

RICHLAND COUNTY

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February 2, 2021

NOTICE OF MEETING

Please be advised that the Richland Rules and Resolutions Committee will convene at 1:00 p.m., Thursday, February 4th, 2021, via teleconferencing at the webex.com link found below:

<https://richlandcounty.my.webex.com/webappng/sites/richlandcounty.my/meeting/download/0f80fc18f2624381a47e751fc68a7433?siteurl=richlandcounty.my&MTID=m0187d41fdb4cfe971b8fe8787d79576f>

Thursday, February 4th, 2021; 1:00 pm Central Time (US & Canada)

Meeting number: 182 024 6429

Password: richland

Join by phone: +1-408-418-9388 United States Toll

Access code: 182 024 6429 #

Agenda:

1. Call to Order
2. Proof of Notification
3. Agenda Approval
4. Previous Meeting Minutes
5. County Board Rule #18 regarding the taking and recording of minutes
6. Celebrating Black History Month
7. Discussion and possible action regarding County Board Size and Committee Functions and Structure
8. Future Agenda Items
9. Adjournment

CC: Committee Members, Richland Observer, WRCO, Valley Sentinel, Bulletin Board and Our Files

**RULES AND RESOLUTIONS COMMITTEE
AND ETHICS BOARD**

January 7, 2021

The Rules and Resolutions Committee and Ethics Board met on Thursday, January 7, 2021, at 3:00 p.m. virtually.

Committee members present included: Shaun Murphy-Lopez, Chad Cosgrove, Kerry Severson, Melissa Luck and Donald Seep.

Also present was: Victor Vlasak, County Clerk.

Committee Chair Murphy-Lopez called the meeting to order.

The Clerk verified that the meeting was properly noticed. Copies of the agenda were emailed to all Rules and Resolutions Committee members; a copy was posted on the Courthouse Bulletin Board and County web site; a copy was faxed to The Richland Observer; and a copy was emailed to Fruit Broadcasting, LLC.

Motion by Luck, second by Cosgrove that the agenda be approved. Motion carried.

Motion by Severson, second by Cosgrove for approval of the minutes for the previous meeting. Motion carried.

County Board Rule # 1 – Wednesday Mail-Out Rule – Motion by Seep, second by Luck to present a resolution amending Rule 1 of the Rules of the Board to state that “Resolutions or Ordinances, or subsequent drafts of Resolutions or Ordinances, which were not timely sent out may be considered by the County Board as long as long as they are approved by the County Board Chair, unless the County Board adopts a motion objecting to consideration of a specific Resolution and Ordinance.” Motion carried.

County Board Rule # 19 – Requirement that Resolutions and Ordinances be signed - This Rule has been proven difficult to accomplish due to restrictions imposed by the coronavirus pandemic. Motion by Luck, second by Cosgrove to present a resolution to the County Board for approval to temporarily suspended this signature requirement until the likely end of the pandemic. Motion by Severson, second by Cosgrove to amend the motion to explore the optional digital signature approach or Adobe signature approach and enact them should they prove successful before June 30th. Motion carried on the amendment. Motion carried, as amended.

Redistricting Timeline – Discussed was establishing a timeline for drawing new County supervisory districts based upon the 2020 census results. Motion by Seep, second by Luck to present a resolution to the County Board to establish a timeline for the purposes of drawing new County Supervisory districts according to forthcoming results of the 2020 census. Motion carried. The proposed timeline is as follows:

February – March	Determine the Board size and appoint a redistricting committee
March	Establish guidelines for redistricting
April – May	Develop a tentative plan
June – July	Create municipal wards
August – September	Finalize and adopt the redistricting plan

Administrative Transition Committee Amendments – Motion by Severson, second by Cosgrove to present a resolution to the County Board increasing the size of the Administrator Transition Committee from three members to five members and changing the expiration date of the Committee from February 1, 2021 to June 1, 2021. Motion carried.

Future Agenda Items

- Preparation cover sheets or attachments for agenda items.
- Clarification on process of presenting resolutions.
- Employee attendance tracking.
- Per diem claims process for virtual meetings.

Motion by Severson, second by Couey to adjourn. Motion carried. The meeting adjourned at 2:12 p.m.

Victor V. Vlasak
Richland County Clerk

Richland County Rules & Resolutions Committee

Agenda Item Cover

Agenda Item Name: Rule #18 Changes

Department	n/a (County Board)	Presented By:	Shaun Murphy-Lopez
Date of Meeting:	2/4/21	Action Needed:	Resolution
Disclosure:	Open Session	Authority:	Committee Structure, Section D
Date submitted:	2/1/21	Referred by:	None

Recommendation and/or action language:

Recommend a motion, to present a resolution to the County Board to make changes to Rule #18 of the County Board.

Background:

Rule #18 of the County Board currently gives authority to committees to appoint a person to take minutes. This is in conflict with State Statute 59.23 (2)(a), which give the County Clerk authority to “keep and record true minutes of all the proceedings of the board in a format chosen by the clerk, including all committee meetings, either personally or through the clerk’s appointee” (see Attachment A).

As such, it is recommended that Rule #18 be amended in the following manner:

Committee, board, or commission minutes shall be taken by the County Clerk or their appointee. Each committee composed of a majority of supervisors shall appoint a person who shall take minutes who shall not be a Supervisor. In the event of the absence of the appointed person, the committee chair shall appoint a person to take the minutes for that meeting. The appointed person shall take minutes of all meetings of the committee. Minutes shall be filed in the County Clerk's office and posted on the County's website within 14 days after the meeting. The appointed person shall, within 14 days after the meeting, type up the proposed minutes of the meeting and file them with the County Clerk. The minutes shall indicate the supervisors who are in attendance at the meeting and those who were excused. The Chair of boards, commissions or committees shall be a Supervisor when a majority of the members of the board, commission or committee is made up of Supervisors.

Attachments and References:

Attachment A: WI Statute 59.23

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

Approval:

Review:

Richland County Rules & Resolutions Committee

Agenda Item Cover

Department Head

Administrator, or Elected Office (if applicable)

CHAPTER 59

COUNTIES

SUBCHAPTER I DEFINITIONS		SUBCHAPTER V POWERS AND DUTIES OF COUNTIES	
59.001	Definitions.	59.51	Board powers.
SUBCHAPTER II LEGAL STATUS; ORGANIZATION		59.52	County administration.
59.01	Body corporate; status.	59.53	Health and human services.
59.02	Powers, how exercised; quorum.	59.535	Veterans affairs.
59.03	Home rule.	59.54	Public protection and safety.
59.04	Construction of powers.	59.55	Consumer protection.
59.05	County seat; change.	59.56	Cultural affairs; education; recreation.
59.06	County property.	59.57	Economic and industrial development.
59.07	Claims against counties; actions on.	59.58	Transportation.
59.08	Consolidation of counties; procedure; referendum.	SUBCHAPTER VI FINANCE AND BUDGET	
SUBCHAPTER III COUNTY BOARD OF SUPERVISORS		59.60	Budgetary procedure in certain counties.
59.10	Boards; composition; election; terms; compensation; compatibility.	59.605	Tax levy rate limit.
59.11	Meetings; adjournment; absentees.	59.61	Financial transactions.
59.12	Chairperson; vice chairperson; powers and duties.	59.62	Investment authority delegation.
59.13	Committees; appointment; compensation.	59.63	Treasurer's disbursement of revenue.
59.14	Publication of ordinances and proceedings.	59.64	Claims against county.
59.15	Neglect of duty.	59.65	Publication of financial report.
SUBCHAPTER IV COUNTY OFFICERS		59.66	Unclaimed funds.
59.17	County executive.	SUBCHAPTER VII LAND USE, INFORMATION AND REGULATION, ENVIRONMENTAL PROTECTION, SURVEYS, PLANNING AND ZONING	
59.18	County administrator.	59.69	Planning and zoning authority.
59.19	Administrative coordinator.	59.691	Required notice on certain approvals.
59.20	County offices and officers.	59.692	Zoning of shorelands on navigable waters.
59.21	Official oaths and bonds.	59.693	Construction site erosion control and storm water management zoning.
59.22	Compensation, fees, salaries and traveling expenses of officials and employees.	59.694	County zoning, adjustment board.
59.23	Clerk.	59.696	Zoning; filing fees.
59.24	Clerks of counties containing state institutions to make claims in certain cases.	59.697	Fees for zoning appeals.
59.25	Treasurer.	59.698	Zoning, building inspector.
59.255	Comptroller.	59.70	Environmental protection and land use.
59.26	Sheriff; undersheriff; deputies.	59.71	Special counties; record keeping.
59.27	Sheriff; duties.	59.72	Land information.
59.28	Peace maintenance; powers and duties of peace officers, cooperation.	59.73	Surveys; expressing bearings, subdividing sections.
59.29	Transportation, apprehension of criminals.	59.74	Perpetuation of section corners, landmarks.
59.30	Not to act as attorney.	59.75	Certificates and records as evidence.
59.31	Service on sheriff; how made.	59.76	Registration of farms.
59.32	Fees received by sheriff.	SUBCHAPTER VIII POPULOUS COUNTIES	
59.33	Powers after term.	59.79	Milwaukee County.
59.34	Coroner, medical examiner duties; coroner, medical examiner compatibility.	59.792	Milwaukee County; sewage, waste, refuse.
59.35	Deputy coroner.	59.794	Milwaukee County; limitations on board authority and on intergovernmental cooperation, shared services.
59.36	Coroner and medical examiner; fees.	59.796	Milwaukee County; opportunity schools and partnership program.
59.365	Moratorium on fee increases.	59.80	Milwaukee County; city-county crime commission.
59.37	Service when no coroner.	59.81	Cash flow, Milwaukee.
59.38	Medical examiner and assistants.	59.82	Milwaukee County Research and Technology Park.
59.39	Coroner or medical examiner as funeral director, limitation.	59.84	Expressways and mass transit facilities in populous counties.
59.40	Clerk of court.	59.85	Appropriation bonds for payment of employee retirement system liability in populous counties.
59.41	Not to act as attorney.	59.86	Agreements and ancillary arrangements for certain notes and appropriation bonds.
59.42	Corporation counsel.	59.87	Employee retirement system liability financing in populous counties; additional powers.
59.43	Register of deeds; duties, fees, deputies.	59.875	Payment of contributions in and employment of annuitants under an employee retirement system of populous counties.
59.44	County abstractor; appointment; duties; fees.	59.88	Employee retirement system of populous counties; duty disability benefits for a mental injury.
59.45	County surveyor; duties, deputies, fees.		
59.46	Penalty for nonfeasance.		
59.47	County auditors; powers; duties.		
59.48	County assessor.		

