The Conduct of Village Board Meetings
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Suggested Rules of Procedure with Model Ordinance and Annotations

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To operate in an orderly and effective fashion, all governmental bodies, including village boards, must be governed by rules that establish a clear procedure for meeting and taking action. In Wisconsin, statutory law only minimally prescribes mandatory procedural requirements for village boards. They are principally found in sec. 61.32, Stats. (village board), secs. 61.24 and 61.25, Stats. (village president and clerk), sec. 61.344, Stats. (village finance), sec. 61.50, Stats. (ordinances), secs. 61.51 and 893.80, Stats. (auditing accounts and claims), secs. 66.0607 and 66.0609, Stats. (disbursements from the treasury), and secs. 19.81 through 19.98, Stats. (the open meeting law). Also, certain provisions in ch. 67, Stats., specify procedures to be followed by the village board in issuing bonds.

Overall, however, Wisconsin village boards are vested with broad discretion in structuring the conduct of their meetings. See sec. 61.32, Stats. Each board must therefore fashion rules of procedure that will meet its own particular needs. What works well for one board may not necessarily work well for another board. The unique features and personality of each board will inevitably dictate the “correct” procedure for its meetings and deliberations.

This manual contains a suggested ordinance on board rules of procedure developed by the League. It was not prepared with the intent that all village boards adopt it verbatim. Instead, the suggested ordinance should be viewed by village boards as a convenient source for ideas and language for the development of rules tailored to their own specific needs.

The initial sections of this manual are devoted to a discussion of board procedures. Each section discussion refers and is directly tied to a particular rule in the suggested ordinance. The explanatory text also cites and discusses, when appropriate, applicable statutes, case law, Wisconsin Attorney General opinions, parliamentary rules, Robert’s Rules of Order, and League opinions.
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The Village Board

Introduction
The president-board of trustees system is the traditional and dominant form of village government in Wisconsin, although villages may organize under a manager form under ch. 64, Stats. Under the president-board of trustees organizational scheme, the village board, consisting of the president and trustees, is vested with all the powers of the village. Sec. 61.32, Stats. This broad grant of authority is subject to limitation only by express declaration of law.

Unlike a city’s mayor, the village president is not designated the “chief executive officer” of the village. Instead, the president, by virtue of the office, is a trustee and enjoys the full range of powers of a trustee, including the right to vote on all questions.1 Governing Bodies 207. The village president, however, is typically assigned certain administrative responsibilities by either the statutes or the board. Also, as a body, the board, either directly or through its committees, may perform administrative functions or become involved in department operations.

In the early days of the Wisconsin statehood, the state legislature chartered villages by the enactment of special laws. These specially granted “charters,” among other things, outlined the powers and duties of the village’s governing body. However, by 1871, abuses associated with the special legislative charter procedure had increased to an intolerable level. In response, the electors in that year approved a constitutional amendment prohibiting the legislature from chartering any village by special act.

The 1871 constitutional amendment represented but another element in the changing matrix of the state’s municipal charter laws. Prior to 1871, the legislature had attempted to lessen its burden of continually amending village charters by individual special laws by the technique of enacting option laws. These option laws permitted a village to elect to change its governmental structure or exercise additional powers. They basically were enacted in

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1. With this concept in mind, the term “trustee,” as used throughout this manual, will ordinarily include trustees and the village president, unless the particular text dictates otherwise.
response to the demands of particular villages and were often classified as to general or special charter villages.

In the early 1900s, a haphazard scheme of chartered municipalities (cities and villages) of variously designated classes existed. This “mixed-bag” of categories of municipalities underscored the ever-increasing need for general, uniform schemes of local government in Wisconsin. After one aborted attempt, the state legislature in 1921 finally created ch. 62, Stats., the general charter law applicable to all cities except Milwaukee. A similar recodification of the village charter law was achieved in 1927 and 1933 through the establishment of ch. 61, Stats.

