

HUMAN RESOURCES AND LABOR NEGOTIATIONS COMMITTEE

HR COMMITTEE MEMBERS PRESENT: Marsik, Greshay, Sheahan-Malloy, Hilbert and Schmidt

Minutes of the regular meeting of the Human Resources and Labor Negotiations Committee of the Dodge County Board of Supervisors held on Tuesday, June 18, 2019 at 9:30 a.m. in meeting room 4C located on the fourth floor of the Administration Building.

ALSO PRESENT: Sarah Hinze, Human Resources Director; James Mielke, County Administrator; Tonia Mindemann, Assistant Human Resources Director; Megan Firari, Human Resources Specialist; Rebecca Bell, Human Services and Health Director; Russell Freber, Physical Facilities Director; Kim Nass, Corporation Counsel; Cathy Houchin, County Board Supervisor.

Meeting called to order by Marsik at 9:30 a.m.

Roll call was taken. All members present.

Non-Committee Member County Board Supervisor, Cathy Houchin was in attendance and accepted payment.

Marsik asked if anyone present had any public comments. There were none.

Motion by Greshay to approve the regular session minutes of the June 4, 2019 meeting of the Human Resources and Labor Negotiations Committee and the joint minutes of the June 4, 2019 meeting with the Finance Committee. Second by Hilbert. Motion carried by unanimous vote.

Bell explained the request for the Elder/Disability Benefit Specialist I, II, or III position. Hinze indicated that a Job Description Questionnaire (JDQ) and job description for the Elder/Disability Benefit Specialist I, II, or III were completed and sent to Carlson Dettmann for consideration resulting in the recommendation of placement on the Dodge County Compensation Plan: Level I at Grade Five (5), Level II at Six (6), and Level III Seven (7), respectively.

Motion by Sheahan-Malloy to approve placement of the Elder/Disability Benefit Specialist I, II, or III position into the Dodge County Compensation Plan at Grade Five (5), Six (6), and Seven (7), respectively. Second by Greshay. Motion carried by unanimous vote.

The Committee reviewed the Personnel Requisitions. Mielke recommended approval of these requests.

One (1) Community Education Coordinator L.T.E.

Human Services

Motion by Greshay to approve the Personnel Requisition as presented. Second by Schmidt. Motion carried by unanimous vote.

Hinze presented a request for sick leave donations for a Clerk of Courts employee who has submitted a leave request for July 25, 2019-August 25, 2019. Hinze explained that the employee must use all available time off first.

Motion by Greshay to approve the request for sick leave donations under the current guidelines and by doing so does not establish a practice or precedent. Second by Hilbert. Motion carried by unanimous vote.

Hinze presented a resolution for consideration to extend the Post Employment Health Plan (PEHP) through December 31, 2022. Hinze inquired if the Committee would like any specific information to provide in the packet to the County Board Supervisors. Discussion took place regarding the timing of the resolution and additional information.

Motion by Schmidt to accept the resolution to extend the Post Employment Health Plan (PEHP) through December 31, 2022 for consideration by the County Board of Supervisors. Second by Greshay. Motion carried by unanimous vote. All members signed the resolution.

Hinze provided a draft of the Performance Evaluation Form for 2020 stating that the revised form is an effort to streamline, remove redundancies, and make it less complicated to complete. Hinze reviewed the changes and asked for suggestions; there were no suggestions. Hinze stated that after reviewing with Management Council she would bring the final draft to the next Committee meeting.

Hinze provided a report regarding 2019 funding of the Health Savings Account (HSA) for active employees including funding options for 2020-2022. There was discussion regarding the HSA options.

Motion by Sheahan-Malloy to establish funding for the employee Health Savings Account for eligible, active employees as \$1000 for single coverage and \$2000 for family coverage for full-time employees (prorated for part-time employees) based on eligibility as of the first of each year with distribution of the funds as follows: 2020 - Quarterly; 2021 – Monthly; 2022 – Biweekly. Employees eligible after the first of the year will receive only the biweekly distribution amount. Second by Hilbert. Motion carried by vote of 4-1 with Greshay opposing.

Mindemann presented a 2018 Worker's Compensation Claims Report and answered questions. Hinze explained how the worker's compensation claims are funded.

Hinze provided and read the Wisconsin State Statue regarding whistleblowers. Hinze stated she polled other counties and municipalities and only one county responded as having a separate whistleblower policy; the other respondents indicated they follow the State law, which Dodge County has under the Harassment Policy. It was the consensus of the Committee to review and include as a future agenda item.