SUBCHAPTER I

DEFINITIONS

59.001 Definitions. In this chapter, unless the context clearly indicates to the contrary:

(1) “Board” means the county board of supervisors.

(2) “Clerk” means the county clerk.

(2m) “Members-elect” means those members of the governing body of a county, city, village or town, at a particular time, who have been duly elected or appointed for a current regular or unexpired term and whose service has not terminated by death, resignation or removal from office.

(2r) “Municipal clerk” means the clerk of a municipality.

(3) “Municipality” means any city, village or town.

(3m) “Municipal treasurer” means the treasurer of a municipality.

(3r) “Professional land surveyor” means a professional land surveyor licensed under ch. 443.

(4) “Treasurer” means the county treasurer.

History: 1989 a. 260, 268; 1995 a. 201; 2013 a. 358.

Board of Supervisors can provide, fix, or change the pay of unclassified employees, unless and until board action interferes with the Milwaukee County Executive's day-to-day control of a county department or subunit. *Lipscomb v. Abele*, 2018 WI App 58, 384 Wis. 2d 1, 918 N.W.2d 434, 17–1023.

The Milwaukee County Executive's day-to-day control power under s. 59.794 (3) (a) has the express intent of removing and clarifying some authority of the Milwaukee County Board of Supervisors (Board) under sub. (2) and increasing and clarifying the authority of the Milwaukee County Executive. The Milwaukee County Executive's day-to-day control power prevents the Board from taking actions that effectively direct what duties may or must be accomplished by employees or officers or how they may or must perform those duties, even when a Board action may result in a compensation change. *Lipscomb v. Abele*, 2018 WI App 58, 384 Wis. 2d 1, 918 N.W.2d 434, 17–1023.

A county ordinance implementing a collective bargaining agreement providing for the payment to county employees, upon their leaving government employment, compensation for accumulated sick leave, earned both before and after the effective date of the ordinance, is valid. 59 Atty. Gen. 209.

A county board may not adopt a step-salary plan for elective offices related to experience of the officeholder as compensation is for the office, not the officer, and the officer is entitled to the compensation as an incident of the office. 61 Atty. Gen. 165, 403.

When it is the duty of a county traffic officer to testify or assist in the prosecution of county traffic offenses, the officer is not entitled to witness fees but may be paid additional compensation if a court appearance takes place outside regular working hours. 62 Atty. Gen. 93.

A county board may not deny a salary to an elected official during a period of sickness. A board does not have power to establish sick leave and vacation benefits for elected county officials. 65 Atty. Gen. 62.

The authority to establish salaries for the staff employed by a county's 51.42/51.437 board lies with that board, subject to the general budgetary control of the county board. 65 Atty. Gen. 105.

Discretionary authority to grant increases to elected county officials based upon performance or length of service may not be delegated to a committee of the county board because the board itself lacks the authority to establish such a compensation scheme. 80 Atty. Gen. 258.

59.23 Clerk. (1) DEPUTIES; SALARIES; VACANCIES. (a) Every clerk shall appoint in writing one or more deputies and file the appointment in the clerk's office. The deputy or deputies shall aid in the performance of the duties of the clerk under the clerk's direction, and in case of the absence or disability of the clerk or of a vacancy in the clerk's office, unless another is appointed therefor as provided in par. (c), shall perform all of the duties of the clerk during the absence or until the vacancy is filled. The board may, at its annual meeting or at any special meeting, provide a salary for the deputy or deputies.

(b) In each county the clerk may also appoint the number of assistants that the board authorizes and prescribes, and the assistants shall receive salaries that the board provides and fixes.

(c) If a clerk is incapable of discharging the duties of office the board shall appoint an acting clerk within 90 days after the board adopts a resolution finding that the clerk is incapable of discharging the duties of the office. The acting clerk shall serve until the disability is removed. If the board is not in session at the time of the incapacity, the chairperson of the board may appoint an acting clerk, whose term shall not extend beyond the next regular or special meeting of the board. A person appointed as acting clerk or appointed to fill a vacancy in the office of clerk, upon giving an official bond with sureties as required of a clerk, shall perform all of the duties of the office; and thereupon the powers and duties of the deputy of the last clerk shall cease.

(2) DUTIES. The clerk shall:

(a) *Board proceedings.* Act as clerk of the board at all of the board's regular, special, limited term, and standing committee meetings; under the direction of the county board chairperson or committee chairperson, create the agenda for board meetings; **keep and record true minutes of all the proceedings of the board in a format chosen by the clerk, including all committee meetings, either personally or through the clerk's appointee;** file in the clerk's office copies of agendas and minutes of board meetings and committee meetings; make regular entries of the board's resolutions and decisions upon all questions; record the vote of each supervisor on any question submitted to the board, if required by any member present; publish ordinances as provided in s. 59.14 (1); and perform all duties prescribed by law or required by the board in connection with its meetings and transactions.

(b) *Recording of proceedings.* Record at length every resolution adopted, order passed and ordinance enacted by the board.

(c) *Orders for payment.* Sign all orders for the payment of money directed by the board to be issued, and keep a true and correct account of such orders, and of the name of the person to whom each order is issued; but he or she shall not sign or issue any county order except upon a recorded vote or resolution of the board authorizing the same; and shall not sign or issue any such order for the payment of the services of any clerk of court, district attorney or sheriff until the person claiming the order files an affidavit stating that he or she has paid into the county treasury all moneys due the county and personally collected or received in an official capacity; and shall not sign or issue any order for the payment of money for any purpose in excess of the funds appropriated for such purpose unless first authorized by a resolution adopted by the county board under s. 65.90 (5).

(cm) *Apportionment of taxes.* Apportion taxes and carry out other responsibilities as specified in s. 70.63 (1).

(d) *Accounts.* File and preserve in the clerk's office all accounts acted upon by the board, and endorse its action thereon, designating specifically upon every account the amount allowed, if any, and the particular items or charges for which allowed, and such as were disallowed, if any.

(de) *Property.* To the extent authorized by the board, exercise the authority under s. 59.52 (6).

(dg) *Dogs.* Perform the responsibilities relating to dog licensing, which are assigned to the clerk under ch. 174, and the dog fund specified in ch. 174.

(di) *Marriage licenses, domestic partnerships.* Administer the program for issuing marriage licenses as provided in ch. 765 and the program for forming and terminating domestic partnerships as provided in ch. 770.

(e) *Reports of receipts and disbursements.* Record the reports of the treasurer of the receipts and disbursements of the county.