Meanwhile, in the early 1900s, certain public figures, including Governor Robert La Follette, urged the direct grant to local governments of the authority to control their local affairs. The purpose of this proposed grant was to allow each local unit the discretion and responsibility of managing its own affairs subject only to constitutional constraints and enactments of statewide concern. After certain aborted legislative attempts, the voters finally ratified a home rule constitutional amendment in 1924. Art. XI, sec. 3, Wis. Const. The 1925 legislature thereafter adopted what is currently sec. 66.0101, Stats., known as the home rule enabling act, which today outlines the procedures for the enactment or amendment of village charters.

Under the home rule amendment, Wisconsin villages may determine their own local affairs and government. If a matter falls solely or primarily within the constitutionally protected area of “local affairs,” the village’s authority is preeminent and it cannot be preempted by the state legislature. The breadth of this direct grant of legislative power to villages, however, is not unlimited. The exercise of this constitutional authority, as the very terms of the home rule amendment clearly prescribe, is subject to the strictures of the state constitution and enactments of statewide concern. Consequently, in an area solely or paramountly of statewide concern, the legislature may either delegate to villages limited authority or preempt the field by expressly banning local legislative action as to that matter of statewide concern. State ex rel Michalak v. LaGrand, 77 Wis.2d 520, 253 N.W.2d 505 (1977). What matters are of “statewide concern” or of “local affairs,” however, ultimately rest with the courts. See Wisconsin Ass’n of Food Dealers v. City of Madison, 97 Wis.2d 426, 293 N.W.2d 540 (1980).

To legislate in matters of statewide concern, a village must derive its power from a source other than the home rule amendment. Reliance on the broad statutory grant of power found in sec. 61.34(1), Stats., will often suffice. This section specifically grants all the power that the legislature could possibly confer on villages. See, e.g., Hack v. City of Mineral Point, 203 Wis. 215, 233 N.W. 82 (1930). However, this legislative grant of power, like the home rule amendment, is not without limitations. Notwithstanding sec. 61.34(1), Stats., a village enactment must be deemed preempted if: (1) express statutory language has restricted, revoked, or withdrawn the power; (2) the local enactment is logically inconsistent with state legislation; or (3) the local enactment infringes on the spirit of state law or a general policy of the statutes. Wisconsin Environmental Decade, Inc. v. DNR, 85 Wis.2d 518, 271 N.W.2d 69 (1978); Anchor Savings & Loan Ass’n. v. Equal Opportunities Comm’n, 120 Wis.2d 391, 355 N.W.2d 234 (Ct. App. 1984).

**Presiding Officer**

(Suggested Ordinance Rule 7)

The village president is the presiding officer at board meetings. Secs. 61.24 and 61.32, Stats. The presiding officer’s duties include conducting the board meetings in accordance with local ordinances and other rules of procedure, deciding all questions of order, and preserving order and decorum. The presiding officer is also often delegated the responsibility of
announcing the results of board actions. However, if the presiding officer fails to declare correctly a board’s action, his or her erroneous announcement does not necessarily change the result. *State ex rel. Burdick v. Tyrrell*, 158 Wis. 425, 149 N.W. 280 (1914).

Rule 7A provides that in the absence of the village president, the village clerk shall call the board to order. Once called to order, the board, as its first order of business, should select a trustee to preside at that meeting.

Under Rule 7B, the presiding officer is responsible for the maintenance of order at the board meetings. For example, the presiding officer may call disorderly board members or visitors to order and, if needed, call on the sergeant-at-arms (or police officer) to restore order to the proceedings. Absent actual board consent, however, the presiding officer unlikely could direct the sergeant-at-arms to physically remove a disruptive member. Governing Bodies 90.

The presiding officer is relieved of this procedural constraint if the board member by his or her conduct threatens actual bodily harm to another and requires immediate restraint. Governing Bodies 202.