Mindemann presented an unpaid General Leave of Absence request from 05/13/2019 through 05/24/2019 for consideration for an employee of the Highway Department to assist with an ill family member out of state. Mindemann indicated that the employee and the relationship did not qualify for State or Federal Family and Medical Leave and no medical documentation was provided.

Motion by Greshay to approve the unpaid General Leave of Absence as presented and by doing so does not establish a practice or precedent. Second by Hilbert. Motion carried by unanimous vote.

Mindemann presented an unpaid intermitted General Leave of Absence request from 06/10/2019 through 12/07/2019 for up to eight (8) hours per week for consideration for an employee of the Human Services and Health Department who has exhausted all other available leave. Mindemann stated that supporting medical documentation has been received.

Motion by Greshay to approve the unpaid intermittent General Leave of Absence as presented and by doing so does not establish a practice or precedent. Second by Schmidt. Motion carried by unanimous vote.

The Committee reviewed the Salary, Wage, and Status changes as presented.

STEP INCREASE – UNION – None. NEW HIRE – UNION – None. RECLASSIFICATION – UNION – None. APPOINTED OFFICIAL - None. NEW HIRE – Kelly J. Swan, Financial Assistant – L.T.E., Child Support, \$23.06, MSC06, ST01, 06/06/2019; Lisa M. Glaznap, Account Technician, Highway, \$21.87, DC05, ST03, 06/17/2019; Morgan A. Leistekow, ADR Specialist I, Human Services, \$20.75, DC05, ST01, 06/24/2019; Katie Maly, Customer Service Support Specialist, Human Services, \$14.30, DC02, ST01, 06/03/2019; Hannah M. Rohlinger, Customer Serv. Supp. Spec. – Aging , Human Services, \$14.30, DC02, ST01, 06/20/2019; Summer Alvarado, Transportation Driver, Human Services, \$12.65, MSC17, ST01, 06/24/2019; William E. Benedon, Transportation Driver, Human Services, \$12.65, MSC17, ST01, 06/17/2019; Ryan Schneider, Transport Officer Occasional, Sheriff, \$19.00, MSC37, ST01, 06/17/2019. LIMITED TERM/SEASONAL NEW HIRE – Jamie R. Addison, Imaging Technician Intern, LR&P, \$10.00, MSC19, ST N/A, 06/03/2019; Brady Rouse, Park Caretaker Ledge Park, LR&P, \$12.25, PKC06, ST/YR01, 05/30/2019; Zachary W. Weiher, GIS Intern, LR&P, \$12.00, MSC19, ST01YR01, 05/29/2019. LIMITED TERM/SEASONAL RE-HIRE - None. REHIRE – None. RECLASSIFICATION – Beverly L. Behm, Customer Serv. Supp. Spec. – Admn. Human Services, \$17.77, DC02, ST05, 06/20/2019. WAGE INCREASES – None.

The Committee reviewed the Orientation Period Reports as presented.

HR Director's Report:

- a) Summary of Employee Resignations/Retirements: Hinze and Firari presented a summary of recent employee resignations and terminations.
- b) Hinze stated there are no new updates regarding the employee grievance stating that the lawyers are continuing discussions.
- c) Hinze stated that Dodge County labor attorney, Kyle Gulya, will be present for the July 2nd Committee meeting to begin discussions and to answer questions regarding upcoming negotiations with Dodge County Sworn Union Local 120.

Closed Session:

Roll call vote was taken.

Motion by Greshay, second by Schmidt to convene in Closed Session. Before voting on the motion, Chairperson Marsik announced to all present that for the purpose of discussing the performance of a specific department personnel; considering, financial, medical, social or personal histories or disciplinary data of specific persons; preliminary consideration of specific personnel problems 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, specifically, to review and discuss the role of Human Resources Department or other department managers in an employee's performance evaluation process. The meeting was closed pursuant to Section 19.85(1)(f) of the Wisconsin Statutes. Motion carried by unanimous vote of all members present at 11:19 a.m.

Open Session:

Motion by Greshay, second by Hilbert to reconvene in open session. A roll call vote was taken. Motion carried by unanimous vote of all members present at 12:34 p.m.

Future Agenda Items: Performance Evaluation Form, Whistleblower, Paid Time Off, Request For Proposal (RFP) for Compensation Study, RFP for Employee Assistance Program, Evaluation guidelines, and Financing Post Employment Health Plan.

It was the consensus of the Committee to schedule the next meetings of the Human Resources and Labor Negotiations Committee as follows: **Tuesday, July 2, 2019 at 9:30 a. m. and Tuesday, July 16, 2019 at 9:30 a.m.** which will be held in room 4C of the Administration Building.