(f) *Recording receipts and disbursements.* Keep a true and accurate account of all money which comes into the clerk's hands by virtue of the clerk's office, specifying the date of every receipt or payment, the person from or to whom the receipt or payment was received or paid, and the purpose of each particular receipt or disbursement, and keep the book at all times open to the inspection of the county board or any member of the board.

(g) *Payments to treasurer.* Keep in the manner prescribed in par. (f) a separate account of all moneys paid the treasurer by the clerk.

(h) *Books of account.* Keep all of the accounts of the county and all books of account in a manner that the board directs. Books of account shall be maintained on a calendar year basis, which shall be the fiscal year in every county.

(i) *Chief election officer, election duties.* As the chief election officer of the county, perform all duties that are imposed on the clerk in relation to the preparation and distribution of ballots and the canvass and return of votes at general, judicial, and special elections.

(L) *Duplicate receipts.* Make out and deliver to the treasurer duplicate receipts of all money received by the clerk as clerk, and countersign and file in the clerk's office the duplicate receipts delivered to the clerk by the treasurer of money received by the treasurer.

(m) *Certified copies; oaths and bonds; signatures.* 1. Make and deliver to any person, for a fee that is set by the board under s. 19.35 (3), a certified copy or transcript of any book, record, account, file or paper in his or her office or any certificate which by law is declared to be evidence.

2. Except as otherwise provided, receive and file the official oaths and bonds of all county officers and upon request shall certify under the clerk's signature and seal the official capacity and authority of any county officer so filing and charge the statutory fee. Upon the commencement of each term every clerk shall file the clerk's signature and the impression of the clerk's official seal in the office of the secretary of state.

(n) *Taxes.* Perform all duties that are imposed on the clerk in relation to the assessment and collection of taxes.

(nm) *Timber harvest notices.* Provide notice to a town chairperson regarding the harvesting of raw forest products, as described in s. 26.03 (1m) (a) 2.

(o) *Report, receipts and disbursements to board.* Make a full report to the board, at the annual meeting or at any other regular meeting of the board when so stipulated by the board, in writing, verified by the clerk's oath, of all money received and disbursed by the clerk, and separately of all fees received by the clerk; and settle with the board the clerk's official accounts and produce to the board all books, accounts and vouchers relating to the same.

(p) *Proceedings to historical society.* Forward to the historical society, postpaid, within 30 days after their publication a copy of the proceedings of the board, and of all printed reports made under authority of such board or by the authority of other county officers.

(q) *County highway commissioner; notify of election.* Notify a county commissioner of highways of the commissioner's election within 10 days thereafter.

(r) *County tax for road and bridge fund.* Notify the proper town officers of the levy and rate of any tax for the county road and bridge fund.

(s) *List of local officials.* Annually, on the first Tuesday of June, transmit to the secretary of state a list showing the name, phone number, electronic mail address, and post-office address of local officials, including the chairperson, mayor, president, clerk, treasurer, council and board members, and assessor of each municipality, and of the elective or appointive officials of any other local governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly within the county. Such lists shall be placed on file for the information of the public. The clerk, secretary, or other administrative officer of a local governmental unit, as defined in s. 66.0137 (1) (as), shall provide the county clerk the information he or she needs to complete the requirements of this paragraph.

(t) *General.* Perform all other duties required of the clerk by law.

History: 1995 a. 201 ss. 261, 263, 264, 275; 1995 a. 225 ss. 147 to 150; 1997 a. 27; 1999 a. 9; 2013 a. 373; 2019 a. 19.

Under s. 59.17 (8) [now sub. (2) (h)], the clerk keeps only those accounts designated by the board. *Harbick v. Marinette County*, 138 Wis. 2d 172, 405 N.W.2d 724 (Ct. App. 1987).

Except for their elected superior's power to appoint and discharge, chief deputies are subject to the Municipal Employment Relations Act, ss. 111.70 to 111.77, and are not excluded from a collective bargaining unit as a matter of law. *Oneida County v. WERC*, 2000 WI App 191, 238 Wis. 2d 763, 618 N.W.2d 891, 00-0466.

Statutory powers of the county clerk with respect to budgeting and record keeping cannot be transferred by the county board to a new position of finance officer. 63 Atty. Gen. 196.

A county board can only grant powers of indirect supervision to a finance director with respect to the accounting or bookkeeping duties of a county clerk. 65 Atty. Gen. 132.

59.24 Clerks of counties containing state institutions to make claims in certain cases. The clerk of any county that is entitled to reimbursement under s. 16.51 (7) shall make a certified claim against the state, without direction from the board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1. If the claims are approved by the department of corrections, they shall be certified to the department of administration and paid from the appropriation made by s. 20.410 (1) (c), if the claim is for reimbursement of expenses involving a prisoner in a state prison named in s. 302.01, or from the appropriation under s. 20.410 (3) (c), if the claim is for reimbursement of expenses involving a juvenile in a juvenile correctional facility, as defined in s. 938.02 (10p).

History: 1989 a. 31, 359; 1995 a. 27, 77; 1995 a. 201 s. 265; Stats. 1995 s. 59.24; 1997 a. 35; 2005 a. 344.

59.25 Treasurer. (1) **ELIGIBILITY.** No person holding the office of sheriff, undersheriff, circuit judge, district attorney, clerk of the circuit court, clerk or member of the board shall be eligible to the office of treasurer or deputy treasurer.

(2) **DEPUTIES; OATH; SALARY; TEMPORARY VACANCY.** (a) The treasurer shall appoint one deputy to aid the treasurer, under the treasurer's direction, in the discharge of the duties of the office of treasurer. The appointment shall be in writing and shall be filed and recorded in the treasurer's office. Such deputy, in the absence of the treasurer from the treasurer's office or in case of a vacancy in said office or any disability of the treasurer to perform the duties of the office of treasurer, unless another is appointed therefor as provided in par. (b), shall perform all of the duties of the office of treasurer until such vacancy is filled or such disability is removed. The person so appointed shall take and file the official oath. The person shall file his or her appointment with the clerk. The board may, at its annual meeting or at any special meeting, provide a salary for the deputy.

(b) If any treasurer is incapable of discharging the duties of the office of treasurer, the board may, if it sees fit, appoint a person treasurer who shall serve until such disability is removed. A person so appointed or appointed to fill a vacancy in the office of treasurer, upon giving an official bond with like sureties as are required of such treasurer, shall perform all the duties of such office, and thereupon the powers and duties of any deputy performing the duties of the last treasurer shall cease.

(3) **DUTIES.** The treasurer shall do all of the following:

(a) 1. Receive all moneys from all sources belonging to the county, and all other moneys which by statute or county ordinance are directed to be paid to the treasurer, and, except in counties having a population of 750,000 or more, in the case of the payment of delinquent property taxes or the redemption of land subject to a tax certificate, make out and deliver to the clerk duplicate receipts therefor, and file in the treasurer's office the duplicate receipts delivered to the treasurer by the clerk for money received by the clerk.

2. In counties having a population of 750,000 or more, file a duplicate receipt in the treasurer's office.

(b) Pay out all moneys belonging to the county only on the order of the board, signed by the clerk and countersigned by the chairperson, except when special provision for the payment thereof is otherwise made by law; and, except in counties having a population of 750,000 or more, pay out all moneys belonging to the county road and bridge fund on the written order of the county commissioner of highways, signed by the clerk and countersigned by the chairperson of the board.

(c) Pay all county orders described in par. (b) in the order of time in which they are presented for payment; but where 2 or more are presented at the same time, give precedence to the order of the oldest date, but the treasurer shall receive of municipal treasurers all county orders issued in the county, which the municipal treasurers may present in payment of county taxes, to the amount of the county taxes actually collected by any municipal treasurer in the year for which the orders are offered in payment, which amount shall be determined by the affidavit of the municipal treasurer.

(d) Keep a true and correct account of the receipt and expenditure of all moneys which come into the treasurer's hands by virtue of the treasurer's office in books kept therefor, specifying the date of every receipt or payment, the person from or to whom the same was received or paid, and the purpose of each particular receipt or payment; keep also in like manner a separate account of all fees received, a separate account of all moneys received for taxes, and a separate account of money received upon redemption of lands from sales thereof for nonpayment of taxes, further specifying in the 2 last accounts the description of the property on account of which such money was paid, which books shall be open at all times to the inspection of the board or any member thereof and to

(2) DUTIES. The clerk shall:

(a) *Board proceedings.* Act as clerk of the board at all of the board's regular, special, limited term, and standing committee meetings; under the direction of the county board chairperson or committee chairperson, create the agenda for board meetings; keep and record true minutes of all the proceedings of the board in a format chosen by the clerk, including all committee meetings, either personally or through the clerk's appointee; file in the clerk's office copies of agendas and minutes of board meetings and committee meetings; make regular entries of the board's resolutions and decisions upon all questions; record the vote of each supervisor on any question submitted to the board, if required by any member present; publish ordinances as provided in s. [59.14 \(1\)](#); and perform all duties prescribed by law or required by the board in connection with its meetings and transactions.

