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1926 Hall Avenue, Marinette, WI 54143-1717

## CONTENTS OF MINUTES

- The purpose of minutes is to provide an accurate record that a meeting was held and of the proceedings of that meeting.
- Important documentation includes identifying the specific body, the members in attendance, where, when and why they met. If a member is absent, the recorder may list the reason for the absence.
- Minutes should reveal what was done, not what was said. This includes the subject matter that was announced, reported, discussed, ordered, what commitments were made or discharged, and what was decided.
- In recording announcements, identify the person making the announcement and express the announcement in one sentence.
- The minutes do not have to be overly detailed but shall be an intelligible synopsis of the essential elements of the official action taken by a local governing body including the subject of a motion, the persons making and seconding the motion, and the roll call vote on the motion.
- When a governmental body is sitting in a quasi-judicial capacity and making a decision based on evidence presented to the body, the minutes should reflect the basis for the body's decision.
- Prepare the minutes in outline form with each category as a general heading and the specifics listed underneath as subordinate entries. Use underlining or bold face type to emphasize significant actions only.
- Keep the minutes brief. Combine sentences whenever possible. Avoid including pictures, unusual typeface, color, and unnecessary adjectives.
- Keep the minutes in chronological order unless there was a time specific item. Include that item at the required time and then return to chronological order.
- Be sure to record the exact wording of a motion before the vote is taken. If necessary, interrupt the meeting for clarity. Motions must be specific.
- If a motion is to be forwarded to another Committee or the County Board for action, indicate that action in the minutes.
- Find a brief way to express such frequent actions as motions made, seconded, etc.  
**MOTION** (Smith/Brown)
- Whenever a vote is counted, the minutes must show the distribution, as in Motion carried, 4-3.
- When a vote is taken by roll call, the minutes must show how each person voted.
- When votes are taken by ballot, the count must be in the minutes and the ballots must be kept until the minutes are approved.
- Negative votes should always be called for and recorded.
- Do not report an outcome as unanimous unless there is a specific record as to how each person voted. A more accurate expression is motion carried without negative vote or motion failed without positive vote.
- If motions are tabled, report how long the matter is to be tabled and the person designated to follow-up and bring requested information back to the committee.
- Include the time of adjournment in the minutes.
- Minutes are considered draft until the minutes have been approved at a properly convened meeting of the governmental body. The minutes become public record after approval.
- The County Clerk will record the approval date on the committee minutes. Notify the County Clerk if the minutes have been corrected.

- The governmental body approves minutes as correct or incorrect. If an individual member disagrees with an item recorded in the minutes, the body must agree by majority vote before the minutes may be changed and approved.
- If the minute taker is instructed to change the minutes in a way he/she feels is incorrect or does not fairly reflect what transpired, the recorder has the responsibility to state to the entire governmental body that he/she was instructed to change the minutes and why he/she feels it was not an accurate correction. If the entire governmental body insists the minutes are to be corrected in this way, the recorder must change them but can choose to prepare and insert in the minute book a statement indicating his/her reasons for disagreeing with the minutes approved by the governing body. Such a note would not, however, be part of the official minutes.
- The recorder of the minutes must submit the minutes to the governmental body.
- Written reports need not be included in the minutes. They may be attached to the minutes or may specify that the report is on file in a departmental office.

### **CLOSED SESSION**

- A motion to go into closed session must be carried by a majority vote of the governmental body and the vote of each member must be recorded in the minutes. The chief presiding officer announces to those present at the meeting that a motion is made, the nature of the business to be considered and the specific exemption or exemptions authorizing the closed session. The announcement must be part of the record of the meeting.
- Record those present for the closed session, the topic discussed, the time entered into the closed session, the roll call vote to return to open session and the time the governmental body reconvened in open session. Once the closed session roll call, the topic to be discussed and the time entered into the closed session is recorded, the minute recorder must leave the closed session unless the minute recorder is a member of the governmental body that is meeting. The body shall designate a member to record any action taken.
- Any substantive actions taken in closed session such as motions, seconds, or votes must be recorded to the same extent as in open session.
- Substantive action in closed session is only appropriate if the action is an integral part of the discussion and voting in open session would undermine the purpose for moving into closed session in the first place.
- If the body does not act in closed session, the minutes from the closed session should simply note that there was a motion, a second, a vote to go back into open session and that no action was taken.