Meeting adjourned by order of the Chairperson at 12:37 p.m.

Richard Greshay, Secretary

Joseph Marsik, Chairperson

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HUMAN RESOURCES AND LABOR NEGOTIATIONS COMMITTEE

Minutes of Closed Session of the Human Resources and Labor Negotiations Committee of the Dodge County Board of Supervisors on Tuesday, June 18, 2019 at 9:30 a.m. in meeting room 4C located on the fourth floor of the Administration Building.

MEMBERS PRESENT: Marsik, Sheahan-Malloy, Hilbert, Greshay, and Schmidt

MEMBERS EXCUSED: None.

ALSO PRESENT: James Mielke, County Administrator; Sarah Hinze, Human Resources Director; Tonia Mindemann, Assistant Human Resources Director.

Roll call vote was taken.

Motion by Greshay, second by Schmidt to convene in Closed Session. Before voting on the motion, Chairperson Marsik announced to all present that for the purpose of discussing the performance of a specific department personnel; considering, financial, medical, social or personal histories or disciplinary data of specific persons; preliminary consideration of specific personnel problems 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, specifically, to review and discuss the role of Human Resources Department or other department managers in an employee's performance evaluation process. The meeting was closed pursuant to Section 19.85(1)(f) of the Wisconsin Statutes. Motion carried by unanimous vote of all members present at 11:19 a.m.

There was discussion regarding an employee performance evaluation and performance evaluation processes and responsibilities.

Motion by Greshay, second by Hilbert to reconvene in open session. A roll call vote was taken. Motion carried by unanimous vote of all members present at 12:34 p.m.

Richard Greshay, Secretary

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appointment to the board for confirmation. No prior appointee may serve longer than 6 months after the term for which he or she was appointed and confirmed expires, unless reappointed and reconfirmed. The term of each appointment is 4 years or less. The county executive shall comply with hiring policies set by the board when making appointments under subd. 1.

(br) In any county with a population of less than 750,000, appoint and supervise the heads of all county departments except those elected by the people and except where the statutes provide that the appointment shall be made by other elected officers. Notwithstanding any statutory provision that a board or commission or the county board or county board chairperson appoint a department head, except s. 17.21, the county executive shall appoint and supervise the department head. Notwithstanding any statutory provision that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. An appointment by the county executive under this subsection requires the confirmation of the board unless the board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63. Any department head appointed by a county executive under this subsection may be removed at the pleasure of the county executive unless the department head is appointed under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63.

(c) Appoint the members of all boards and commissions where appointments are required and where the statutes provide that the appointments are made by the county board or by the chairperson of the county board. All appointments to boards and commissions by the county executive are subject to confirmation by the county board.

(3) ADMINISTRATIVE SECRETARIES TO COUNTY EXECUTIVE; STAFF. The county executive may appoint administrative secretaries using hiring procedures which shall be exempt from county civil service competitive examination procedures and such additional staff assistants as the board provides.

(4) COMPENSATION OF COUNTY EXECUTIVE, DEPUTY, AND STAFF ASSISTANTS. The board shall fix the compensation of the county executive, the county executive's administrative secretary and the county executive's staff assistants, provided that the salary of the county executive shall be established at least 90 days prior to any election held to fill the office.

(5) MESSAGE TO THE BOARD; SUBMISSION OF ANNUAL BUDGET. The county executive shall annually, and otherwise as may be necessary, communicate to the board the condition of the county, and shall recommend such matters to the board for its consideration as he or she considers expedient. Notwithstanding any other provision of the law, he or she shall be responsible for the submission of the annual budget to the board and may exercise the power to veto any increases or decreases in the budget under sub. (6).

(6) COUNTY EXECUTIVE TO APPROVE OR VETO RESOLUTIONS OR ORDINANCES; PROCEEDINGS ON VETO. Every resolution adopted or ordinance enacted by the board shall, before it becomes effective, be presented to the county executive. If the county executive approves, the county executive shall sign it; if not, the county executive shall return it with his or her objections, which objections shall be entered at large upon the journal and the board shall proceed to reconsider the matter. Appropriations may be approved in whole or in part by the county executive and the part approved shall become law, and the part objected to shall be returned in the same manner as provided for in other resolutions or ordinances. If, after such reconsideration, two-thirds of the members-elect of the board agree to adopt the resolution or enact the ordinance or the part of the resolution or ordinance objected to, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. In all such cases, the votes of the members of the board shall be determined

by ayes and nays and the names of the members voting for or against the resolution or ordinance or the part thereof objected to shall be entered on the journal. If any resolution or ordinance is not returned by the county executive to the board at its first meeting occurring not less than 6 days, Sundays excepted, after it has been presented to the county executive, it shall become effective unless the board has recessed or adjourned for a period in excess of 60 days, in which case it shall not be effective without the county executive's approval.