Rule 18

Each committee composed of a majority of supervisors shall appoint a person who shall take minutes who shall not be a Supervisor. In the event of the absence of the appointed person, the committee chair shall appoint a person to take the minutes for that meeting. The appointed person shall take minutes of all meetings of the committee. The appointed person shall, within 14 days after the meeting, type up the proposed minutes of the meeting and file them with the County Clerk. The minutes shall indicate the supervisors who are in attendance at the meeting and those who were excused. The Chair of boards, commissions or committees shall be a Supervisor when a majority of the members of the board, commission or committee is made up of Supervisors.

Richland County Rules & Resolutions Committee

Agenda Item Cover

Agenda Item Name: Celebrating Black History Month

Department	n/a (County Board)	Presented By:	Shaun Murphy-Lopez
Date of Meeting:	2/4/21	Action Needed:	Resolution
Disclosure:	Open Session	Authority:	Committee Structure, Section D
Date submitted:	2/1/21	Referred by:	None

Recommendation and/or action language:

Recommend a motion, to present a resolution to the County Board celebrating Black History Month.

Background:

February is Black History Month, an annual observance remembering important people and events in the history of African Americans. Many residents of African descent have called Richland County their home. The Richland County History Room has researched two early residents including:

- Benjamin Butts – lived in Richland Center as a teenager after the Civil War. He was born as a slave, and after living in Richland Center, moved to Madison. There he owned a barber shop serving many governors. He was also the only black person on staff in the Wisconsin State Assembly in 1877. In 1918, his son Leo Butts became the first black football player for the University of Wisconsin Badgers.
- Miller Bowler – was a barber in Richland Center during the late 1800's and early 1900's and had a daughter and grandchildren.

A Resolution Celebrating Black History Month

WHEREAS Black History Month has been celebrated across the country since the 1970's, when President Gerald Ford urged Americans to "seize the opportunity to honor the too-often neglected accomplishments of Black Americans in every area of endeavor throughout our history," and

WHEREAS African Americans have struggled with adversity to achieve full citizenship in American society, and

WHEREAS people of African descent have called Richland County home since the 1860's, including early residents Benjamin Butts and Miller Bowler, and

WHEREAS the Richland County History Room educates residents about the history of our county, including African Americans.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby celebrates Black History Month, and

BE IT FURTHER RESOLVED that the County Board encourages residents to learn about and embrace the historical contributions of African Americans in our county, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

Richland County Rules & Resolutions Committee

Agenda Item Cover

Attachments and References:

Attachment A: Early Residents

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

Approval:

Review:

Department Head

Administrator, or Elected Office (if applicable)

From the Wisconsin Historical Society:

HISTORICAL ESSAY

Benjamin Butts (1853-1930)

One Man's Journey from Slavery to Madison Business Owner to State Assembly Staff Member

Every February during Black History Month we celebrate African-American leaders and heroes. But what was life like for post-Civil War black people who didn't become famous? Read the fascinating story of one Wisconsin man's journey from slavery to business owner to State Assembly staff member.

From Bondage to Freedom

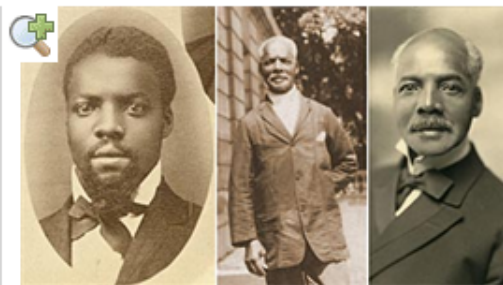
Benjamin Butts (circa 1853-1930) was an 11-year-old slave when Wisconsin soldiers occupied his hometown near Petersburg, Virginia, in 1864. He hung around their camp, as many displaced ex-slaves did. When Col. Thomas Allen of the 5th Wisconsin Infantry asked Benjamin if he would like to do light chores, he leaped at the chance.

When the regiment returned home to Wisconsin, Bennie (as he was known) did too. He went to Richland Center with Maj. Cyrus Butt. Like most former slaves, he had no surname of his own, so he adopted the major's. His former comrades found work for him to do until he was old enough to live on his own.

In about 1870 Butts moved to Madison. The city had very few black residents at that time, and prejudice was universal. Personal services like shaving and cutting hair were among the few vocations open to African Americans. Bennie worked as a porter and a clerk before finding a job in a barber shop.

Tending to Madison's Elite

In 1872, while still a teenager, Butts opened his own barber shop at 5 Pinckney Street, across from the Capitol. "He shaved daily many notables from the Capitol," recalled a journalist years later. "Governors Rusk, Washburn, Taylor, Smith, Fairchild and Peck were among his best customers." For 28 years he tended to Madison's elite, and his intimacy with them led to moonlighting opportunities. In 1877, for example, in addition to running his own shop, he also held a position as **washroom attendant for the state Assembly** (and the only black person on the Assembly's staff).



Benjamin Butts, (circa 1853-1930)

Benjamin Butts (circa 1853-1930) was an 11-year-old slave when Wisconsin soldiers occupied his hometown near Petersburg, Virginia, in 1864. Source: [WHI-45152](#), [WHI-45153](#), [WHI-45156](#)

Wisconsin Assembly Clerks and Employees



A Well-Known Character

For many years Butts also served as doorman at official government ceremonies and as a butler at private parties on Mansion Hill. "A public function was not complete without Bennie," **recalled one observer**. "His manners were superb," said another, a remark tinged with the condescension that black people faced every day in turn-of-the-20th-century America.

In 1895, Butts was running his own business and raising a family, yet was one of only 41 African Americans in the city. He, his wife and their five children made up 10 percent of the entire black population of the city.

The Wisconsin Historical Society opened its grand new building on the University of Wisconsin campus in the fall of 1900. The Society's library served both legislators and university faculty, so it was essential to have someone who knew his way around town to deliver and retrieve communications. The Society hired the now-middle-aged Butts as a janitor and messenger. One photo from the Society's visual materials archives **shows him standing outside the Society's front entrance**. Bennie Butts was known and well liked everywhere, and he held the position for three decades.

At the End of His Life

In January 1930 his wife died, and a few weeks later he contracted pneumonia and **died** at age 80 in his home a few blocks from the Capitol. The man who began life as a Virginia slave left an estate of \$1,300 (equivalent to \$35,000 today).

Butts' Son Leo Makes His Own Mark on Wisconsin Football History

In an intriguing sidebar to the story of Bennie Butts' life and his years in Madison, in 1918 his son Leo became the first black football player for the University of Wisconsin Badgers. In the second game of the 1918 season, in a 21-0 victory over Beloit College, Leo Butts entered the lineup, becoming **the first known African-American Badger to participate in a football game**.

From UW-Badgers website:

Leo Vinton Butts, the son of one of Madison's earliest black residents, was the first known African-American to represent the University of Wisconsin on the football field. A native of Madison, Butts was a substitute lineman on the 1918 varsity football squad.

Leo Butts' father, Benjamin "Benny" Butts, was born into slavery in the state of Virginia. During the Civil War, the elder Butts escaped to the camp of the Wisconsin 5th Regiment, who adopted the 13-year old Benny as the unit's "mascot." After the end of hostilities, Benny traveled back to Wisconsin with the 5th regiment, and, by 1870, he resided in Madison and operated a popular downtown barbershop. About 1900, Benny Butts took a position as the head messenger at the State Historical Society of Wisconsin, a job he would keep for the next three decades.

Leo V. Butts, the second youngest of Benny and Amy Butts's five children, was born in 1898. For much of his childhood, the family lived at 639 East Dayton Street, and, in 1913, Leo entered Madison High School - the now defunct Central High School. Throughout his high school career, he participated in athletics, competing on his class football and track teams, as well as, playing one year of varsity basketball and two years of varsity football. Butts impressed on the gridiron, earning a starting berth as a lineman in both of his seasons on the varsity. Butts graduated from Madison High School in 1917, and the yearbook editors described their classmate thusly: "courteous and kind he was, and willing too."