# MINUTES FORMAT

WHO  
WHEN  
WHERE →

Committee Members  
and Others in  
Attendance  
or Absent →

Numbered Items  
Outline Format →



## MINUTES

### EXECUTIVE COMMITTEE

Friday, January 20, 2006  
Jury Assembly Room  
Lower Level, Courthouse Annex

**Members Present:** Supervisors George Bousley, Ken Casper, Kathy Just, Ken Keller, Florence Magnuson, Jerry Martens, Shirley Prudhomme, Ted Sauve, Ken Swenson, Bill Walker and Cheryl Wruk

**Members Excused:** Supervisor Dick Kotecki

**Members Absent:** None

**Others Present:** County Clerk Kathy Brandt, County Administrator Steve Corbeille, Corporation Counsel Gale Mattison, and Peshtigo Times

#### 1. Call to Order

Chair Bousley called the meeting to order at 1:05 p.m.

#### 2. Agenda

**MOTION** (Magnuson/Swenson) to approve the agenda. Motion carried, No Negative Vote.

#### 3. Minutes

**MOTION** (Walker/Casper) to approve the minutes of January 14, 2005. Motion carried, No Negative Vote.

#### 4. County Board Ratification of Agreements

**MOTION** (Martens/Keller) to recommend to the County Board an ordinance reflecting the following language change to Section 2.08 (5) (d) Duties of Committees – relating to ratification of agreements by the County Board absent specific committee authority to act otherwise. Motion carried, No Negative Vote.

All agreements to which the County is a party shall be submitted to the appropriate Committee of Jurisdiction prior to signing. Absent specific Committee authority as set forth in duties of committees, agreements that bind the County for amounts greater than \$15,000.00 total or greater than \$15,000.00 annually shall be forwarded to the full County Board for approval. Prior to entering into agreements that bind the County in a manner not requiring compensation on behalf of the County or agreements that potentially create County liability, such agreements shall be submitted to the appropriate Committee of Jurisdiction and forwarded to the County Board for approval.

#### 5. BAMC Board of Directors – Jeff Zeratsky

**MOTION** (Swenson/Casper) to recommend to the County Board reappointment of Jeff Zeratsky to a third 4-year term, expiring January 31, 1020, of the Bay Area Medical Center Board of Directors. Motion carried, No Negative Vote.

**6. Number of County Board Meetings**

**MOTION** (Just/Sauve) to retain the current County Board Meeting schedule of one per month. Motion carried, No Negative Vote.

**7. Consider Size/Mergers of Committees**

**MOTION** (Casper/Walker) to have the County Administrator to provide information on the size and structure of committees of other counties at the March meeting. Motion carried, No Negative Vote.

**8. Amending Supervisors Districts Due to Annexations**

**MOTION** (Swenson/Prudhomme) to recommend to the County Board an ordinance amending the General Code, Chapter 2 2.04 County Supervisory District boundaries to recognize annexations. Motion carried, No Negative Vote.

**9. Closed Session**

**MOTION** (Martens/Sauve) to enter closed session at 2:15 p.m. per Wisconsin Statute 1985 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; to wit: Performance Evaluation of County Administrator

Roll Call Vote: All committee members voting yes

Present: Committee members and County Administrator

**10. Open Session**

**MOTION** (Sauve/Keller) to enter open session per Wisconsin Statute 19.85 (2) at 4:56 p.m. Motion carried, No Negative Vote.

**MOTION** (Swenson/Casper) to recommend to the County Board a 2% cost of living adjustment for 2006 for the County Administrator and approval of contract revisions as indicated. Exhibit A. Motion carried, No Negative Vote.

**11. Schedule Next Meeting Date**

The next meeting date is scheduled for Friday, March 17, 2006, 1:00 p.m.

**12. Public Comment**

**MOTION** (Prudhomme/Casper) to recommend to the County Board creation of a document to record name, address, resident/non-resident status, property owner/non-property owner status, telephone number, topic, and for or against position, for Public Comment Speakers. Motion carried, No Negative Vote.

**13. Adjourn**

**MOTION** (Prudhomme/Martens) to adjourn at 4:58 p.m. Motion carried, No Negative Vote.

Kathy Brandt  
County Clerk

Date Approved or Corrected:

Reference State  
Statutes & Proper  
Statutory  
Exemption →  
Include Time Entered  
into Closed Session  
& Time Returned to  
Open Session →

Include Adjourn  
Time →

Recorder, Name  
& Title →

Completed by  
County Clerk →

## **RESOLUTIONS, ORDINANCES AND MOTIONS**

- A resolution is a formal expression of opinion, will or intent of an official body. A resolution is not a law but a form in which the body expresses an opinion.
- An ordinance is a rule established by authority. An ordinance designates a local law of a municipal corporation, duly enacted by the proper authorities, prescribing general, uniform and permanent rules of conduct. It is a law of the County, potentially punishable by forfeiture and in effect until amended or deleted by the County Board.
- The primary distinction between an ordinance and a resolution is that an ordinance is a law intended to permanently direct and control matters applying to persons or things in general. A resolution is an expression of an opinion as to some matter or thing and is only to have a temporary effect on such particular matter or thing.
- Ordinances and resolutions should be submitted to the Corporation Counsel for approval prior to submission to the Committee and the County Board.
- A motion is a formal proposal for consideration and action.