(7) REMOVAL FROM OFFICE; VACANCY, HOW FILLED. The county executive may be removed from office by the governor for cause under s. 17.16. A vacancy in the office of county executive shall be filled temporarily, within 30 days of the date of the vacancy, by appointment by the chairperson of the board, subject to confirmation by the board, from among electors of the county. Within 7 days following the occurrence of the vacancy, the clerk shall order a special election to be held under s. 8.50 to fill the vacancy. If the vacancy occurs after October 31 but not later than 49 days before the day of the spring primary, the special election shall be held concurrently with the spring primary and election.

(8) SUCCESSION IN OFFICE. (a) In the event of the inability of the county executive to serve because of mental or physical disease, the powers and duties of the office shall devolve upon the chairperson of the board until such time as the disability shall cease.

(b) In the event that a vacancy in the office of county executive occurs, the chairperson of the board shall immediately succeed to the office and assume the duties and responsibilities thereof until the board has confirmed an appointment to the office under sub. (7).

History: 1975 c. 264; 1977 c. 257, 259; 1979 c. 260; 1981 c. 217, 314, 329; 1981 c. 391 s. 210; 1983 a. 148; 1983 a. 192 ss. 116, 303 (2); 1983 a. 239, 484; 1985 a. 29 ss. 1150 to 1158, 1160, 3200 (56), 3202 (56); 1985 a. 135 s. 85; 1985 a. 176; 1989 a. 273; 1991 a. 269, 274, 316; 1995 a. 16 s. 2; 1995 a. 201 s. 101; Stats. 1995 s. 59.17; 2013 a. 14; 2015 a. 55; 2017 a. 207 s. 5.

A county executive's partial-veto power is similar to the governor's power. 73 Atty. Gen. 92.

The powers of an elected county executive are discussed. 77 Atty. Gen. 113.

A county board may adopt an ordinance creating the office of county executive and make the ordinance contingent upon approval in a countywide referendum. The office of county executive is created at the time the results of the referendum become final. The first election for the office occurs at least 120 days after the creation becomes effective. The county executive takes office on the 3rd Tuesday in April of the election year. 78 Atty. Gen. 227.

The veto of an appropriation under sub. (5) does not restore the appropriation to its level in the county executive's proposed budget. 80 Atty. Gen. 214.

Section 33.28 (2) (a) provides that the county representative upon a public inland lake protection and rehabilitation board is to be a person appointed by the county board. By operation of sub. (2) (c), the power of appointing the county representative to a public inland lake protection and rehabilitation district is therefore transferred from the county board to the county executive once the office of county executive is created, subject to confirmation by the board. OAG 2-09.

A county board may require a county executive to clarify that he or she is not representing the position of the county when engaging in lobbying activities on behalf of a position that is not the position adopted by the county. A county board may require county department heads to submit reports to the county board, but it cannot require county department heads appointed and supervised by the county executive to report to the board in a supervisory sense. A county board is not authorized to demote, suspend, or discharge a department head or employee not appointed by the board unless that power is specifically conferred by statute. OAG 6-13.

The Milwaukee County Board may require confirmation of the county executive's appointments to any position in the unclassified service that is a department head. The Board may not require confirmation of the executive's or other administrators' appointments to positions in the unclassified service that are not department heads. OAG 7-13.

A county executive has the authority to reduce a line item budget appropriation from one specific dollar figure to another through the use of his or her partial veto. Constitutional amendments limiting the governor's veto authority in Art. V, s. 10 (1) (c) impose no corresponding limit upon the veto authority of the county executive under Art. IV, s. 23a. OAG 6-14.

59.18 County administrator. (1) **APPOINTMENT.** Counties having a population of less than 750,000 may by resolution of the board or by petition and referendum create the office of county administrator. The county administrator shall be appointed by majority vote of the board. Such petition and election shall follow the procedure provided in s. 9.20 (1) to (6). If any member of the board is appointed as county administrator, his or her status as a member of the board is thereby terminated, except that in the case of a vacancy in the office of county administrator by reason of

removal, resignation or other cause, the board may appoint any member of the board as acting county administrator to serve for a period of 15 days while the board is considering the selection of a county administrator.