Butts entered the University of Wisconsin and answered the call for football candidates in September of 1918. Due to wartime travel restrictions and an influenza epidemic throughout the Midwest, the season got off to a late start, and the Badgers played an abbreviated slate of only six contests. In the second game of the campaign, a 21-0 victory over Beloit College on November 2nd, Butts entered the lineup as a substitute right guard, becoming the first known African-American Badger to participate in a football game.

The Daily Cardinal saw potential in the young lineman, and reported that although he "came out late in the season... he has shown lots of pop and action and promises to put up a good game." It is unclear whether or not Butts appeared in the rest of the games on the schedule, but he proved valuable enough to be selected as one of only four substitute linemen to make the traveling squad for the two road games at Minnesota and Ohio State.

In addition to his football activities in the fall of 1918, Butts was a private in the Students' Army Training Corp. The athletic and military commitments took time away from his studies in the Pharmacy School, though, and, during the next two years, he gave up football to concentrate on his coursework. In 1920, Butts received his degree and was, reportedly, the first African-American to graduate from the University of Wisconsin School of Pharmacy.

As the final requirement for his Ph.G. (Graduate in Pharmacy) degree, Butts penned a 25-page thesis titled "The Negro in Pharmacy" about the contemporary state of African-American pharmacists. Despite scouring the professional literature and corresponding with prominent black pharmacists, he had trouble finding information about "the people of my own race in my chosen profession."

In the introduction to his thesis, Butts poignantly lamented that "the library of the University of Wisconsin contains one of the best, if not the best, and largest pharmaceutical libraries in America. It is replete with all kinds of pharmaceutical literature, historical, scientific, and commercial, yet in all this library there is scarcely a reference to the Negro in pharmacy."

Soon after receiving his degree, Butts moved to Gary, Indiana, where he worked as a postman for 20 years. After World War Two, Butts finally put his pharmacy degree to work and purchased the Owl Drug Store in Gary. An active participant in the Northern Indiana Medical, Dental, and Pharmaceutical Association, Butts operated the Owl Drug Store until his death from a "heart ailment" in 1956.

Butts article researched by Gregory Bond, Ph.D.
History, University of Wisconsin-Madison
badgerhistory@yahoo.com

From the Richland County History Room:



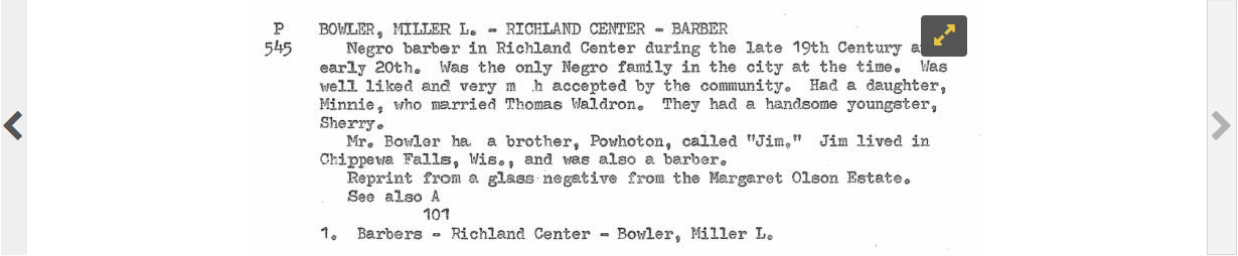
Miller L. Bowler

Only negro in P.C. at the time.
He had a grandson
named Sherry Waldron,
a handsome youngster

Taken between 1885-
P. 1909

545-01

County Room
Brewer Library



Object Description	
Title	Miller L. Bowler, barber, Richland Center, Wisconsin, ca. 1900.
Notes	Front Picture Description: Black and white image of a man standing outside of a doorway wearing a white shirt, medium colored pants and a light colored hat and has a pipe in his mouth. Said to be African American. Back Print: County Room Brewer Library Back Writing: Miller L. Bowler Only negro in R.C at the time. He had a grandson named Sherry Waldron, a handsome youngster Taken between 1885-1909, P545-01, Glass Plate Negative a101, Had a brother, Powhoton, called Jim, in Chippewa Falls, Jim was also a barber Accession Book Description: P545 BOWLER, MILLER L. - RICHLAND CENTER - BARBER Negro barber in Richland Center during the late 19th Century and early 20th. Was the only Negro family in the city at the time. Was well liked and very much accepted by the community. Had a daughter, Minnie, who married Thomas Waldron. They had a handsome youngster, Sherry. Mr. Bowler had a brother, Powhoton, called "Jim." Jim lived in Chippewa Falls, Wis., and was also a barber. Reprint from a glass negative from the Margaret Olson Estate. See also A101 1. Barbers - Richland Center - Bowler, Miller L.
Year	ca. 1900
Family Connection	Bowler, Miller L. (ca. 1828-?);
Donor	<u>Parfrey Olson, Margaret P. (1895-1981)</u>



P Powhatan
309-01 +
Sheridan

Waldon

"Powy + Sherry"

County Room
Brewer Library

Gift of Marcia Nobel
These two little Negro
children went to the old
white school - teacher
Yellie Fries (Knobell)
Mr Waldon - son-in-law of
Mr Powell - Both were barbers

Richland County Rules & Resolutions Committee

Agenda Item Cover

Agenda Item Name: County Board Size

Department	n/a (County Board)	Presented By:	Shaun Murphy-Lopez
Date of Meeting:	2/4/21	Action Needed:	Resolution
Disclosure:	Open Session	Authority:	Committee Structure, Section E
Date submitted:	2/1/21	Referred by:	None

Recommendation and/or action language:

Recommend a motion to 1) receive and file information on the County Board's size, and 2) develop a survey asking County Board members to give input on their preference for the future size and organization of the Richland County Board.

Background:

Resolution No. 21-17 established a timetable for drawing supervisory district boundaries during the 2021 redistricting process (creating new supervisory districts for the years 2022 through 2031). Step 1 included determining the size of the County Board during the months of February and March. The attached report includes information on:

- A high-level view of how Richland County supervisory districts are created to have equal representation.
- Comparisons of Richland County Board size to other Wisconsin counties.
- The number of people who would be represented by each supervisory district, should the size of the Board be reduced.
- The number of committee/board/commission supervisor-meetings currently taking place each year, and how that may be impacted by a reduction in the size of the County Board.
- Three examples of Wisconsin Counties that have reorganized their committees/boards/commissions into a fewer number of standing committees.

Attachments and References:

Attachment A: Information on Richland County Board size

Financial Review:

(please check one)

<input type="checkbox"/>	In adopted budget	Fund Number	
<input type="checkbox"/>	Apportionment needed	Requested Fund Number	
<input type="checkbox"/>	Other funding Source		
<input checked="" type="checkbox"/>	No financial impact		

Approval:

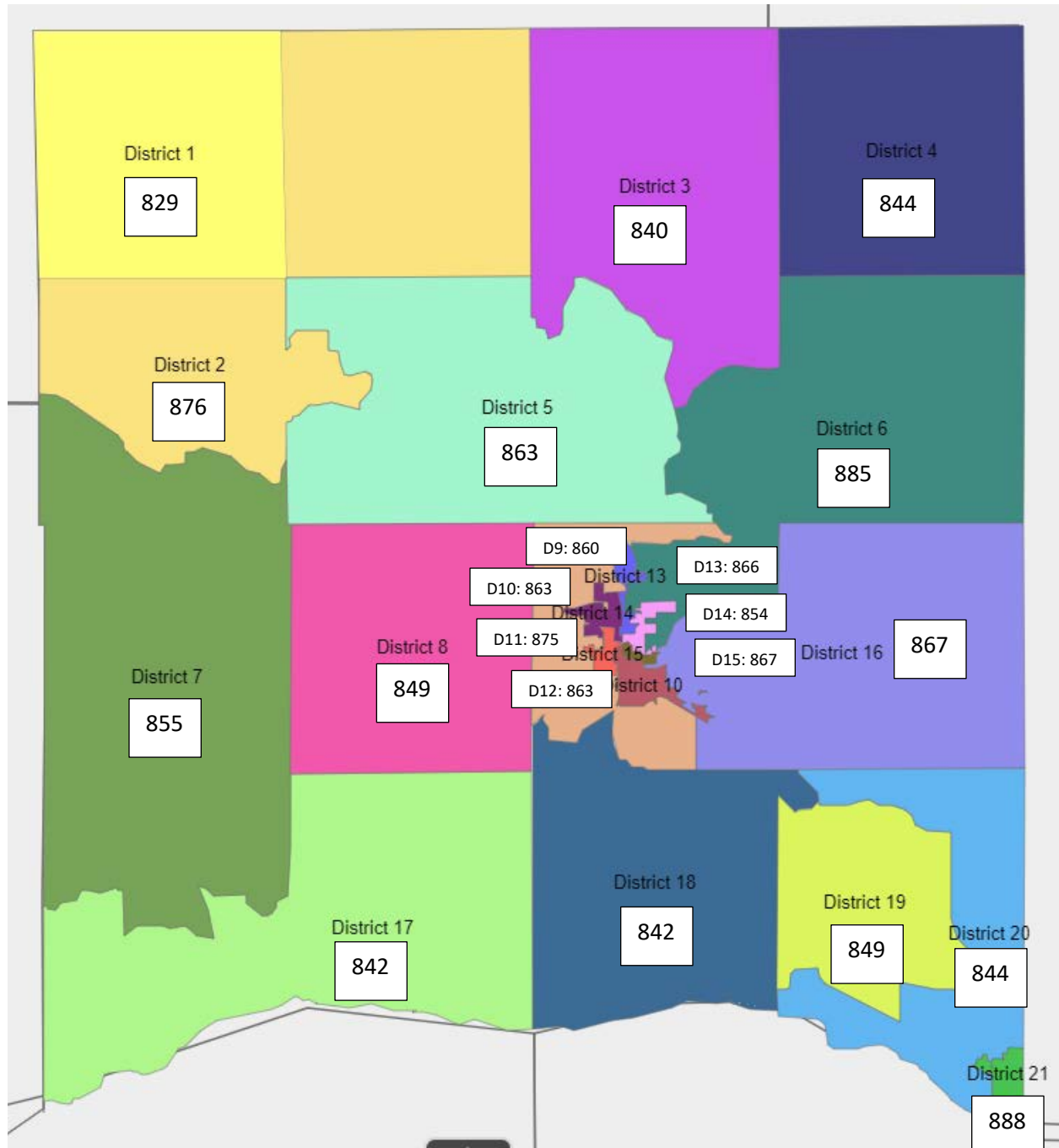
Review:

Department Head

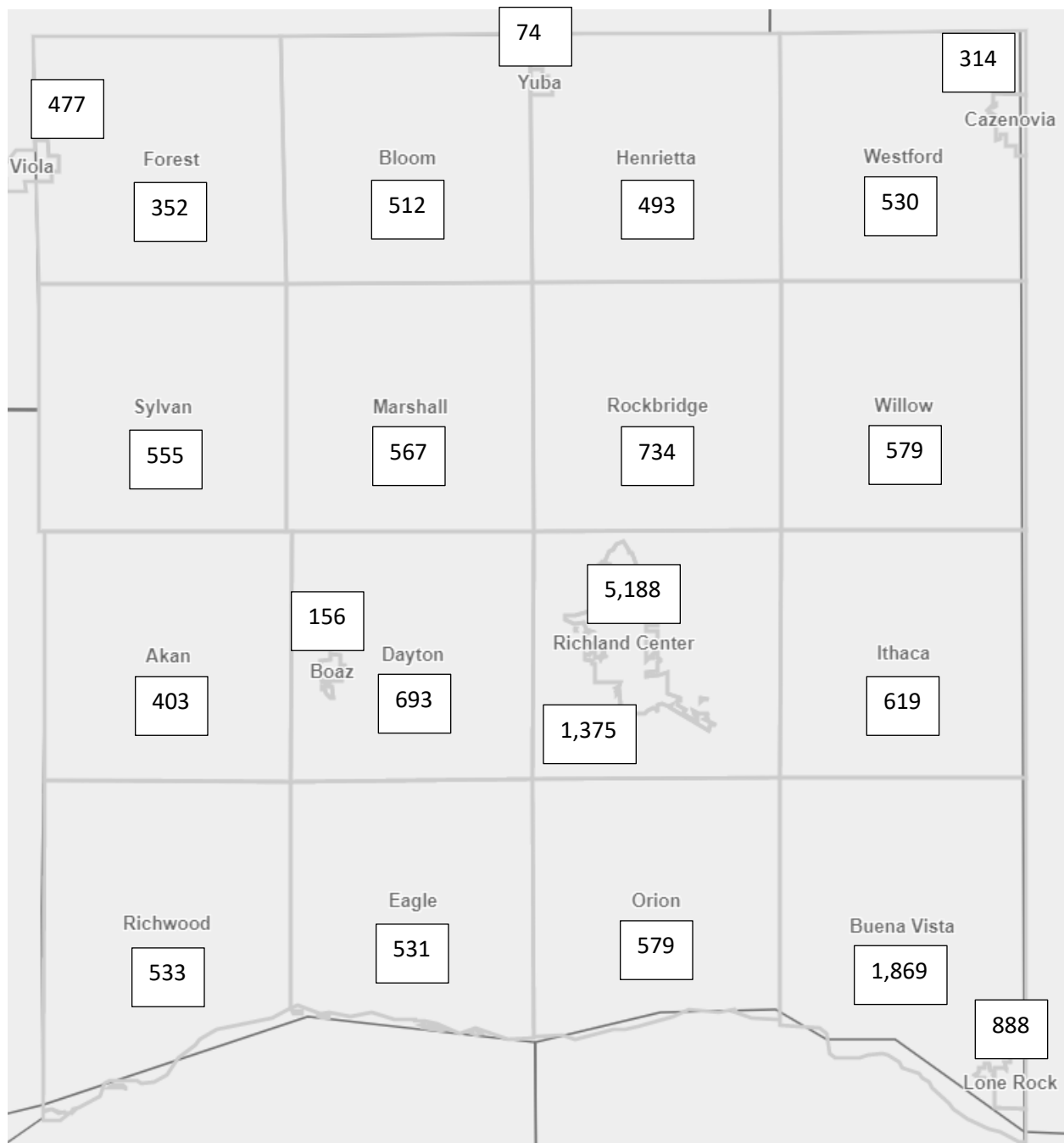
Administrator, or Elected Office (if applicable)

Richland County Board Size

Richland County supervisory districts are divided so that roughly the same number of people are represented by each seat. In the 2010 Census, the population of Richland County was 18,021. Dividing the total population by 21 seats, each seat represents an average of 858 people ($18,021/21$). The actual number of people in each district ranges from 829 to 888, or a deviation of 6.9% ($58/858 = 6.9\%$). It is generally accepted that a deviation of 10% allows for equal representation, meaning the range after the 2010 census could have been up to 86 people ($858*10\%$).



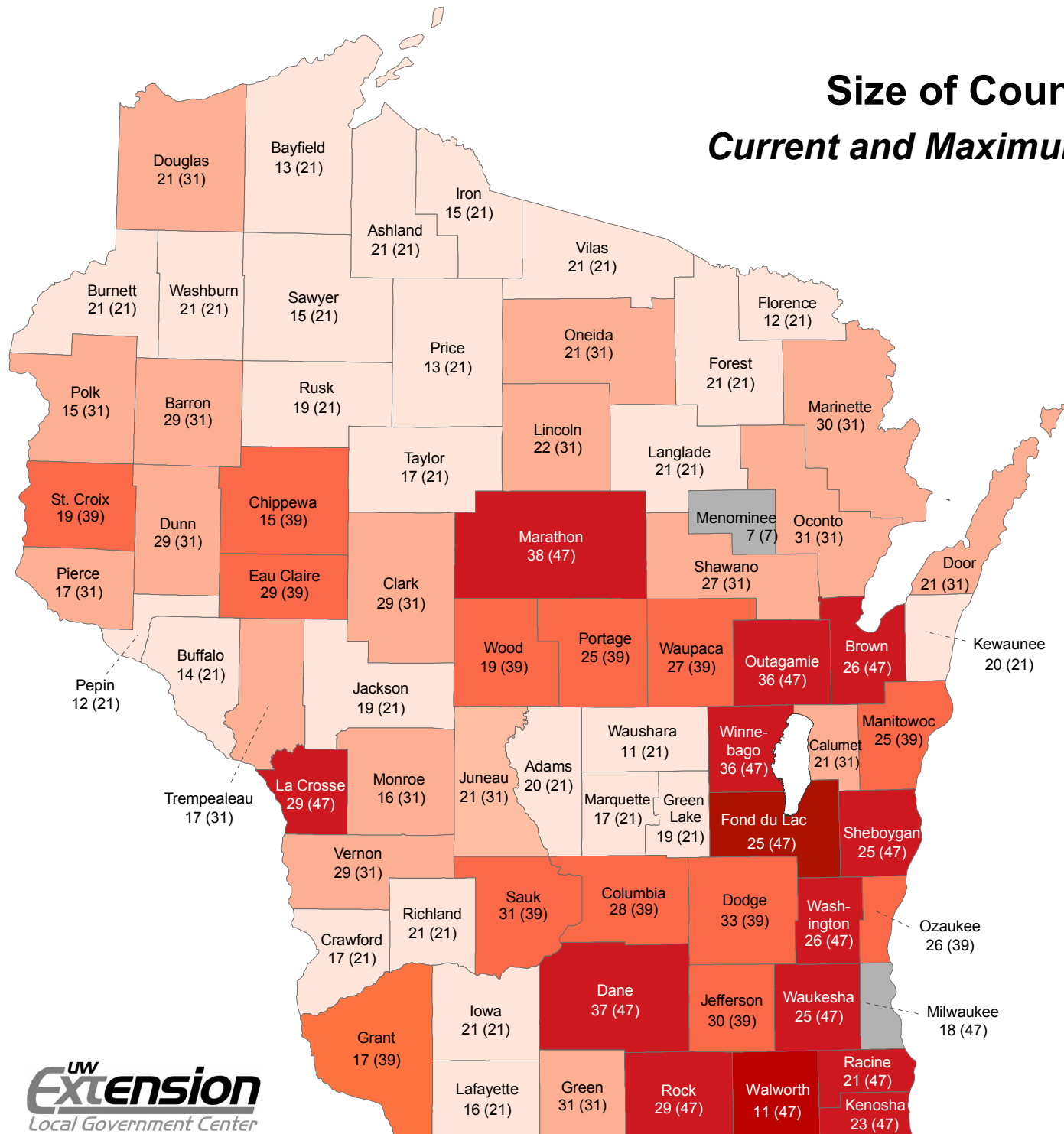
Because the population in almost none of Richland County's municipalities fall between the acceptable range, they are combined and/or split to create districts closer to the average (the Village of Lone Rock was the only exception).