Any trustee individually may insist on enforcement of the board’s rules of procedure. Under Rule 7C of the suggested ordinance, any board member may raise a point of order and request a ruling by the presiding officer on the question. The recommended procedure is for the board member to rise to a point or question of order at the time the breach of order occurs. The presiding officer’s ruling on the point is final unless an appeal from the ruling of the presiding officer is taken. Any member of the body may appeal the ruling and a motion for appeal must be seconded. The appeal must be made immediately after the presiding officer rules on a point of order or the ruling stands.

The presiding officer may make any motion and speak on any question. This right of the presiding officer to participate fully in the deliberations of the board is logically consistent with the fact that he or she, whether the president or a trustee, is a member of that body. As a board member, the presiding officer may also vote on all matters before the body, subject only to those limitations common to other trustees. Governing Bodies 207 and 98.

**Statutes**

Like the suggested ordinance, the statutes provide that the president presides at the board meetings. Secs. 61.24 and 61.32, Stats. The board, however, may select another trustee to preside in the village president’s absence. Sec. 61.32, Stats.

The village president, unlike a mayor, is a fully constituted member of the board and may always vote as a trustee. Sec. 61.24, Stats. Consistent with that status, the village president logically has not additionally been vested with either the tie-breaking or the veto power of a mayor. Governing Bodies 207 and 148.

**Attendance at Meetings**

(Suggested Ordinance Rule 4)

Rule 4 outlines the procedure that a board member must follow if he or she is absent from a meeting. Prior to the meeting, the member must file a written explanation for his or her anticipated absence with the clerk. If the member cannot comply with the advance notice requirements because of an unavoidable circumstance, the member may file a written explanation with the clerk within one week of the absence.

**Statutes**

The board may compel the attendance of trustees at meetings and punish nonattendance by that authority granted by sec. 61.32, Stats. Certain villages, for example, have enacted legislation that provides for the assessment of a penalty against a trustee in case of an unexcused
absence. Others have adopted rules that allow, at the direction of the board, for a law enforcement officer to actually locate and produce, if possible, an absent member at the meeting. If a trustee is continually absent from board meetings, he or she may potentially be subjected to the ultimate penalty measure — removal. Section 17.13(2), Stats., specifically provides that any elective village officer, including trustees, may be removed by the board for “gross neglect of duty.” As a member of the village board, a trustee is imbued with the power to manage and control village property, finances and public services and to act for the government and good order of the village for the health, safety, welfare and convenience of the public. See sec. 61.34, Stats. These duties and powers, however, can only be exercised with the other members of the board at legally convened meetings. A trustee’s continuous failure to attend meetings and perform the functions of the office, therefore, reasonably equates to gross neglect of duty and constitutes legitimate grounds for removal. See Governing Bodies 296.

QUORUM
(Suggested Ordinance Rule 2)
The board may transact business only when a quorum is present. McQuillin MUNICIPAL CORP., sec. 13.27 (3d ed.), defines a quorum of a body as follows:

... that number of members of the body which when legally assembled in their proper places will enable the body to transact its proper business, or, in other words, that number which makes a lawful body and gives it power to pass a law or ordinance or do any other valid corporate act.

Rule 2 provides that a majority of the members elect shall constitute a quorum. The “members elect” of the board obviously include all of the trustees. However, since the village president is by virtue of the office a trustee, the president must also be counted. Governing Bodies 295.

For purposes of a quorum, the phrase “members elect” should be interpreted to mean “all authorized seats” of the board. Consequently, even though one or more offices of trustee may be vacant, they are nevertheless counted to determine whether or not a quorum is present. See Governing Bodies 295 and 230.

In the absence of a quorum, any business transacted by the board, except to adjourn, is deemed to be void. The transaction of business, however, refers to the actual taking of action by a deliberative body. Accordingly, even though a quorum may not be present, the board could legitimately engage in a general discussion of agenda items, provided no action is taken. See Governing Bodies 307.

Another quorum principle, potentially of far-reaching implications, was enunciated by our supreme court more than 100 years ago in Board of Supervisors of Oconto County v. Hall, 47 Wis. 208, 2 N.W. 291 (1879).2 Never overruled or modified, the Hall court clearly explained that if a deliberative body’s vote (including boards) is to have any operative effect, a quorum must vote. The mere physical presence of a quorum is insufficient to ensure the validity of the action.

