

County Government

Roles and Responsibilities

Alan Probst
Local Government Specialist
Local Government Center
UW-Extension

County Government

- n Wisconsin counties are governed by elected county board of supervisors**
- n Some have nearly 40 members representing different areas and municipalities (i.e. supervisory districts) within the county**

County Government

- n **59.01 Body corporate; status.** Each county in this state is a body corporate, authorized to sue and be sued, to acquire and hold, lease or rent real and personal estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease and convey the same, including the authority to enter into leases or contracts with the state for a period of years for the uses and purposes specified in s. 23.09 (2) (d), to make such contracts and to do such other acts as are necessary and proper to the exercise of the powers and privileges granted and the performance of the legal duties charged upon it.

County Government

- n Administrative home rule. Every county may exercise any organizational or administrative power, subject only to the constitution and to any enactment of the legislature which is of statewide concern and which uniformly affects every county.**

Forms of County Government

Three types:

- n **County Executive**
- n **County Administrator**
- n **County Administrative Coordinator**

County Executive

- n **County Executive is the chief executive officer, by ch. 59, Wisconsin Statutes**
- n **“Coordinates and directs all administrative and management functions”**

County Executive

59.17(1)(a) states “each county with a population of 500,000 or more, a county executive shall be elected for a 4-year term

59.17(1)(b) provides that “Counties with a population of less than 500,000 may by resolution of the board or by petition and referendum create the office of county executive or abolish it by petition and referendum.”

County Executive

- n **Appoints and supervises department heads subject to county board confirmation, unless confirmation waived or civil service**
- n **Appoints members to boards and commissions, where statutes give this authority to county board or its chairperson, subject to board confirmation**
- n **Submits the annual budget**
- n **Has veto authority**
 - n **May veto ordinances and resolutions**
 - n **May veto appropriation in whole or part**
 - n **County board can override with 2/3 vote**

County Administrator

59.18(1) states “Counties having a population of less than 500,000 may by resolution of the board or by petition and referendum create the office of county administrator” and “The county administrator shall be appointed by majority vote of the board.”

County Administrator

- n **Chief administrative officer of the county**
- n **“Appointed solely on merit”; no weight given to residence, political affiliation, etc.**
- n **Responsible for coordinating all administrative and management functions of the county government**
- n **Appoints and supervises department heads subject to county board confirmation, unless confirmation waived or civil service**
- n **Appoints members to boards and commissions, where statutes give this authority to county board or its chairperson, subject to board confirmation**
- n **Submits annual budget**
- n **Answers to the county board of supervisors**

Administrative Coordinator

- n **Similar to county administrator but does not have appointment authority and “coordinates” rather than “supervises.”**
- n **Duties are close to those of a city or village administrator who works under a mayor or village president.**

Administrative Coordinator

59.19 Administrative coordinator . In any county which has not created the office of county executive or county administrator, the board shall designate, no later than January 1, 1987, an elected or appointed official to serve as administrative coordinator of the county . The administrative coordinator shall be responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.

County Board Chair

- n **Presides over meetings of the county board of supervisors**
- n **Commonly acts as spokesperson for the county board**
- n **If so appointed, has the powers of administrative coordinator**

Supervisors

- **Supervisors serve primarily a legislative function (in contrast to the commission form of county government, as in Illinois)**
- **The legislative function is largely limited to policy making, law making, budgetary approval, and cooperative decision-making**
- **No operational control resides with individual supervisors**

Supervisors

- n **Supervisor's authority is collective versus individual**
- n **While individual operational authority is possible under commission forms of government, none currently exist in Wisconsin**

Supervisors

- n When appointed to a committee or commission chair position, have the authority to set the agenda, preside at meetings and make reports and recommendations on its behalf**

Basic County Board Functions

- n **Involve, represent and be accountable to the public**
- n **Set policies**
- n **Provide services**
- n **Make budget and levy taxes**
- n **Oversee county operations**
- n **Regulate**
- n **Cooperate with other governments**

How the Board Sets Policy

Plans

(comprehensive plan, capital improvement plan, parks plan, etc.)

Budgets

Ordinances & resolutions

Plans

- **A plan involves setting desired future conditions and steps to get there.**
- **State law in effect “requires” adoption of a comprehensive plan by 2010.**
- **Other common plans are strategic plans, capital improvement plans (how money will be spent on infrastructure), a parks plan, a transportation plan, etc.**

Budgets

The budget is the document through which the board determines what services will be provided, how they will be funded, and to what level they will be funded.

The budget is the single most important document in the board's duty to provide services

Ordinances

An ordinance is a local law prescribing rules of conduct related to the corporate powers of the governmental body. It is a law that can be enforced by the officials of the governmental body. It is intended to be a permanent part of the governmental code. (Ordinances can also be organizational and can grant powers, such as a licensing ordinance).

