

LINCOLN COUNTY AD HOC RULES COMMITTEE

Wednesday, July 30, 2025 - 9:00 AM

MINUTES

1. Call Meeting to Order

Chair Cummings called the meeting to order at 9:00am with the following members in attendance: Cummings, Dorava, Lyskawa (V), Meunier, and Wickham. Others in attendance: Corporation Counsel Karry Johnson, Administrative Coordinator Renee Krueger, and County Clerk Chris Marlowe.

2. Approve Minutes of Previous Meeting(s) - July 9, 2025

M/S Wickham/Dorava to approve the minutes as written. The motion was carried by a voice vote.

3. Discussion & Action

- a. Review and discuss with the Corporation Counsel the details of updating rules with the WCA guiding document. Review Corporation Counsel's calendar and how often she may be able to attend meetings going forward
 - **Adopting WCA Template for Chapter 2** Corporation Counsel Karry Johnson suggested the best way to integrate Lincoln County's rules with the WCA template for Chapter 2 was to repeal the existing Chapter 2 and reintroduce it as a new chapter based on the WCA template, making it easier to follow and find topics.
 - **Integrating Existing Language** Johnson further explained that while the entire Chapter 2 would be repealed, existing language from Lincoln County's current rules could be plugged into the WCA template format. This approach would avoid the need to show underlines and strikes, making the document cleaner and easier for the County Board to understand.
 - **Budget for Ordinance Changes** Cost concerns for changing our codes in Muni-Code were addressed. Johnson shared that the allocated budget for ordinances, along with potential transfers from travel and training budgets, should cover the expenses without issue.
 - **Meeting Schedule and Corporation Counsel's Availability** The committee discussed scheduling meetings twice a month to meet their deadline of December 31. Johnson indicated that attending every other meeting would be easier for her or only attending the meetings the committee requested her to attend, with Thursday mornings generally being a day she is unavailable due to court appearances..
 - **Review Process for Ordinance Changes** Johnson offered to review the changes to the ordinance, suggesting that they could be emailed a week or two in advance for her feedback, ensuring accuracy without needing to be present for every discussion on minor adjustments.
 - **Information Sharing and Open Meetings Law** Information sharing and open meetings laws were discussed where Johnson clarified that information could be shared with the group via BCC (blind carbon copy) to avoid violating open meeting laws, as long as there was no email discussion within the group. The committee decided that documents would be added to the meeting packet to ensure proper dissemination.
 - **Online Document Storage** Clerk Marlowe suggested setting up a Google Drive for shared access to meeting documents, including information from other counties. Chair Cummings emphasized that access would be view-only to prevent issues related to open meeting laws and potential discussions or edits that could constitute a meeting.
- b. Review and discuss with the Administrative Coordinator the personnel issues that could be addressed by a committee, rulings regarding actions that may be necessary and discretionary. Review Administrative Coordinator's calendar and how often, if needed, she may be able to attend meetings going forward.
 - **Limiting Participation in Closed Sessions** The administrative coordinator Renee Krueger addressed the issue of limiting participation in closed sessions, highlighting the importance of balancing transparency with the need to protect highly sensitive information such as personnel matters, protected case situations, and staff complaints. They emphasized that certain information requires a "need to know" basis to prevent litigation and maintain confidentiality.
 - **Ethical Dilemma for Supervisors in Closed Sessions** The discussion also touched upon the ethical dilemma faced by supervisors who, while wanting to be informed, may not have the authority or training to handle sensitive information discussed in closed sessions. It was noted that board members have no voting power or policy-making role on a committee if they are not a member of that committee, raising the question of whether they should have access to sensitive information.
 - **Confidentiality of Closed Session Information** It was emphasized that information discussed in a closed session should never be revealed outside of it under any circumstance, and that state statutes require confidentiality for certain records,

such as those related to child welfare. This strict confidentiality protects against criminal charges for disclosure and potential liability for the county.

- **Identifying Committees for Restricted Access** The idea of identifying specific committees, such as the death review committee or the chapter 980 ad hoc committee (dealing with sexually violent persons), where only designated members should attend closed sessions due to legal ramifications and highly sensitive information, was discussed. This approach would provide clarity and eliminate discretion regarding who can attend.
- **Consequences for Revealing Confidential Information** The committee explored the possibility of including consequences for revealing information from closed sessions within the board rules. While such provisions could deter bad behavior, they would not undo the damage caused by the disclosure.
- **Trust and Confidentiality Among Board Members** A key philosophical debate emerged regarding the extent to which all board members can be trusted to maintain confidentiality of sensitive information, especially given past instances of leaks. The administrative coordinator asserted that supervisors do not need to know all sensitive personal or medical details, only what is necessary for their role in approving leaves or other matters.
- **Defining the Process for Exclusion from Closed Sessions** The committee recognized the need to define a clear process for excluding individuals from closed sessions, rather than attempting to list every single scenario. The Corporation Counsel confirmed that state statutes allow for such exclusions if there is a board rule providing otherwise, and offered to help with the wording to ensure clarity of intent.
- **Legislative Changes Affecting Data Access** Krueger shared information about new legislation effective next year, which will implement a "break glass access policy" for AODA and mental health records. This policy will limit who can access sensitive information, even within the same agency, impacting the ability to share details in committee meetings if additional members are present.
- **Supervisor's Role in Closed Sessions** The committee discussed the differing views on whether a supervisor, not on a specific committee, should be allowed to attend closed sessions. While some supervisors expressed a desire to be fully informed, others argued that if a supervisor is not a voting member with a role in the committee's decision-making, they should not be privy to sensitive closed-session information.

4. Review and discuss an example of placing Lincoln County's Chapter 2, The Governing Body into WCA's template County Board Rules Template.

- **Moving Forward with Ordinance Revisions** The committee concluded that they would start by reviewing the WCA template, specifically the highlighted portions of the additional packet documentation, to determine which elements to adopt for Lincoln County's Chapter 2. This process would involve going section by section to decide on wording and integrating existing Lincoln County rules as needed. The goal is to make the process manageable and to ultimately create a document that is valuable to new and existing supervisors.
- **Document Drafting and Review Process** Chair Cummings outlined a strategy for integrating the WCA template with existing rules, suggesting starting with the WCA template due to its clarity and organization, then comparing and incorporating elements from the current documents. Supervisor Lyskawa supported this approach, emphasizing the necessity of reviewing what to keep and what to discard. The team decided to initially focus on adopting the WCA template, making necessary changes to fit Lincoln County, and then integrating their specific rules.

5. Develop Assignments or Further Work Items

Cummings clarified that everyone needs to read the WCA template thoroughly before the next meeting to facilitate discussion and decision-making on wording preferences for Lincoln County.

6. Next Meeting Date

a. Agenda Items

No specific agenda items were discussed

b. Set a meeting schedule based on other meetings that take place and the calendars of participants.

The group decided to hold meetings twice a month, specifically on the first and third Wednesdays, at 2:30 PM. Chair Cummings confirmed that Marguerite Lyskawa would chair the August 20th meeting due to her absence for travel. Cummings added that she would prepare the agenda and attend virtually.

7. Adjourn

Chair Cummings adjourned the meeting at 10:07am.