LINCOLN COUNTY AD HOC RULES COMMITTEE

Wednesday, January 7, 2026 - 2:30 PM

MINUTES

1. Call Meeting to Order

a. Roll Call

Vice-Chair Lyskawa called the Ad Hoc Rules Committee to order at 2:30pm with the following members present: Joe Dorava, Marguerite Lyskawa, Jim Meunier, and Ken Wickham, Angela Cummings (V) (4).
Guests: Karry Johnson, Renee Krueger, and Chris Marlowe.

2. Public Comment

There were no public comments.

3. Approve Minutes of Previous Meeting(s)

a. December 17, 2025

M/S Meunier/Dorava to approve the December 17, 2025 meeting minutes as written. The motion to approve was carried by a voice vote.

b. Updated Rules Template dated December 17, 2025

M/S Wickham/Dorava to approve the December 17, 2025 updated rules template. The motion to approve the updated template was carried by a voice vote.

4. Review and discuss the Conversion of Lincoln County Chapter 2 to the WCA Template

- **Committee of the Whole and Remote Attendance** The committee resumed review of the draft rules starting at section 4.02 (Committee of the Whole). Remote attendance at meetings (4.03) was discussed, specifically concerning the limitation that no member may attend more than four non-consecutive meetings remotely in any two-year session. Angela Cummings suggested eliminating the cap or making it a higher number due to modern travel and technology, which the committee agreed was a proper consideration.

- **Remote Attendance Limitations and Chair Approval** The discussion continued regarding remote attendance, the committee suggested eliminating the cap entirely unless it becomes an issue for the chair to address. Angela Cummings proposed allowing the chair of the meeting to approve virtual attendance. It was questioned whether the board chair has the authority to limit a county board member's attendance if a virtual option is provided, and brought up the issue of consequences for violating attendance rules.

- **Consequences for Non-Attendance** The committee emphasized the lack of consequences within the current rules for non-attendance or habitual virtual attendance, suggesting that the issue be referred back to the existing process for addressing missing meetings. They mentioned potential consequences could include public censure or removal from a committee after multiple infractions. Chris Marlowe suggested a change to limit remote attendance to "no more than four consecutive meetings remotely in any session" without chair approval, which Angela Cummings preferred be handled under the enforcement section.

- **Final Wording on Remote Attendance and Order of Business** The committee agreed on the revised wording for remote attendance: "No member may attend more than four consecutive meetings remotely in any session without board or committee chair approval". They then reviewed the county board meetings' order of business (4.04), confirming that closed sessions usually occur near the end, typically followed by reconvening to open session, taking action, and discussing the next board meeting.

- **Placement of Public Comment in the Agenda** The placement of public comment in the county board agenda was discussed. It was noted that it is done at the front of committee meetings but that later placement in the full county board meeting allows the public to comment closer to resolution discussions and accommodates latecomers. Angela Cummings supported leaving the public comment where it is, agreeing with Karry's stated reasons and noting that the initial part of the meeting is typically brief.

- **Committee Order of Business Flexibility** Angela Cummings raised a question about laying out a specific order of business for committees, as some found the suggested order incompatible with their needs. Chris Marlowe explained that flexibility is necessary for committees like Public Safety and Land Services due to multiple departments and varying procedures. The committee agreed to change the language to state that the proposed list is a "recommended order of business for all of the meetings of the committees" to provide a basic template while allowing flexibility.

- **Rules Clarifications and Section Amendments** Karry Johnson confirmed that the chair of a committee can change the order of business, but a committee majority vote is required to overrule the chair. They clarified that resolutions from boards or commissions typically go through a committee rather than directly to the county board. It was decided to add "board of health or the social services board" to the committee definitions. The committee also confirmed the consistent use of the pronoun "his or her" for the board chair's discretion.

- **Addressing Bracketed and Unnecessary Provisions** The committee decided to remove section 4.09 C, which deals with resolutions for employee recognition and retirement, stating that the board should be able to recognize anyone without an ordinance limiting it. Regarding 4.10 B, the requirement for a two-thirds vote of "members elect" to amend rules was discussed to ensure consistency and prevent easy rule changes.

- **Enforcement Procedures** Discussion on section 5.01 (Procedure for enforcement) covered the interpretation of "violated during a meeting," which was interpreted as including violations like unexcused absences from meetings. Karry confirmed that statutes allow for monetary penalties for rule violations, suggesting adding a clause to cover enforcement "as otherwise authorized by state statute".

- **Removal of Ethics Committee Reference** The committee agreed to remove section C which references an ethics committee from the ordinance, as the committee does not currently exist. They determined that the remedies listed in B1 through what would become seven were sufficient to address misconduct.

- **Procedure for Moving Ordinance Items** The discussion moved to the process for moving items from one chapter to another, specifically those not remaining in Chapter 2. Angela Cummings proposed listing the desired Lincoln County rules, then highlighting which ones are to be moved and to which chapter (e.g., Chapter 1 or 3) at the end of the draft, and the committee agreed that this approach was fine.

- **Concurrent Effectiveness of New Chapters** Karry Johnson suggested that the new Chapter 2 should be made effective concurrently with the incorporation of the moved provisions into their new locations to avoid a gap in the rules.