(2) **DUTIES AND POWERS.** The county administrator shall be the chief administrative officer of the county. The county administrator shall take care that every county ordinance and state or federal law is observed, enforced and administered within his or her county if the ordinance or law is subject to enforcement by the county administrator or any other person supervised by the county administrator. The duties and powers of the county administrator shall be, without limitation because of enumeration, to:

(a) Coordinate and direct all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.

(b) Appoint and supervise the heads of all departments of the county except those elected by the people and except where the statutes provide that the appointment shall be made by elected officers; but the county administrator shall also appoint and supervise all department heads where the law provides that the appointment shall be made by a board or commission, by the chairperson of the county board or by the county board. Notwithstanding any statutory provision that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. Any appointment by the county administrator under this paragraph requires the confirmation of the county board unless the board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63. Any department head appointed by a county administrator under this paragraph may be removed at the pleasure of the county administrator unless the department head is appointed under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63.

(c) Appoint the members of all boards and commissions where the statutes provide that such appointment shall be made by the county board or by the chairperson of the county board. All appointments to boards and commissions by the county administrator shall be subject to the confirmation of the county board.

(3) **ADMINISTRATIVE SECRETARY TO COUNTY ADMINISTRATOR; STAFF.** The county administrator may appoint an administrative secretary, and additional staff assistants, as necessary.

(4) **COMPENSATION OF COUNTY ADMINISTRATOR AND STAFF.** The board shall fix the compensation of the county administrator, the county administrator's administrative secretary and the county administrator's staff assistants.

(5) **MESSAGE TO THE BOARD; SUBMISSION OF ANNUAL BUDGET.** The county administrator shall annually, and otherwise as necessary, communicate to the board the condition of the county, and recommend such matters to the board for its consideration as the county administrator considers expedient. Notwithstanding any other provision of the law, the county administrator shall be responsible for the submission of the annual budget to the board.

(6) **QUALIFICATIONS FOR APPOINTMENT.** The county administrator shall be appointed solely on merit. In appointing the county administrator, the board shall give due regard to training, experience, administrative ability and general qualifications and fitness for performing the duties of the office, and no person shall be eligible to the office of county administrator, who is not by training, experience, ability and efficiency qualified and generally fit to perform the duties of such office. No weight or consideration shall be given by the board to residence, to nationality, or to political or religious affiliations.

(7) **REMOVAL.** The board may remove the county administrator at any time that the county administrator's conduct of the county administration becomes unsatisfactory, and engage a suc-

cessor. The action of the board in removing the county administrator shall be final.

(8) **VACANCY, HOW FILLED.** A vacancy in the office of the county administrator by reason of removal, resignation or other cause, shall be filled by appointment by majority vote of the board.

History: 1983 a. 192 ss. 118, 303 (2); 1985 a. 29, 176; 1989 a. 273; 1991 a. 316, 1995 a. 201 s. 102; Stats. 1995 s. 59.18; 2017 a. 207 s. 5.

A county board can abolish the office of county administrator by majority vote. 61 *Atty. Gen.* 322.

Sub. (2) (b) transfers the authority to supervise the administration of county departments from boards and commissions to department heads appointed by the county administrator. Sub. (2) therefore entirely negates s. 59.70 (2) insofar as it provides that the board may "employ" a system manager. In a county with a county administrator, the solid waste management board is purely an advisory body to the county administrator and to the county board and a policy-making body for the solid waste management department as a whole. OAG 1-12.

59.19 Administrative coordinator. In any county which has not created the office of county executive or county administrator, the board shall designate, no later than January 1, 1987, an elected or appointed official to serve as administrative coordinator of the county. 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.

History: 1985 a. 29; 1995 a. 201 s. 103; Stats. s. 59.19.

A sitting member of a county board must resign the office of supervisor before being appointed to the permanent position of county administrative coordinator under this section. OAG 1-11.

59.20 County offices and officers. (1) **ELIGIBILITY FOR COUNTY OFFICE.** No person may file nomination papers as a candidate for, have his or her name placed on a ballot for election to, or hold a county elective office who is not an elector of the county. No person may file nomination papers as a candidate for, have his or her name placed on a ballot for election to, or hold the office of county supervisor who is not an elector of the supervisory district from which he or she is chosen.

