

Agendas and Minutes for Local Government

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Agenda

Purpose of the Agenda

- Sets the expectations for the members of the governmental body and the public.
 - Items of business that will be addressed.
 - The order in which they will be considered.

Who Sets the Agenda?

- Presiding officer, or designee, is responsible for developing the agenda and noticing the meeting.
- Municipalities have varying procedures regarding how agenda are developed.
- Advisable to have written procedures.

Who Sets the Agenda? (Alternatives for Committees)

- Left to discretion of each committee chair.
- Chair and “clerk” develop agenda jointly.
- “Clerk” with input from individual members.
- Department heads, with input from chair.
- Requests channeled through county board chair or executive committee.
- Topics generated at end of each meeting.

Accessing the Agenda

- No matter what approach is taken...
 - Governing body should adopt rules that specify procedures for individual members to contribute items to the agenda of an upcoming meeting.
 - Members should understand the procedures and know their rights and responsibilities.
 - Members can order that items be placed on the agenda of a specific future meeting.

Elements and Sequence

- *Call to order*
- *Roll call (establish a quorum)*
- *Certification of compliance with the Open Meetings Law*
- *Approval of the agenda*
- *Citizen comments*
- *Correspondence*
- Reading and approval of minutes
- Reports of officers, boards, and standing committees
- Reports of special (select or ad hoc) committees
- Special orders
- Unfinished business (avoid this heading) and general orders
- New business
- *Set next meeting date*
- Adjourn

Note: **Italicized items**
are not specified in
RONR

Elements and Sequence (continued)

- Call to order
- Roll call
 - In small boards and committees a roll call is not necessary, simple statement that a quorum is present.
- Certification of compliance with open meetings law
 - Do *not* vote on this item.

Elements and Sequence (continued)

- Approval of the agenda
 - Simply means we agree to take up the items and address them in the order presented.
 - Not an opportunity to review the items and add new ones.
- Citizen Comments
 - Establish local rules and procedures that address permissible content, when on the agenda comments will be received, and their length.

Elements and Sequence (continued)

- Correspondence
 - Recent guidance from Attorney General's office—list topics and subject matter. Otherwise, risks violating the open meetings law.
- Reading and approval of minutes
 - If sent in advance should take no more than a minute.

Elements and Sequence (continued)

- Reports
 - Another area with potential for violating the OML—list subject matter of the report on the agenda.
- Special orders

Elements and Sequence (continued)

- Unfinished business
 - Not necessarily listed on agenda this way.
 - Subject matter brought up at a previous meeting, but needs further discussion or action.
 - Items tabled, postponed, referred to a committee
 - Items that will rescind or renew an action previously decided.
 - These all need to be on the agenda.

Elements and Sequence (continued)

- New business
 - Should not be listed on the agenda in this way.
 - Do not use other “catch-all” phrases such as “Other business,” “Any other business that may properly come before the committee,” or “Any other business as allowed by law.”
 - Not an opportunity to address items not on the agenda. Simply a category that includes subject matter that the body has not taken up at a previous meeting.

Elements and Sequence (continued)

- Set next meeting date
 - Opportunity to decide/recommend what items should be on the agenda for the next meeting.
- Adjourn

Elements and Sequence Additional Thoughts

- Not required to follow the sequence in RONR.
- Logic often dictates which items should come first.
- May want to list in order of importance.

Notice Requirements

- 24 hours
- Date, time, place, and subject matter.
- Official newspaper, public, and other media.
- May change an already noticed agenda as long as the amended agenda is noticed according to the open meetings law.

Closed Sessions

- Specific exemptions exist that allow meeting in closed session.
- Any contemplated closed session must be noticed.
- Include subject matter and the specific statutory exemptions.
- Indicate on agenda if body will be returning to open session.

Minutes

Purpose of the Minutes

- The official record of the proceedings of the governing body.
 - Accurate record that a meeting was held.
 - Captures the substance of the official action taken by the body.

What to Record

- Legal requirement– “Substance” of proceedings.
- Roberts Rules of Order, Newly Revised (RONR)
- These offer guidance, but are not prescriptive.

What to Include from the Statutes

- “Substance”—an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion. { 985.01(6) }

RONR Recommendations

- Kind of meeting.
- Name of the organization.
- Date, time, and place of the meeting.
- Name of the presiding officer and the secretary, or their substitutes.
- Members present and establishment of a quorum.

RONR Recommendations (continued)

- Action on the minutes of the previous meeting.
- Exact wording of each motion, the name of the maker, and whether it passed or failed.
- Points of order and appeals.
- For reports, the name of the committee and the reporting member.
- The hour of adjournment.

What Not to Include, According to RONR

- Opinion or interpretation of the secretary.
- Judgmental phrases—“members expressed total confidence”, “lengthy report.”
- Discussion.
- Motions that were withdrawn.
- Detailed reports.

Core Concept

- Minutes should focus on what the body **did**, not on what was **said**.
- What was:
 - Announced
 - Reported
 - Discussed
 - Ordered
 - Commitments made
 - Decisions made

Reports and Announcements

- Simply record that the body received the report, who gave the report, and the subject matter.
- Written reports can be kept on file.
- Body should not vote to accept or approve the report.

Recommendations for Recording Formal Decisions

- If a decision is made by unanimous consent, the minutes should reflect it.
- Show the distribution of counted votes (“Motion carried, 5-2”).
- Roll call vote – indicate how each person voted.
- Voice vote – indicate outcome and that voice vote was taken (Motion carried, voice vote).

Recommendations for Recording Formal Decisions

- Better to record “without negative vote” rather than unanimous—unless you know.
- Must, in local government, record person seconding (not in RONR). [985.01(6)]
- As a recorder, make sure you get the wording down before the vote is taken.

Approval of Minutes

- At the subsequent meeting of the body.
- Preferably, signed by presiding officer.

Correcting Minutes

- Minutes of Meeting B should show **what corrections** were ordered in the minutes of Meeting A.
- The original minutes of Meeting A should be corrected so that the error remains apparent.
- Retain original version in the minute book.
- Corrections may be made at any time.

Minutes of Closed Sessions

- Indicate in minutes that the presiding officer announced in open session the subject matter and the specific exemption allowing closure.
- The motion to convene in closed session and the vote (taken so that each member's vote can be determined) must be recorded.
- As with open sessions, motions and votes must be recorded.
- Written summary of the discussion is not advisable in a closed session.

Quasi-Judicial Bodies

- Making a decision based on evidence.
- Minutes should reflect the basis for the decision.

Other Issues

- Yes. You may interrupt, if necessary.
- Encourage the use of written reports that are kept on file.
- Record the arrival and departure of members during the meeting.

Resources

- **Recording the Proceedings: The Minutiae of Minute Taking.** Claire Silverman. 2002
<http://www.lwm-info.org/legal/2002/02february/comment.html>
- **Minutes of Local Government,** Local Government Center WisLine program. March 2005. Registration forms available through UW-Extension county offices.
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