In Hall, the entire membership of the Oconto County Board consisted of ten supervisors. Six members were required to constitute a quorum for the transaction of business. At a par-

2. The continued vitality of the Hall case was recently evidenced by the Court of Appeals’ reliance on it in Ballenger v. Door County, 131 Wis. 2d 422, 388 N.W.2d 624 (Ct. App. 1986).
ticular meeting, seven supervisors were in attendance and all voted on a resolution that was later challenged in court. After a lengthy discussion, the Hall court ultimately ruled that two of the supervisors were disqualified from voting on that resolution because each had a direct pecuniary interest in the proposition, adverse to the county. With their votes declared void, only five members accordingly voted on the adoption of the resolution. The Hall court then concluded:

No quorum voting, the vote is inoperative for any purpose. . . . When a vote is taken and the result shows that no quorum has voted, the vote is not declared, and proceedings on the order or business are suspended until a quorum can be obtained; and it is quite immaterial that there is a quorum actually present if no quorum votes. Hence, it does not aid the attempted action of the five members who voted, that [the two disqualified supervisors] were present.

Id., 2 N.W. at 296.

From a procedural standpoint, the presiding officer should actually determine whether a quorum is physically present after the roll call has been taken. If no quorum is present, then the meeting should be adjourned to another date. As Rule 5(2) provides, the presiding officer should announce that the remaining agenda will be completed at the adjourned meeting. Any business that would have been proper at the scheduled meeting may be considered and acted upon at the adjourned meeting. Dandoy v. Milwaukee, 214 Wis. 586, 254 N.W. 98 (1934); 41 Op. Att’y Gen. 280 (1952); see also Mier v. Kalwitz, 134 Wis.2d 207, 397 N.W.2d 119 (Ct. App. 1986) (override of mayor’s veto). For each board action, the presiding officer should also determine whether in fact a quorum has voted. This nominal exercise may, in part, avoid the consequences witnessed in the Hall case. For a committee of the whole, the requisite quorum is the same as the quorum for the board, unless the board provides otherwise. Robert’s Rules of Order, Newly Revised (1970), p. 295, ch. XI, sec. 39 “Quorum”; Governing Bodies 307.

Statutes
Section 61.32, Stats., provides that a majority of the members elect shall constitute a quorum. The phrase “members elect” should be interpreted to mean all of the authorized seats of the board. Governing Bodies 295 and 230. Without the presence of a quorum, the board may not transact business. However, as sec. 61.32, Stats., provides, a lesser number may adjourn the board from time to time.

Mode of Voting
(Suggested Ordinance Rule 8A)
Questions may normally be decided by voice vote. However, the suggested ordinance requires “aye” and “no” votes for the adoption of certain measures or on the call of a single trustee. See, e.g., Rule 13. The policy reason for the aye and no vote is that the people are entitled to know how their representatives vote on important questions. See State v. Milwaukee Elec. Railway & Light Co., 144 Wis. 386, 129 N.W. 623 (1911).

In addition to this particular policy rationale, McQuillin Municipal Corp., sec. 13.44 (3rd Ed) explains that yea and no votes are also favored because, by that procedure, a more accurate and definitive record of the board’s action is established:

Two principal reasons may be suggested in favor of the requirement that whenever a vote is taken by a local legislative body on a certain proposition, the yeas
and nays must be taken and recorded. First, the most important is to obtain a definite and accurate record of the corporate action in order to determine whether all of the mandatory provisions of the charter have been observed. Only in this way may it be ascertained whether the particular act is legal or illegal. Second, another purpose is to make the members of the body feel the responsibility of their action and to compel each member to bear his share in the responsibility by making a permanent written record of his action which should not be afterwards open to dispute. The inhabitants of the municipality are, as of right, entitled to know clearly the act and vote of every member, of their agents and servants, on every proposition relating to public duties, and a record of such acts and votes should be plainly made in a permanent form so that every inhabitant may have definite information.