In order to redraw supervisory district lines later in 2021, the County Board needs to determine the number of seats desired for the following decade (2022 to 2031). The map on the following page shows the size of County Boards across Wisconsin, by current number and maximum allowed. Since Richland County has a population of less than 25,000, the maximum number of County Board seats allowed is 21.

Size of County Board

Current and Maximum Allowable Size



County Population = max size

- Less than 25,000 = 21
- 25,000 to 49,999 = 31
- 50,000 to 99,999 = 39
- 100,000 to 750,000 = 47
- Statutory Special Exception

Number of Supervisors

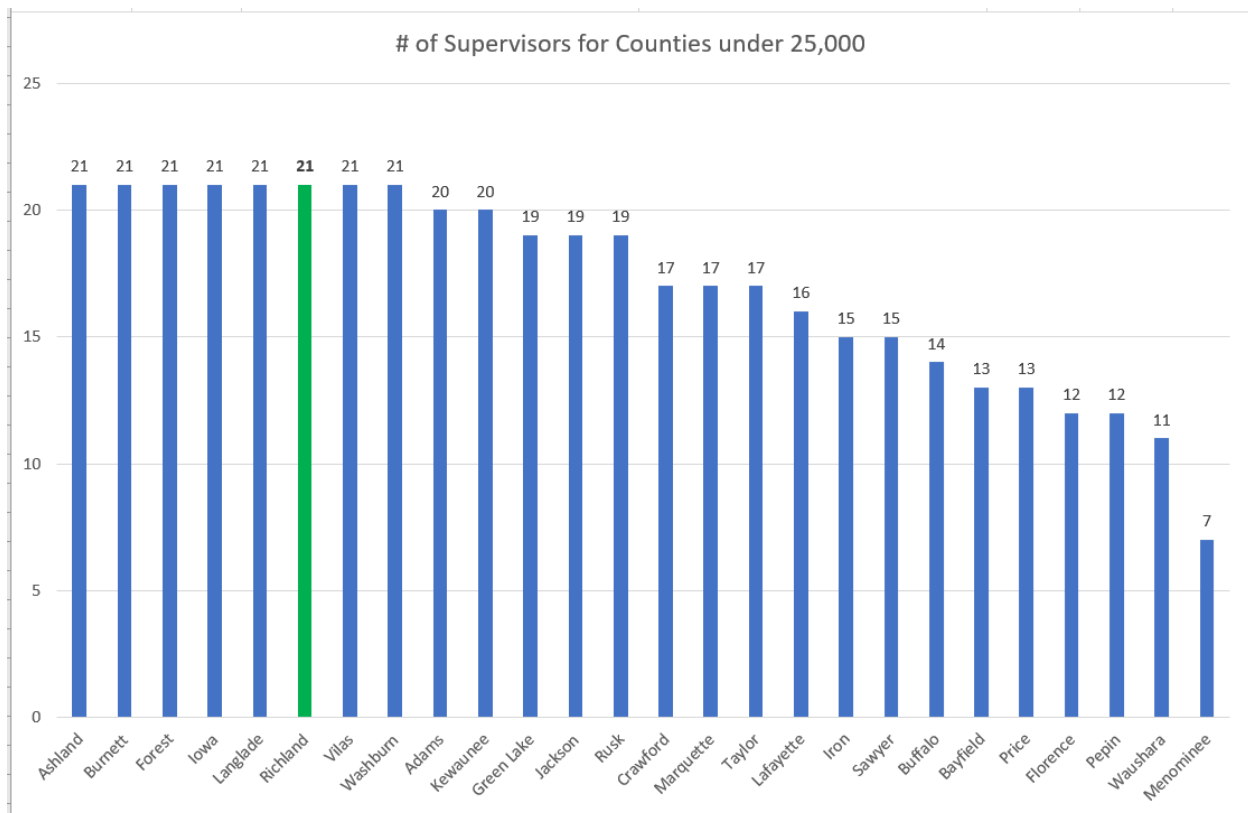
38 (47) Current Number (Max. Number)

Sources: UW-Extension Local Government Center and 2010 Census of Population and Housing

12-1-18 - Information assembled by Dan Hill and Daniel Foth, Local Government Specialists, University of Wisconsin-Extension Local Government Center

26 out of Wisconsin's 72 counties have a population of 25,000 or less. The average number of County Board supervisors in these 26 counties is 17. Eight out of these 26 counties have 21 County Board supervisors (the maximum allowed), while the remaining 18 counties have between 7 and 20 County Board seats.

County	Population	# of Supervisors for Counties under 25,000	Average Constituents per Supervisor
Ashland	16,000	21	762
Burnett	15,000	21	714
Forest	9,000	21	429
Iowa	14,000	21	667
Langlade	20,000	21	952
Richland	18,000	21	857
Vilas	21,000	21	1,000
Washburn	16,000	21	762
Adams	21,000	20	1,050
Kewaunee	21,000	20	1,050
Green Lake	19,000	19	1,000
Jackson	21,000	19	1,105
Rusk	15,000	19	789
Crawford	17,000	17	1,000
Marquette	15,000	17	882
Taylor	21,000	17	1,235
Lafayette	17,000	16	1,063
Iron	6,000	15	400
Sawyer	17,000	15	1,133
Buffalo	14,000	14	1,000
Bayfield	15,000	13	1,154
Price	14,000	13	1,077
Florence	4,000	12	333
Pepin	7,000	12	583
Waushara	25,000	11	2,273
Menominee	4,000	7	571
Average	15,462	17	917



If the size of the Richland County Board were to be reduced, one of the impacts would be the number of people represented by each Supervisor.