(2) **COUNTY OFFICERS; TERMS.** (a) Beginning in 2008 and quadrennially thereafter, a register of deeds, county clerk, and county treasurer shall be chosen at the general election by the electors of each county for the term of 4 years. Except as provided in this paragraph, beginning in 2008 and quadrennially thereafter, a surveyor shall be chosen at the general election by the electors of each county in which the office of surveyor is filled by election, for the term of 4 years. No surveyor shall be elected in counties having a population of 750,000 or more. The regular term of office of each register of deeds, county clerk, county treasurer, and county surveyor shall commence on the first Monday of January next succeeding his or her election and shall continue 4 years and until his or her successor qualifies.

(am) Beginning in 2012 and quadrennially thereafter, a comptroller shall be chosen at the spring election by the electors of each county having a population of 750,000 or more for the term of 4 years. The regular term of office of each comptroller shall commence on the 3rd Tuesday in April next succeeding his or her election and shall continue 4 years and until his or her successor qualifies.

(b) Beginning in 2006 and quadrennially thereafter, a sheriff shall be chosen at the general election by the electors of each county for the term of 4 years. Except as provided in this paragraph, beginning in 2006 and quadrennially thereafter, a coroner shall be chosen at the general election by the electors of each county in which there is a coroner, for the term of 4 years. No coroner shall be elected in counties having a population of 750,000 or more or in counties in which a medical examiner system is instituted. The regular term of office of each sheriff and coroner shall commence on the first Monday in January next succeeding his or her election and shall continue 4 years and until his or her successor qualifies.

(bm) Beginning in 2006 and quadrennially thereafter, a clerk of circuit court shall be chosen at the general election for the term of 4 years by the electors of each county, subject to removal as pro-

ORGANIZATION

Except from WCA Handbook
6th Ed.

vacated, names do not apply to counties with self-organized status where the board may elect its own members for terms that contain neither over and above, present, statutory limits.

FILLING BOARD VACANCIES

From time to time, due to resignation or death, a vacancy occurs on the county board of supervisors in self-organized counties. The board may determine the procedure for filling a vacancy. Without self-organizational status, the county board chairperson, with the approval of the board, appoints a qualified elector who is a resident in the vacated supervisor district. The appointed person then serves for the remainder of the term unless the board orders a special election to fill the vacancy. If a vacancy occurs before time 1 in the year preceding expiration of the term of office, the board may order a special election to fill the vacancy in the case that the board orders, with a special election, the appointed person serves until a successor is elected and qualified. The person that is elected in a special election serves for the remainder of the unexpired term.

EXECUTIVE AND ADMINISTRATIVE OPTIONS

From 1960, Wisconsin county boards functioned as both the legislative branch and the executive branch for counties. However, as county government became more complex and the population became more urbanized, state statute was amended to permit the creation of a separate elected position of county executive to administer and monitor county departments and executive other specified powers. This position has been mandated for Milwaukee County in 1969. In 1969, the authority to create an executive position was extended to all counties, regardless of size. Wis. Stat. § 59.17, County executives are elected in the general nonpartisan election on the first Tuesday in April and serve four-year terms.

In 1985, the legislature specified the powers of appointed county administrator. The county administrator is responsible for the annual budget, providing oversight to county department heads, and reporting to the county board. Wisconsin currently has 11 elected county executives and 28 appointed administrators. Wis. Stat. § 59.19 required all counties no later than January 1, 1985, that do not choose to create either an administrator or an executive position to designate an administrative coordinator. The administrative coordinator is responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions or in elected officers. In addition, the administrative coordinator is the contact person for official correspondence between the county and departments or agencies of the state of Wisconsin. Thirty-three counties have selected this form of administration.

FORMS OF COUNTY GOVERNMENT IN BRIEF

Wisconsin law provides for three forms of county government. These are the county executive county administrator, and county administrator coordinator. All counties have an elected board of supervisors comprised of members of the electorate with powers authorized by Section 22, Article IV of the Constitution and specified in Chapter 59 of the statutes. The Wisconsin county board is unlike the commission form of government in which individual county commissioners are directly responsible for

TABLE 2: COUNTY ADMINISTRATIVE OPTIONS

TABLE	EXECUTIVE	ADMINISTRATOR	ADMIN. COORDINATOR
	Wis. Stat. § 59.17	Wis. Stat. § 59.19	Wis. Stat. § 59.19
How Elected	Board resolution or election petition/endorsement	Board resolution or election petition/endorsement	Board resolution or election petition/endorsement
Term of Office	County electors serve four years (majority)	County electors serve four years (majority)	County electors serve four years (majority)
Qualifications	18 years, 19 years of age, county resident	18 years, 19 years of age, county resident	18 years, 19 years of age, county resident
Scope of Powers	State voters	State voters	State voters
Removal	By agreement for cause	By county board majority	By county board majority
Budget Authority	Proposes a present or board	Proposes a present or board	Only authorized by board
Yearly Report	Yes	No	No
Department Heads	Appoints, subject to board confirmation; removes at pleasure	Appoints, subject to board confirmation; removes at pleasure	No authority unless granted by board
Answer Committee/Board	Appoints; removes subject to board confirmation unless waived or made under civil service	Appoints; removes subject to board confirmation unless waived or made under civil service	Appoints unless granted by board
Candidate Pools	Yes	Yes	Only management functions not assigned departments by ordinance or law