- **Revisions to Section 1A of Proposed Ordinance** Karry Johnson requested a few immediate revisions to Section 1A of the proposed ordinance related to the items being moved to Chapter 1, noting the need to remove the reference to "assistant court counsel" as that position does not exist. They also requested correcting the spelling of "council" and replacing any reference to the "personnel committee" with the "administrative and legislative committee".

- **Discussion on Board Role Reconsideration Provisions** Johnson referenced an email about the inclusion of certain board rules specific to Wisconsin templates, specifically regarding a "reconsideration folder". They suggested asking Andy Phillips about the value of keeping the reconsideration provision, given that its usefulness was questioned, and decided to follow up on this with him.

- **Handling of Compensation and Reimbursement Details** Johnson suggested linking to the external location of compensation and reimbursement rules to avoid constant updates to the board rules. Johnson supported this, suggesting that Chapter 3 (Finance Chapter) should outline reimbursement details and that the board rules should simply refer to the finance chapter, which would then apply to everyone, not just the board.

- **Mileage Reimbursement and Insurance Requirements** The committee discussed the mileage reimbursement rate and associated insurance requirements, specifically the practice of paying nine cents less per mile. Renee Krueger, following a recommendation that was to be discussed at the A&L committee, favored eliminating the nine-cent difference for non-compliance, stating that the non-compliance rate was not an IRS rate and the administrative oversight was burdensome. They concluded that mileage should be payable at the current IRS rate upon proof of minimum required insurance.

- **Statutory Limits on Supervisor Meeting Attendance** Vice-Chair Lyskawa raised a concern about the current 85-day limit for committee meetings in the ordinance compared to the Wisconsin statute of 30 full-day meetings, though the statute allows for an increase by a two-thirds board vote. Angela Cummings pointed out that the previous number (85 days) had already been approved by previous boards and questioned why they were moving away from that number if the state statute allows modification.

- **Maintaining the 85-Day Limit with Statutory Reference** Ken Wickham clarified that the inclusion of the state statute reference was to highlight that state law governs the matter but allows the board to amend the number of days. They confirmed that the consensus was to change the ordinance back to 85 days, while also including language acknowledging the state statute and affirming the board's increase to 85 days through a two-thirds vote, making the board's intention clear.

- **Relocating Meal Reimbursement Numbers** Johnson confirmed that the numerical rates for meal reimbursement would be removed from the board rules and referenced in Chapter 3 instead. This change ensures that if the numbers change, only Chapter 3 needs amending, not the board rules.

- **Revisiting Closed Session Attendance Rules** Lyskawa initiated discussion on the closed session rules (2.15), specifically concerning remote attendance based on Wisconsin statute 19.89. Johnson questioned the current ordinance's ability to exclude duly elected or appointed members of a body from a closed session solely for being remote, citing the statute's provision that members cannot be excluded from any meeting of such body.

- **Requirement for In-Person Attendance for Closed Sessions** To maintain the integrity of closed sessions without violating the statute, Johnson proposed mandating in-person attendance for the entire meeting if a closed session is on the agenda. Angela Cummings confirmed that she understood the rule would require in-person attendance for the entire meeting, not just the closed session portion.

- **Debate on Excluding Non-Members from Closed Session** Angela Cummings preferred the WCA's broad wording allowing exclusion of board members from a closed session, while Wickham was wary of granting unelected officials the ability to exclude elected officials. Wickham suggested that the rule should only allow exclusion under specific, limited circumstances to protect the public interest.

- **Clarity on Exclusion of Non-Committee Members** Johnson emphasized that the rule must be clear and transparent regarding the exclusion of non-committee members, noting that the committee majority would vote on exclusion. The committee agreed that the motion to go into closed session is where any specific exclusions and the reasons why, if any, would be stated and voted upon by the committee.

6. **Develop Further Work Details**

- Vice-Chair Lyskawa confirmed that the discussions on section 2.15 regarding closed session attendance will continue at the next meeting, as there was not enough time to reach a final resolution. The goal is to have the finalized draft ready for the February county board meeting.

- Summary of changes to be made to the WCA Template before next meeting:

  - Update the rule regarding remote attendance to state that no member may attend more than four consecutive meetings remotely in any session without board or committee chair approval.
  - Update the order of business for committees to be a recommended order of business.
  - Remove section 4.08 on reconsideration.
  - Add 'board of health or the social services board' to the section on resolutions and remove section 4.09 C regarding resolutions for retirement recognition.
  - Check if the language 'members elect' is consistent with the rest of the rules in section 4.10 B regarding amendments to the rules and use consistent language.
  - Prepare to incorporate the items to be moved and their new locations into the draft so that it can be adopted concurrently with the new chapter 2.
  - Try to incorporate the change to state that reimbursement miles shall be as provided in the finance chapter instead of putting the specific numbers in the board rules chapter.
  - Research case law or anything on point regarding whether the vote to increase the number of compensated meeting days has to be two-thirds of every board session or just one time by the board.
  - Double-check to find the statute regarding minimum statutory requirements for insurance for mileage reimbursement.

7. **Upcoming Meeting Dates** Lyskawa confirmed that the upcoming meeting dateS

   a. **January 21, 2026, 2:30pm Room 247/248**

   b. **February 4, 2026, 2:30pm Room 247/248**

8. **Adjourn**
   Vice-Chair Lyskawa adjourned the meeting at 4:21 pm.