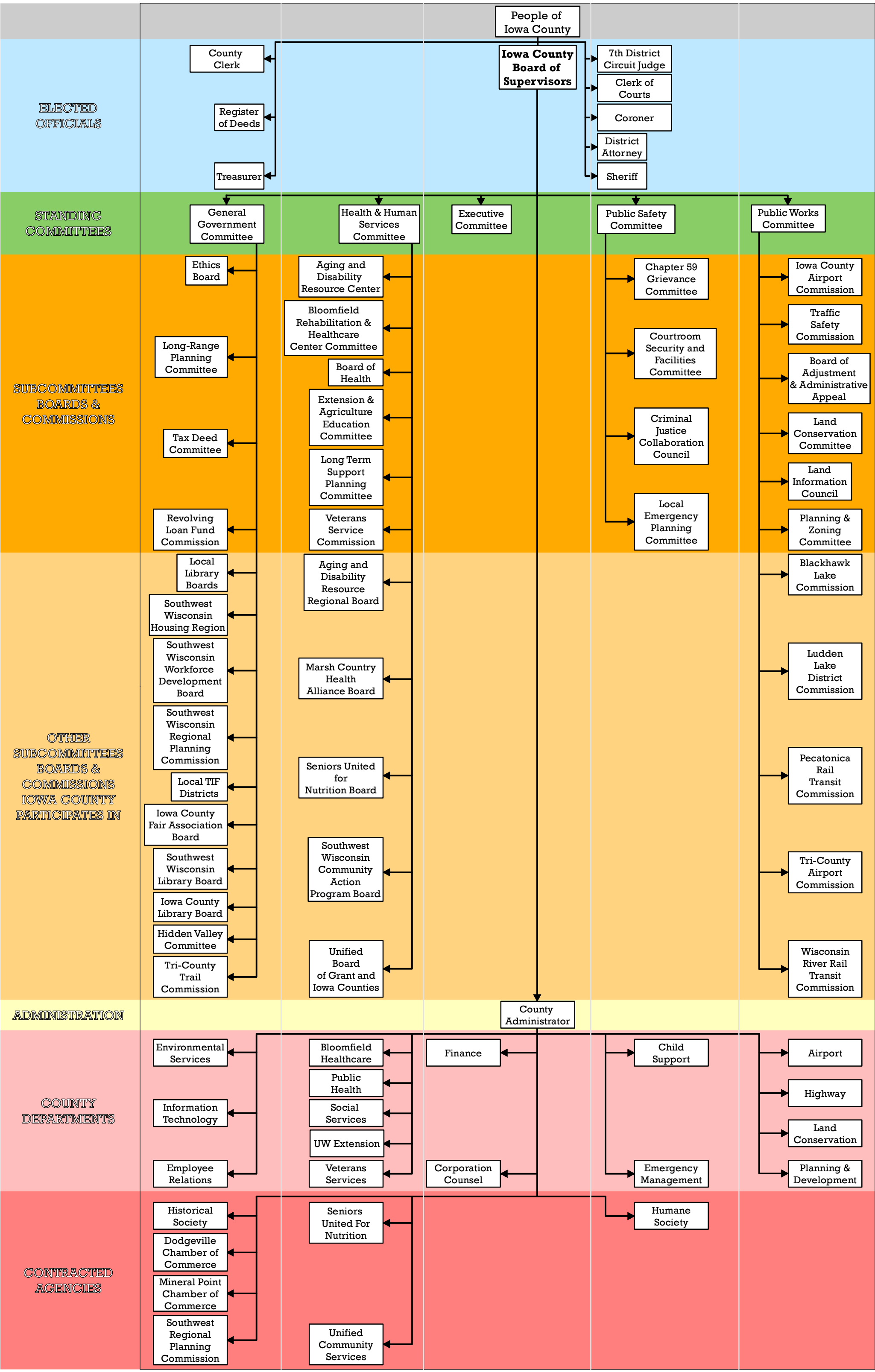
# of Districts	# of Constituents per District
21	857
19	947
17	1,059
15	1,200
13	1,385
11	1,636

County	Population	# of Supervisors for Counties under 25,000	Average Constituents per Supervisor
Waushara	25,000	11	2,273
Taylor	21,000	17	1,235
Bayfield	15,000	13	1,154
Sawyer	17,000	15	1,133
Jackson	21,000	19	1,105
Price	14,000	13	1,077
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Adams	21,000	20	1,050
Kewaunee	21,000	20	1,050
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Green Lake	19,000	19	1,000
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Menominee	4,000	7	571
Forest	9,000	21	429
Iron	6,000	15	400
Florence	4,000	12	333
Average	15,462	17	917

Another impact would be the number of committees/boards/commissions on which each County Board supervisor would serve (data was gathered off available websites and likely includes errors):

Committee/Board/Commission	# of Meetings in 2020	# of Supervisor Committee Seats	# of Supervisor-Meetings
Finance & Personnel	19	7	133
Highway	17	5	85
Fair & Recycling (2019)	21	4	84
Land Conservation	14	5	70
Law Enforcement Judicial	14	5	70
Health & Human Services	15	4	60
Parks	14	4	56
Property	11	5	55
Rules & Resolutions	11	5	55
Pine Valley	13	4	52
Zoning	10	5	50
Agriculture & Extension	8	5	40
UW-Richland	7	5	35
Symons Natatorium	10	3	30
Audit	9	3	27
City Library Board (est. meetings)	12	2	24
Committee on Committees	3	7	21
Veterans Service	6	3	18
Joint Ambulance	8	2	16
Administrative Transition	3	5	15
City Park Board (est. meetings)	12	1	12
Child Support	4	3	12
Aging and Disability	9	1	9
Transportation Coordinating	3	2	6
Emergency Management	2	3	6
Economic Development	5	1	5
City-County Ad Hoc	1	3	3
Chapter 980	11		0
Coordinated Services Team (CCS)	3		0
Coordinated Services Team (CST)	3	0	0
Local Emergency Planning	2		0
Center FOCUS	0		0
Courthouse Security	0	2	0
Hidden Valleys	0	1	0
KIDS Council	0		0
Neighborhood Housing Services		1	0
Nutrition Advisory		1	0
Tri-County Airport		2	0
Viola Library		1	0
Total	280	110	1049
Average per Supervisor (Existing)		5.2	50
Average per Supervisor (19)		6	55
Average per Supervisor (17)		6.5	62
Average per Supervisor (15)		7.3	70
Average per Supervisor (13)		8.5	81
Average per Supervisor (11)		10	95

However, some counties have organized existing committees/boards/commissions into standing committees, as shown in the 3 following examples from Iowa, Monroe, and Washington Counties. In Monroe County, this organization was tied to a reduction in County Board supervisor seats. In Iowa County, a reduction in County Board supervisor seats did not occur and was unrelated to a “standing committee” form of organization.



Monroe County Board

Administration & Personnel Committee

Five county board supervisors

To act as the:

Administrative/Executive Committee, see Chapter 2, Article IV, Division 6, Subdivision II, and The Personnel and Bargaining Committee. Three of the committee members shall serve as the Bargaining Committee.

Departments:

Child Support Agency, Corporation Counsel, County Administrator, County Clerk, Information Systems, Land Information Office, Personnel, Real Property Lister, Register of Deeds, Surveyor, and Veterans Services.

Economic Development Committee

Three county board supervisors plus three ex-officio members

Duties: See Chapter 2, Article IV, Division 6, Subdivision III.

Departments:

Economic Development, and Tourism

Finance Committee

Five county board supervisors

to act as the Finance Committee a/k/a Finance, Claims and Insurance Committee. To address library funding and planning.

Departments:

Finance

County Treasurer

Health & Human Services Committee

Five county board supervisors plus additional four citizen members under Wisconsin Statutes

to act as the Board of Health, Human Services Board, see Chapter 15, Article II, Division 2, and Commission on Aging, see Chapter 2, Article IV, Division 7, and Senior Services Committee.

Departments:

Health Department, Department of Human Services, Senior Services.

Highway Committee

Five elected board supervisors

Duties: To act as the Highway Committee under Chapter 83 of the Wisconsin Statutes.

Departments:

Highway Department

Natural Resources & Extension Committee

Five county board supervisors, plus members under §92.06 Wis. Stat.

to act as the Agriculture and Extension Committee, Land Conservation Committee and Forestry & Parks Committee.

Departments:

Home and Community Education, Land Conversation, Local History Room, Parks & Forestry, U.W. Extension and 4H.

Property & Maintenance Committee

Five county board supervisors

to act as the Property & Purchasing Committee.

Departments:

Maintenance.

Public Safety & Justice Committee

Five county board supervisors

to act as the Public Safety Committee.

Departments:

Clerks of Courts, District Attorney's Office, Emergency Management, Justice Systems, Medical Examiner, Circuit and Probate Courts, Sheriff's Office and 911 Communications Center.

Rolling Hills Committee

Five county board supervisors

to act as the Rolling Hills Rehabilitation Center committee.

Departments:

Rolling Hills Rehabilitation Center.

Sanitation & Zoning Committee

Five county board supervisors

to act as the Dog Control Committee, Sanitation & Zoning Committee, Sanitation Committee and Zoning Committee. The Zoning Committee addresses land use, planning and zoning policy for the county.

Departments:

Animal Shelter, Animal Control, Sanitation and Zoning.

Solid Waste Committee

Four county board supervisors plus town chair

Duties: See Chapter 2, Article IV, Division 3.

Departments:

Solid Waste

Washington County Organizational Chart