the operational aspects of any county department. In a true commission form of government, which still exists in some states, members of the elected body are assigned responsibility for specific departments. For example, an elected "commissioner" is assigned to supervise a specific department such as the highway department, veterans' affairs, social services, etc. The elected official is assigned then actually supervise and direct the operations of that department and controls that department's budget.

While perhaps desirable because it places an elected person directly in charge of a government operation, various have been made that the commission form encourages non-productive competition between commissioners and their respective departments. It can distract from the elected official's primary responsibility of policy making and planning, and it can place a person in charge of a department who frequently has no training or experience in government departments that have become increasingly complex. In the most recent cases, this form of government has also been considered more prone to official corruption. Hence, the Wisconsin State Legislature and statutes do not provide for this form of government. Instead, they chose the supervisor form of government. Unfortunately, the use of the term "supervisor" appears to be a source of misinterpretation of the duties of Wisconsin county boards of supervisors. Supervisors do not directly "supervise" under Wisconsin law; they "oversee" through their policy making and budgeting activities.

COUNTY EXECUTIVE (Wis. STAT. § 59.17). In this form of county government, a county executive is elected by the citizens, specifically to act in the capacity of Chief Executive Officer (CEO) of the county. While Milwaukee County is required to have a county executive, any county in the state may choose the form of executive structure. This structure is often chosen for reasons such as political climate, consistency of governmental issues in that county, projected growth or some other factor that compels the electorate to elect a full-time CEO who answers directly to them.

ORGANIZATION

The county executive coordinates and directs all administrative and management functions, appoints members to boards and commissions, subject to county board confirmation, supervises department heads, submits the annual budget, and holds veto authority over county board decisions, ordinances, resolutions, and appropriations. The county board can override votes of the county executive with a two-thirds majority vote. In short, the county executive is the highest level political leader in the county with powers and a relationship with the board that can be generally equated to those between a mayor and city council or the governor and legislature. While the county board of supervisors is restricted to legislative duties and oversight, the county executive manages and supervises all departments and activities, both day-to-day and long-term through planning. This includes every county team and service except those performed by constitutional officers, such as the sheriff, where the county executive's authority is essentially limited to budgetary control.

COUNTY ADMINISTRATOR (Wis. Stat. § 59.18). The county administrator form of government is optional. It can be chosen but its adoption is not required anywhere by statute. A county administrator form of government is very closely related to the city manager form at the municipal level. It is often chosen because population, growth and/or complexity of government issues within the county are seen to require a full-time professional manager/administrator to ensure efficient service provision. The county administrator is the chief administrative officer (CAO) of the county and is appointed by a county board solely on merit with no weight given to residence, political affiliation, etc. The county administrator coordinates and directs all administrative and management functions of a county government and appoints and supervises department heads, subject to county board confirmation.

The county administrator appoints members to boards and commissions, and where statutes give appointment authority to the county board or its chairperson, subject to board confirmation. The county administrator is responsible for preparing and submitting the annual budget, which requires the board of supervisors' approval before becoming official. The county administrator answers to the county board of supervisors as a whole, not to the county board chairperson. A key point here is that the county administrator supervises versus coordinates. Department heads, report to, and are evaluated by the county administrator, except for elected constitutional officers, such as the county clerk or the sheriff. Through this supervisory authority, the county administrator is expected to manage or administer the daily business of county government. The county administrator has hiring authority (subject to county board approval) and firing authority over department heads, unless that authority is revoked by local ordinance by the board of supervisors.

However, constitutional officers and elected department heads do not fall into this category. They do not work for the county administrator. Nevertheless, they must recognize the administrator's authority regarding coordination between departments, resource allocation, and management issues outside of the non-supervised department, which require coordination and support from other county departments. Essentially, the county administrator must foster a relationship of trust and cooperation with those officers and department heads not under higher supervisory control to effectively manage county operations. County administrators commonly acquire additional duties, especially in smaller

populated and rural counties, such as human resources director, emergency management director, media spokesperson, and even IT director, which further exemplifies the need for a broad education and experience level for prospective county administrators.