## **FISCAL NOTES ON RESOLUTIONS AND ORDINANCES**

- Every resolution or ordinance shall incorporate a reliable estimate of the fiscal effect or absence thereof. The fiscal note shall include an estimate of the anticipated changes in current county fiscal year liability and projected fiscal liability in future years. The fiscal note shall state "no fiscal impact" or "unknown" if applicable.
- Every resolution or ordinance shall be submitted to Finance Department for fiscal impact prior to submission to committee and County Board.

## **RESOLUTION AND ORDINANCE PROCEDURE**

- Department Head or Committee prepares the resolution or ordinance.
- Department Head submits the resolution or ordinance to Corporation Counsel for review.
- Corporation Counsel reviews and returns the resolution or ordinance to department head.
- Department Head submits resolution or ordinance to Finance Department for fiscal impact.
- Finance Department returns resolution or ordinance to department head with fiscal impact estimate.
- Resolution or ordinance is presented and acted upon in Committee.
- Resolution or ordinance and fiscal impact statement is e-mailed to County Clerk by the department head for inclusion in the County Board packet.

# RESOLUTION FORMAT

Numbered by  
County Clerk



RESOLUTION No. \_\_\_\_\_

SUPPORTING WISCONSIN'S TAX STRUCTURE REFORM

WHEREAS, the Marinette County Board of Supervisors recognizes taxes are an important issue for residents and owners of property within the State of Wisconsin; and,

"WHEREAS" →

WHEREAS, the Marinette County Board of Supervisors is concerned that there are multiple taxes imposed on Wisconsin businesses and residents; and,

WHEREAS, the Marinette County Board of Supervisors understands there are many factors business and persons consider when locating businesses and homes in Wisconsin; and,

WHEREAS, the Marinette County Board of Supervisors acknowledges the state has formed commissions and study groups throughout the years to address taxation issues; and,

WHEREAS, the Marinette County Board of Supervisors believes the property tax system through exemptions from the State of Wisconsin has become punitive to homeowners; and,

WHEREAS, the Marinette County Board of Supervisors is aware other states and European governments have evaluated and changed their tax structure to include new concepts such as "Value added" taxes.

Resolution →

THEREFORE, BE IT RESOLVED that the Marinette County Board of Supervisors supports and requests the Governor and Legislature to work on a reform of the Wisconsin tax structure with the goal of reducing property taxes and providing business incentives.

BE IT FURTHER RESOLVED that the Marinette County Board of Supervisors encourages this process be conducted in a cooperative and positive work environment, with the State of Wisconsin embracing the leadership role for all Wisconsin residents and business.

If Directing the  
County Clerk to  
Forward Copies →

BE IT FURTHER RESOLVED that the County Clerk is directed to forward copies of this resolution to Governor James E. Doyle, Senators Roger Breske and Dave Hansen, Representatives Jeff Mursau and John Gard, and the Wisconsin Counties Association.

Date of Enactment →

Herby granted this 28<sup>th</sup> day of March, 2006 by a majority of a quorum of the Marinette County Board of Supervisors.

Signature of County Board  
Chairperson and  
County Clerk →

\_\_\_\_\_  
County Board Chairperson

\_\_\_\_\_  
County Clerk

Recommending  
Committee Name & Date →

Recommended - Economic Development, March 28, 2006

# CREATING AN ORDINANCE FORMAT

Numbered by  
County Clerk →

## ORDINANCE \_\_\_\_\_

### CREATING SECTION 3.08 OF THE MARINETTE COUNTY CODE OF ORDINANCES “COUNTY SALES AND USE TAX”

The County Board of Supervisors of the County of Marinette does ordain as follows:

Section One: Section 3.08 of the Marinette County Code of Ordinances, entitled, “County Sales and Use Tax” is created to read as follows:

Actual Ordinance →

#### **3.08 COUNTY SALES AND USE TAX**

- (1) Purpose.  
This ordinance is enacted under authority of Subchapter V of Chapter 77, Wisconsin Stats., and the county sales and use tax imposed herein shall be used to reduce the annual property tax levy of Marinette County by paying the annual debt service obligation levy.
- (2) Imposition of Tax.  
There is hereby imposed a county sales and use tax at the rate of 0.5 percent in the manner and to the extent permitted as set forth in Subchapter V of Chapter 77, Wisconsin Stats., and acts amendatory thereto.
- (3) Effective Date.  
The county sales and use tax established by this ordinance shall become effective the first day of October 2001.
- (4) Repeal.  
This Ordinance is subject to repeal by County Board action by delivery of a certified copy of a repeal ordinance to the Wisconsin Department of Revenue at least 60 days before the effective date of repeal, which for all counties is December 31.
- (5) Sunset Provision.  
In the absence of repeal at any earlier date, this ordinance shall expire and be repealed December 31, 2021, such year being the final year of current long-term debt services levies.
- (6) Notification.  
A certified copy of this ordinance shall be delivered to the Secretary of Revenue of the State of Wisconsin no later than May 31, 2001.
- (7) Sales and Use Tax Account.  
The Marinette County Finance Department shall forthwith include in the Marinette County accounting system an account, to be known as “County Sales and Use Tax Revenue”, and shall reduce the amount of property tax levy, in the manner as specified in this Ordinance paragraph (1) Purpose, by all actual and anticipated proceeds of the sales tax herein established beginning with the 2002 budgetary year and that any and all county sales tax receipts collected for the balance of 2001 shall be designated for application to the 2002 property tax levy in the manner as specified in this Ordinance paragraph (1) Purpose.

Section Two: This ordinance shall be effective immediately upon passage and publication.

Date Adopted →

ADOPTED: May 22, 2001.

Signature of County  
Board Chairperson →

\_\_\_\_\_  
County Board Chairperson

Signature of County  
Clerk →

\_\_\_\_\_  
County Clerk

# AMENDING AN ORDINANCE FORMAT

Numbered by  
County Clerk →

## ORDINANCE \_\_\_\_\_

### AMENDING PARKS SECTION 16.07(31) OF THE MARINETTE COUNTY CODE OF ORDINANCES

The County Board of Supervisors of the County of Marinette does ordain as follows:

Section One: Section 16.07(31) of the Marinette County Code of Ordinances is repealed and recreated to read:

#### 16.07(31) SPECIAL EVENTS RECREATIONAL USE POLICY:

Include Original  
Ordinance  
Information  
and Changes →

(a) ~~Spectator-Oriented or Motorized Vehicle~~ Events ~~not Authorized~~~~not Authorized~~: The County shall ~~not~~~~shall not~~ may authorize events in County parks ~~which~~~~which~~ that are spectator-oriented or involve motorized vehicles under special circumstances. ~~Existing~~ ~~Existing~~ Spectator-oriented or motorized vehicle events currently in existence in County parks ~~which do not~~~~which do not meet this condition~~ meet this condition shall be “grandfathered” as long as ~~they~~~~they~~ any specific event continues to exist for each consecutive event season.

(b) Participatory, Non-Motorized Events ~~Authorized~~~~Authorized~~: The County may authorize user participatory, non-motorized competitive events in County parks.

These Include:

1. Cross Country ski races.
2. Cross country runs and marathons, both club and school sponsored.
3. Horse enduros.
4. Snowshoe races.
5. Walk-a-thons.
6. Bike-a-thons.
7. Other activities that are participatory rather than spectator-oriented.

(c) Events – Permit Procedure: The committee may authorize ~~user-participatory type competitive~~ participatory type competitive events in County parks by written permit. Any such permit shall be revocable for cause by the Committee. The Committee may establish and charge fees for special use permits.

Date Adopted →

Section Two: This ordinance shall be effective immediately upon passage and publication.

Signature of Co Brd  
Chairperson →

ADOPTED: April 17, 2001.

Signature of County  
Clerk →

\_\_\_\_\_  
County Board Chairperson

**FINANCE DEPARTMENT FISCAL IMPACT STATEMENT FORM**

**MARINETTE COUNTY FINANCE DEPARTMENT  
Fiscal Impact Statement**

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**Number** \_\_\_\_\_

**Title of Proposed Legislation:**

**Ordinance**

**Resolution**

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**Fiscal Impact Statement:**

\_\_\_\_\_  
**Finance Director**

**Date** \_\_\_\_\_