Resolutions

Resolutions are usually less permanent and deal with matters which are less permanent or temporary in character. They are more often used to grant special privileges, express opinions, or to communicate with other governmental bodies. A resolution may be used to adopt a budget.

County Offices/Department

- n **Clerk**
- n **Treasurer**
- n **Sheriff**
- n **Coroner**
- n **Clerk of Circuit Court**
- n **Register of Deeds**
- n **Surveyor**
- n **District Attorney**

Constitutional Officers

Provided for by **Article VI** of the
Wisconsin Constitution

Duties discussed in **Chapter 59 and 978**
of the Wisconsin Statutes

Reinforced by multiple court decisions

Duties

Wisconsin Statutes

Sheriff	59.27	(jail, law enforcement)
Coroner	59.34	(medical examiner)
Clerk of Court	59.40	(court records)
Register of Deeds	59.43	(record deeds, mortgages)
Clerk	59.23	(board & other records)
Treasurer	59.25	(collect & disperse funds)
District Attorney	978.05	(criminal actions)
Surveyor	59.45	(execute land surveys)

Constitutional Officers

County Board has very limited control over Constitutional officers

**Primarily restricted to budgetary control;
however must fund sufficiently to meet state
mandates**

**Multiple court rulings support the autonomy of
constitutional officers**

Why is this so?

The limitation on board control of constitutional officers provides a portion of the system of checks and balances in county government

Other County Departments

- n **Human/Social Services**
- n **University Extension**
- n **Aging**
- n **Highway**
- n **Planning & Zoning**
- n **Finance**
- n **Personnel**
- n **Land Conservation**
- n **Veterans Affairs**
- n **Corporation Counsel**
- n **Parks/Recreation**
- n **Waste Management**
- n **Others**

County Board Role Offices/Depts.

- n While the county board has overall budget authority, its relation to the county offices and departments must be consistent with the statutes and constitution**
- n In general, the county board has less authority over elected and constitutional offices/department**

Governance

Effective board operations are based on mutual understanding and respect for each other's position and viewpoint

Leadership responsibility can easily become confused and controversial

Roles

- n Chair of each commission and committee takes the leadership role in matters under commission or committee's jurisdiction.**
- n Commission and committee leadership includes setting the tone, agenda, goals, and presiding at the meetings**

Staff

- n **County board supervisors and department heads/staff have vastly different responsibilities**
- n **Board supervisors serve in a primarily legislative role**
- n **Department heads and staff serve in an operational and advisory role**

Policy vs. Operations

The Politics-Administration Dichotomy

- n ...Administration lies outside the proper sphere of politics
- n ...Although politics sets the tasks for administration, it should not be suffered to manipulate its offices.
 - n --- Woodrow Wilson, 1887

Policy vs. Admin/Ops

- n **Policy (Board) = “What” and “Why”**
- n **Administration and Operations (Staff) = “How” “When” and “Where”**

Policy vs. Admin/Ops

Policy

- “What” – Will we have a paid Fire Department?
- “Why” – Is it necessary to properly protect our citizens?

Admin/Ops

- “How” – How will we plow the roads?
- “When” – When will we pick up refuse?
- “Where” - Where will we fill potholes?

Policy (Board or Elected Head)

- n **Related to overall mission and purpose**
- n **Requires vision**
- n **Longer term**
- n **Addresses key issues**
- n **Strategy development**

Operations (Departments & Staff)

- n **Implementation of policies and strategies**
- n **Shorter term**
- n **Day to day operations**
- n **Related to smaller functions**
- n **Addresses department or individual issues**
- n **Requires attention to detail**
- n **Requires specialized training**

Staff vs. Board

Staff

Education

Experience

Background checked

Bonded

Professionally current

Professional associations

Board

Elected by people

Local connection

Leadership Roles

- n **(Non-elected) department heads have the leadership role in their departments within the guidelines of the policies and procedures set by the county executive, administrator, and/or the board of supervisors**
- n **Individual supervisors have no management or leadership role outside of committees and commissions; their authority is collective as a member of the board**

Leadership Roles

When you read the Wisconsin statutes, it strongly implies:

“Thou Shalt Not Micro-Manage”

Staff Roles and Responsibilities

- n **Staff (non-elected departments heads and other key staff) has an obligation to carry out their duties in a manner consistent with the policy direction of the board and executive/administrator**
- n **Staff makes recommendations and give professional advice. They generally do NOT make policy other than internal department policies as authorized**

Staff Roles and Responsibilities

- n **Staff's primary duty during meetings is to be prepared to answer professional questions and present professional reports to enable elected officials to make informed decisions**
- n **Staff should be prepared to offer alternatives and recommendations as needed**

Staff Roles and Responsibilities

**A key to staff success is to remain
“politically savvy while politically
neutral”**

Staff Roles and Responsibilities

- n **Staff has an obligation to remain “politically neutral”; they should never take a position based on politics**
- n **Supervisors should not assume staff are “taking a side” if the answer they receive on a professional question is not what they hoped for**

Questions & Comments