ADMINISTRATIVE COORDINATOR (Wis. Stat. § 59.19). County administrative coordinator is the third form of county government and the least defined by statute, consequently, it is probably the most misunderstood form. The law provides that if a county has not adopted the county executive or county administrator form of government, it must adopt the administrative coordinator form of government. The law provides that an elected official, such as the county clerk, or an appointed official may be designated administrative coordinator, almost as an additional duty.

Historically, some counties utilizing the administrative coordinator option designated the chair of the county board as administrative coordinator. However, the Wisconsin attorney general's office issued a formal opinion in 2011 stating that a sitting county supervisor is precluded from accepting any other office or position, including the position of administrative coordinator, because the additional positions are legally incompatible. Under Wisconsin law, any supervisor holding an incompatible position automatically vacates their board membership as a matter of law.³ Hence, neither the county board chair nor any other member of the board can hold the position of administrative coordinator without resigning his/her position as an elected member of the county board.

The law provides that the administrative coordinator is responsible for coordinating all administrative and management functions. The duties and authority of an administrative coordinator are similar to a county administrator. The administrative coordinator's duties are comparable to those of a city or village administrator who works under a mayor or village board. A village administrator coordinates daily municipal operations but must defer to the village board for final decisions on non-routine matters. The county administrative coordinator performs in a similar manner with the county board holding final approval authority over non-routine decisions. With Administrative Home Rule authority, the position of administrative coordinator can be made as strong or as weak as the board chooses via local ordinance. Although the statutes do not give the administrative coordinator supervisory authority over department heads, there are valid reasons for a board of supervisors to give a limited amount of such authority to the administrative coordinator.

The administrative coordinator could, like the county administrator, be assigned additional duties that need to be performed and no other position exists to perform them. The administrative coordinator reports and answers to the board of supervisors and the board chair. When a county comes to the conclusion that a full-time professional is required to perform the duties of either county administrator or administrative coordinator, there are a number of criteria commonly considered essential for that person to be qualified for the position. Persons selected for these positions are generally expected to possess at least a Bachelor's Degree in Public Administration, Business Administration, Finance, Planning, or some other closely-related field. A Master's Degree is often listed as preferred on advertisements for such positions. Experience in a staff position and/or as an assistant administrator or coordinator is commonly expected. A period of five years of such experience is often required before



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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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



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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

- 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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HUMAN RESOURCES AND LABOR NEGOTIATIONS COMMITTEE
July 02, 2019

PERSONNEL REQUISITION REQUESTS

One (1) Finance Director	Finance
One (1) Utility II / Truck Driver	Highway
One (1) Parks Supervisor	LR&P
One (1) Administrative Secretary III	L&WC

LEAVE OF ABSENCE REQUESTS FOR COMMITTEE APPROVAL

Dennis Ebert	Highway	09/16/2019-09/22/2019
Medical for self	Unpaid Medical Leave	

PERSONNEL CHANGES:

NEW HIRE – UNION

None.

RE-HIRE – UNION

None.

RECLASSIFICATION – UNION

None.

STEP INCREASE – UNION

None.

ANNUAL WAGE INCREASE

None.

APPOINTED OFFICIAL

None.

NEW HIRE

Mathew S. Luke \$18.59	Building Maintenance Technician DC04, ST01	Highway 06/24/2019
Melva Brown-Dring \$12.17	Nutrition Site Manager-Randolph MSC15, ST01	Human Services 06/18/2019
Zachary D. Kuckkahn \$15.00	Community Service Officer MSC16, ST01	Sheriff 06/25/2019
Dylan I. Ott \$15.00	Community Service Officer MSC16, ST01	Sheriff 06/25/2019

LIMITED TERM/SEASONAL NEW HIRE

None.

LIMITED TERM/SEASONAL RE-HIRE

None.

HUMAN RESOURCES AND LABOR NEGOTIATIONS COMMITTEE – July 02, 2019

RE-HIRE

None.

RECLASSIFICATION

Randi L. Gonzalez \$22.89 (+\$1.58)	Counselor II – Children w/Disabilities DC06, ST01 progression	Human Services 06/07/2019
Donald Matthews \$32.97 (+\$0.00)	Psychiatric Therapist II Outpatient DC09, Merit - temporary P.T.	Human Services 06/06/2019

ORIENTATION PERIOD REPORTS

Emma Borck	Second Report	Human Services
Sara Hermann	Second Report	Human Services
Melissa Zarczynski	Second Report	Human Services
Kayla Drake	Final Report	Human Services