The opportunity for each alderman to vote, if physically present, is essential to the validity of the board’s action. See McQuillin MUNICIPAL CORP., sec. 13.43a (3d ed.). However, the converse—i.e., that members must vote on each proposition—will likely be viewed as constitutionally objectionable. In Wrzeski v. City of Madison, 558 F. Supp. 664 (W.D. Wis. 1983), a city of Madison alderman challenged the validity of a city ordinance that required each member present to vote, unless excused, by saying either aye or no on each question submitted to the board. Upholding the alderman’s attack, the federal court ruled that because municipal legislators enjoy the same First Amendment rights as any other member of our society, the voting requirement prescribed by the ordinance was constitutionally impermissible. Freedom of expression necessarily also embraces the right to remain silent.

As a final note, the notion of equality of members is a principle fundamental to all deliberative bodies, including village boards. Each member is generally entitled to speak and vote on all questions, with each vote an expression of the will and belief of that member alone. For these reasons, a trustee may not vote by proxy. Governing Bodies 99. However, the board may appoint an interim trustee who may serve (and vote) while the regular trustee is incapacitated because of physical or mental disability. Sec. 61.23(1), Stats.

Statute
Chapter 61, Stats., does not expressly specify the mode of voting for the village board. See sec. 62.11(3)(d), Stats. (common councils). Consequently, Rule 8A of the suggested ordinance only prescribes a nominal framework for voting procedures.

The use of secret ballots is prohibited in either open or closed sessions. If ballots are utilized, therefore, each board member must indicate his or her name on the ballot. Each name and corresponding vote should then be announced at the time the ballots are tallied. The only exception to the secret ballot prohibition is the election of the officer of a governmental body (e.g., chairperson of a committee). Sec. 19.88(1), Stats.

Required Number of Votes
(Suggested Ordinance Rule 8B)
Once a quorum is present, action may be approved by a majority of the votes actually cast, unless a greater number (majority, 2/3 or 3/4 of the members of the body) is required by state law, local ordinance or board rules (see, e.g., Rule 8B) for the specific type of measure under consideration. State ex rel. Burdick v. Tyrrell, 158 Wis. 425, 149 N.W. 280 (1914). However, as previously noted, the mere physical presence of a quorum is not alone sufficient to ensure the validity of any action taken. Unless a quorum actually votes, the vote is void. Board of Supervisors v. Hall, 47 Wis. 208, 2 N.W. 291 (1879). Accordingly, if no extraordinary
vote is required, a measure will be approved by a majority of votes cast provided a quorum has voted.\(^3\)

Certain vote requirements may be couched in terms of either a “majority of the members present” or a “… (fractional vote) of the members present.” See, e.g., Rule 19. In that event, if a member is required by law to abstain from voting, that member is not present for calculating the number of votes required for passage of the matter. See Ballenger v. Door County, 131 Wis.2d 422, 388 N.W.2d 624 (Ct. App. 1986).\(^4\)

The vote of a single member cannot be split. When applying a certain fractional vote requirement (e.g., 2/3 or 3/4 of the members of the governing body), all resulting fractions must be raised to the next highest whole number. Governing Bodies 239. For example, if the board consists of seven elected seats (six trustees and the village president), a 2/3 voting requirement necessitates a positive vote of five members.

**Statutes**

Special voting requirements imposed by state law generally fall into three categories. They include:

1. A majority vote of all members, rather than a majority of the votes cast;
2. A 2/3 vote of all members of the governing body; and
3. A 3/4 vote of all members of the governing body.

The entire authorized membership of the board (trustees and president) must be counted to determine the number of votes required to satisfy a special voting requirement where reference is made to “all members” or a similar term. This method of computation is not subject to modification even if some of the members are absent or certain seats are vacant. State ex rel. Cleveland v. Common Council of City of West Allis, 177 Wis. 537, 188 N.W. 601 (1922). See Appendix A for a table of the special voting requirements imposed by state law.

