

THE ANNUAL TOWN BUDGET MEETING

A Guide for Citizens

Purpose: The annual town budget meeting is held once per year. Typically this is done at the end of November or very early December so that the Town Treasurer has sufficient time to prepare and mail tax statements as early in December as is possible. Town meetings are a unique feature of Wisconsin law which distinguishes towns from cities and villages. The assembled electors are referred collectively to as "the town meeting" in terms of their status as a group with voting power, in addition to the status of the "town meeting" as an event. Per state statute, the proposed levy and top line revenues and expenses must be published in advance in the local newspaper and copies of the budget made available to anyone requesting a copy. While there is no requirement for the posting of an agenda, since 2009 the Town of Three Lakes has, as a courtesy to our electors, prepared an agenda so they are aware of the order of proceedings that will take place.

Electors: Any citizen, property owner or other interested person may participate in the public hearing portion of the annual town budget meeting, but only "qualified electors of the town" may vote on adoption of the tax levy during the meeting of the electors segment. The qualifications for being a "qualified town elector" are that the person must be at least 18 years old, and have resided in the town for at least twenty-eight (28) consecutive days prior to the meeting. The person must also be *eligible* to vote in regular elections pursuant to Ch. 6 Wis Stats; however, an elector does *not* have to be a registered voter in order to be able to vote at the annual town meeting not is s/he required to show photo identification. An elector *must* be a town *resident* but s/he is *not* required to own property in the town. However, those who do own property and/or a business in town but who are *not* qualified electors as defined herein may be permitted to speak to the assembly if recognized by the chair but they may not vote at the town budget meeting.

Business of the Annual Town Budget Meeting: Includes *approval of the minutes* to the prior annual budget meeting; *resolutions* (if any) as permitted by statute, and a *resolution to approve the budget levy* for the upcoming fiscal year.

Powers of the Electors at the Town Budget Meeting: The electors may only transact business as granted by *statutory authority*. This is a very narrowly defined list of actions: a) direct powers, b) directives or grants of authority to the town board, and c) authorizations to the town board to appropriate money for specific purposes. Approved topics under a) include but are not limited to raising money and setting compensation for elected town officials. Approved topics under b) include but are not limited to purchase of land and construction of town buildings for present or anticipated town purposes. Approved topics under c) include but are not limited to conservation of natural resources and civic functions. A full list of topics may be found under Wisconsin Statutes Sec. 60.10(1)(2)(3). The town meeting can take action *only* on matters as authorized by statute. Any action taken as so defined is binding. Any other discussion and/or vote, if not first stopped by point of order, is advisory only and without any legal effect.

Role of the Town Board at the Town Budget Meeting: Town board members may participate in the annual town budget meeting in their role as qualified electors, including engaging in discussion and information sharing, being recognized to speak, to make motions and seconds (except the meeting chairman), and to vote. This is not a town board meeting. No formal action of the board will be taken during the town budget meeting.

Conducting the Town Budget Meeting: The chair of the town board serves as chair of the town budget meeting. If the chair is absent, another town board member is selected to serve as chair. If there are no town board members present, then the qualified electors present at the annual town budget meeting must elect a chair to run the meeting. The chair must conduct the meeting in accordance with accepted parliamentary procedure, either as defined by Robert's Rules of Order Newly Revised (RONR) or as otherwise adopted by local ordinance. The meeting chairperson has the duty to call upon any persons wishing to speak and to keep order in the proceedings. Anyone wishing to speak must raise his/her hand, be recognized by the chairperson, and wait to be given the floor. Statutorily qualified items which require action of the town budget meeting require a motion. Only qualified electors may make such a motion which, if then seconded by another qualified elector, shall be acted upon by the town meeting. Persons who are not qualified electors as defined herein may be recognized by the chair and be allowed to speak to the assembly but they cannot vote. The chair is responsible to maintain order and decorum at the annual meeting. Any person who becomes disorderly and continues that behavior after having been cited by the chair to cease may be ordered to leave, or ordered removed by law enforcement if they refuse to keep order or leave after having been so ordered. The town clerk serves as the clerk of the annual town budget meeting. In the clerk's absence the deputy clerk or town secretary may serve. If both are absent, then the meeting chair appoints a clerk for the meeting. If asked by the qualified electors present, the clerk must keep a poll list to ensure only qualified electors voted and to record how many electors voted for or against matters coming before the meeting.

Motions and Resolutions: There is no legal requirement for a written resolution to be presented to the annual town budget meeting at the time a motion is made to make a directive or grant of authority to the town board. However, it is recommended that a written resolution be used by the qualified elector making the motion for purposes of clarity and to eliminate any confusion over wording.

Voting: All statutorily approved actions of the annual town budget meeting must be by vote. There is no quorum required for any town meeting of electors. All actions are decided by a majority of the qualified electors present and voting. There is no absentee or proxy voting permitted. The number of electors abstaining from a vote does not affect the validity of the vote. Voting may be by secret ballot, a show of hands, a standing vote, or a voice vote, at the sole discretion of the meeting chair. The clerk shall record the method of voting, the time each vote was taken, and the outcome. If the outcome of a voice vote is uncertain, the chair can order another method of voting such that the clerk can obtain a count of those for and against. Since any approved action under 60.10 (2) is subject to rescission at a future town meeting by an equal or greater number of votes, the chair must order a method of voting for such action(s) so the ayes and nays can be counted and recorded. If non-electors are present, care must be taken to ensure that they do not vote.

Publication of Actions: The town clerk must sign and file the meeting minutes in the office of the town clerk within five (5) days after the meeting. The town clerk must notice (or post in at least three places in the town likely to give notice to the public) all resolutions, motions and other actions that were adopted within thirty (30) days of the annual town budget meeting.