Statutory voting requirements are only minimum requirements. A board may require a greater proportion of votes for passage of any particular action. Vaicelunas v. Fechner, 7 Wis.2d 14, 95 N.W.2d 786 (1958).

**Changing One’s Vote**

(Suggested Ordinance Rule 8D)

If a board has adopted Robert’s Rules of Order in its entirety, a board member may change his or her vote on a matter up to the time the result is finally announced. Robert’s Rules of Order (1970), ch. XIII, sec. 44 “Voting Procedure”; Governing Bodies 282. This permitted vote change may pertain to an “aye” or “no” vote or to a “pass” vote. Governing Bodies 304. However, the board, within its broad authority to establish its own procedures, could eliminate this “vote change” privilege and prevent a trustee from modifying his or her vote after cast.

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3. Unlike the city charter law, ch. 61, Stats., does not prescribe a mechanism for breaking a tie vote of the village board. Therefore, if a tie vote occurs, the matter before the board fails for lack of a majority. See Governing Bodies 294 and 102.
4. In Ballenger, 20 supervisors were physically present at the county board meeting. One member abstained from voting because he had a direct pecuniary interest in the matter then before the board. The court of appeals held that only 19 members of the 20-member board were present for purposes of determining whether the quorum requirement was met. Accordingly, since a majority vote of the members present was required, 10 votes were required to pass the legislation.
Statutes
The statutes do not contain any provisions on the matter of a trustee's right to change his or her vote.

Reconsideration
(Suggested Ordinance Rule 9)
Tangentially related to the issue of changed votes is the subject of reconsideration. Under Rule 9, any member who votes with the prevailing side on any question may move for reconsideration of the vote immediately after the vote or at the next succeeding board meeting. Although not its principally intended purpose, reconsideration could also potentially be invoked to allow a trustee to change or rectify a mistaken vote. See Governing Bodies 282.

Statutes
The statutes do not specifically address the subject matter of reconsideration.

Abstentions
(Suggested Ordinance Rule 8C)
The public has a right to have its representatives exercise their duties free from any personal or pecuniary Interest which might affect their judgment. McQuillin MUNICIPAL CORP., sec. 13.35, (3d ed.). At common law, a member of a legislative body generally is disqualified to vote on any proposition in which he or she has a direct pecuniary or personal interest adverse to the municipality they represent. Board of Supervisors of Oconto County v. Hall, 47 Wis. 208, 2 N.W. 291 (1879). Application of this rule, however, is apparently limited to those acts of the public body deemed either judicial or quasi-judicial in nature. See 63 Op. Att’y Gen. 545 (1974). If a particular action is instead legislative in nature, the vote may not be subjected to attack and judicial interference unless it is tainted with fraud, palpably not in the service of the public interest, or otherwise a clear perversion of power. See 133 ALR1257, 1258-60; McQuillin MUNICIPAL CORP., sec. 13.35 (3d ed.).

The attorney general and several local ethics boards have sanctioned abstention on a particular vote to avoid an actual or an appearance of a conflict of interest. 52 Op. Att’y Gen. 367 (1963); 63 Op. Att’y Gen. 44 (1974). However, the attorney general and the League have opined that abstention will not avoid a violation of sec. 946.13(1)(a), Stats., while abstention will prevent a violation of sec. 946.13(1)(b), Stats. 63 Op. Att’y Gen. 44 (1974); 60 Op. Att’y Gen. 367 (1971); Pecuniary Interest 353 and 348.5

The problem with abstention is that a portion of the citizenry is denied representation. Also, abstention may at times preclude board action, especially if an extraordinary vote is required by law for approval of the measure and other trustees are absent. Under such circumstances, the necessity for continuation of the village’s business may permit participation although full, public acknowledgement of the potential conflict is advisable. Pecuniary Interest 312.

Potential conflicts of interest may be resolved locally through the adoption of an effective code of ethics for local officials. Section 19.59, Stats., authorizes local governments to adopt

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5. Section 946.13, Stats., was enacted to protect the public from loss by preventing self-dealing by public officers. 23 Op. Att’y Gen. 454 (1934). The statute imposes criminal liability on municipal officers who have a pecuniary interest in contracts with the municipality of more than $15,000 in any one year.
codes of ethics. The League has copies of such ordinances adopted by various Wisconsin municipalities and they are available on request.

**Statute**
The statutes do not contain any provisions on the matter of abstention.

**Committees**
(Suggested Ordinance Rule 12)
Governing bodies customarily delegate various types of preliminary work to standing committees.\(^6\) The number and functions of committees vary with each village. The suggested ordinance provides for four broadly-based standing committees.

Ordinarily, the presiding officer is responsible for the referral of matters to a committee. A board’s rules of procedure, however, should provide that all bills and claims be immediately referred by the clerk to the committee on finance for report on them at the board’s next meeting. See Suggested Ordinance Rule 14A. By this expedited method, a village may be able to take advantage of discounts on purchases that are quickly paid for.

The proceedings of a committee are generally governed by the rules of its parent body. Those rules “borrowed” by the committee would include the requirements as to quorums and majorities. Governing Bodies 276. The quorum for a committee of the whole, therefore, is the same as the quorum for the village board, unless the board provides otherwise. See *Robert’s Rules of Order*, Newly Revised, Art. XI, sec. 39, p. 295; Governing Bodies 307.

The adoption of elaborate procedures with respect to committee meetings is obviously not essential. However, like the board, committees must adhere to the requirements of the open meeting law. Committee reports should be signed by a majority of the committee. The committee chairperson is, of course, responsible for ensuring that the committee functions properly. The committee chairperson, however, should not unilaterally decide issues pending before the entire committee for its consideration. Governing Bodies 276.

In some villages, several standing committees exist, with each one performing only limited duties. The establishment of myriad committees, however, has certain drawbacks. First, trustees likely would have to serve on many committees, perhaps adversely affecting the village’s ability to transact business in a very short time. Also, a multiplicity of committees may result in the burdensome and time-consuming necessity of referring a single matter to three or four committees before it can be finally considered.

Fewer committees apparently would be preferable. Related activities should be combined together under one committee, reducing the number of committee meetings that a trustee must attend. To reduce reliance on standing committees even more, certain villages have adopted the committee of the whole system. A modified committee of the whole system is included in the suggested ordinance as Rule 12C.

**Statutes**
The statutes make no provision for the appointment of committees by the village board, although some references presuppose their existence. See, e.g., sec. 62.23(7)(d), Stats. Not unexpectedly, therefore, the statutes do not prescribe the procedures for the conduct of committees. The board may accordingly fashion the controlling rules for its committees and certain boards as it may for its own meetings.

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6. For more information on committees, see the League’s *Handbook for Wisconsin Municipal Officials*. 
Approval of Committee Reports
(Suggested Ordinance Rule 13)
When a governing body approves a committee report containing a proposed ordinance or resolution, the proposal may be deemed to be simultaneously adopted. *Bartlett v. Eau Claire County*, 112 Wis. 237, 88 N.W. 61 (1901). The suggested board rules are framed to avoid that potentiality and require that any ordinance or resolution recommended for adoption by a committee be presented separately to the board for its deliberation. Reasons for this rule requirement of separate debate are several and are founded on the basic precepts of open and responsive government. They include:

1. The potential for a mistaken vote by a board member would be substantially eliminated. By separate consideration of each legislative measure, no member could conceivably be misled as to the matter under discussion and ultimately the subject of his or her vote.

2. A definite and accurate record of the board’s action on a specifically proposed ordinance or resolution is established. (This record may be particularly critical if by statute an extraordinary vote is required for the passage of the measure.)

3. By focusing on a single measure, the members of the board are inevitably more aware of the consequences of, and can less readily deny responsibility for, their action.

In the final analysis, the board members serve at the will of the public. The citizens are, of right, entitled to know clearly the actions and votes of every board member on matters of local concern.

Statutes
There are no applicable statutory provisions on the approval of committee reports.