

History and Future Vision

The commission began as an effort to give a voice to underrepresented people in Dane county, and to ensure the local government put into action the commitment of fostering diversity.

The commission under Dane County Ordinance, Chapter 15:12 (6) has established strategic priorities for diversifying the county workforce and contract compliance. The commission makes recommendations to the Dane County Board of Supervisors for ordinance amendment to implement the county's affirmative action plan. The commission continues to develop strategic communication to effectively address concerns of the community.

Mission Statement

It is the mission of the EOC to:

- **Advise** the county executive and county board on way in which county government can affirmatively create equal opportunity for the diverse citizenry, including county employees.
- **Strive** to increase the workforce diversity of Dane county Government and maintain a diverse workforce, at all levels of the organization.
- **Increase** contracting with disadvantaged, minority and women business enterprises in Dane County purchasing and ensure implementation of civil rights\contract compliance with all applicable EEO/AA laws, regulations, statutes and ordinances.
- **Be** an effective liaison for the County Executive with Dane County's diverse communities, to ensure their full participation in Dane County government.
- **Design** initiatives and support existing efforts to increase cooperation and enhance understanding among diverse populations.

19.06 EQUAL OPPORTUNITY COMMISSION. (1) The selection, tenure and removal of the members of the commission shall be as stated in section 15.12 of the Dane County Ordinances, and ex-officio members may be appointed from time to time as set forth in paragraph (a) below. (a) Ex-officio members. The commission may establish advisory committees on matters within its charge, including minority affairs issues. Each such committee may elect one person to serve, ex-officio and for a period of one calendar year, in an advisory capacity to the commission. Such ex-officio members shall have no vote. (2) Duties of the commission. The commission's duties and responsibilities shall be to: (a) At the commission's first meeting in December of each year, review and, if deemed advisable by the commission, make recommendations for modification of the affirmative action goals and timetables and the contract compliance standards and requirements for the new calendar year. After review, the commission may inform the board of any recommendations for modifications. (b) Draft, adopt and implement such procedural rules and regulations as may be necessary to conduct the business of the commission. (c) Receive and review summaries of reports concerning complaints brought pursuant to the complaint process pursuant to sec. 19.15. (d) Undertake the duties and responsibilities set forth in section 15.12(6) of the Dane County Ordinances. (e) Render an annual written report of its progress and activities to the county board and the county executive. (f) Provide the board with information regarding all affirmative action matters which affect Dane County. (g) Recommend to the board actions including, but not limited to, the consideration of ordinance amendments, as the commission deems advisable or necessary to implement the county's affirmative action plan. [History: (1), (1)(a), (2), (2)(a), (2)(c) and (2)(d) am., Sub. 3 to OA 48, 1995-96, pub. 01/21/97; s. 19.06 am., OA 17, 1999-2000, pub. 12/14/99.]

Chapter 15 Administrative Agencies. Chapter 16 Records Control. CHAPTER 15 ADMINISTRATIVE AGENCIES 15.01 Purpose. 15.02 Open Meetings Required. 15.03 Quorum Required. 15.04 General Provisions. 15.05 Procedural Rules. 15.06 Judicial or Quasi-Judicial Administrative Proceedings. 15.07 Forms. 15.08 Minutes. 15.09 Posting of Scheduled Meetings. 15.10 Officers. 15.11 Scope of Administrative Powers. 15.115 Board or Commission Work Plans. 15.12 Equal Opportunity Commission. 1 Special Purpose Committees, Commissions and Boards. [15.71 and 15.72 reserved.] 15.73 County Affiliated Agencies. 15.74 Time of Appointment. 15.75 Appointment in the Civil Service. 15.76 Effect of Ordinance on Existing Appointments. 15.77 Lobbying Regulated. [15.78 -15.99 reserved.] 15.01 PURPOSE. It is the purpose of this chapter to define the scope of authority and the nature of the diverse boards and commissions within the county governmental structure and to establish guidelines for the exercise of administrative authority. Boards or commissions are created by the county board, and all or some of the members are appointed by the county executive with the concurrence of the county board. [History: 15.01 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.02 OPEN MEETINGS REQUIRED. It is declared to be the express policy of this chapter to grant the public the fullest information regarding the affairs of county government. To implement this policy, all meetings of boards and commissions shall be publicly held and open to the public in conformance with the Wisconsin Open Meetings Law, Wis. Stat. Chap. 19, Subchapter V. [History: 15.02 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.01 – 15.02 Page 15-2 rev. 013119 15.03 QUORUM REQUIRED. No action of a board or commission shall have any force or effect unless such action was taken by a quorum of its members. Unless otherwise specified by law, a quorum shall mean the majority of the duly appointed and qualified membership of the board or commission present in-person at the meeting in which the action is considered. The fact that one or more members abstain from voting on a particular question shall not void an otherwise legitimate quorum. [History: 15.03 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.04 GENERAL PROVISIONS. (1) A board or commission may use information, conferences and consultations as a means of obtaining information and viewpoints and the advice of interested persons. (2)(a) All subcommittees in existence as of the effective date of this ordinance shall be dissolved on December 31, 2017 unless continuation is approved by resolution adopted by the County Board and approved by the County Executive. (b) Unless the resolution authorizing a subcommittee specifies a sunset date for the subcommittee, each subcommittee shall be dissolved unless reauthorized by resolution by December 31st of the year following its most recent authorization. (3) Nothing in this section shall be construed to authorize the agencies to enter into consultation contracts involving the expenditure of funds without the approval of the county board. (4) Unless otherwise authorized by law, the county executive shall appoint all members to commissions and boards. Commissions and boards shall comply with the procedural requirements specified in this ordinance. (5) For all boards and commissions the terms of members shall be established as hereafter provided: (a) Unless otherwise required by law, citizen members shall serve staggered three year terms which shall end on the third Tuesday in April or as soon thereafter as a successor is appointed and qualified. (b) The terms of county supervisor members shall be: 1. Two (2) years in length and shall coincide with their term of election, thus ending on the third Tuesday in April, if the terms of citizen members on the particular board or commission are three (3) years or less in length; or 2. The same number of years in length as the term of citizen members if such citizen member terms are four (4) years or longer. In the event of a term of four years or longer for county supervisor members, the completion of the term of such

county supervisor member shall be contingent upon remaining a duly elected county supervisor.

(c) Unless otherwise prohibited by law, the term of any member of a board or commission whose membership is based on his or her status as a county board supervisor, shall automatically terminate as of the date on which he or she no longer holds the office of county board supervisor. This provision is not subject to subsection (2) of this section.

(d) Unless otherwise prohibited by law, the term of any member of a board or commission whose membership is based on his or her status as an official of a city, village or town shall automatically terminate as of the date on which he or she no longer holds the referenced municipal office or position. This provision is not subject to subsection (2) of this section.

(e) In any event, the term of a board or commission member shall continue until a successor is duly appointed and qualified.

(f) All appointments to fill vacancies occurring within a term shall be for the remainder of the unexpired term.

(6) Members of a board or commission who fail to attend three consecutive meetings without good and sufficient reason, shall be removed at the discretion of the Dane County Executive. The board or commission chair shall notify the County Executive if a member is subject to removal under this subsection.

(7)(a) To the extent permitted by law, all nonsupervisor members of boards or commissions organized under this chapter shall be compensated at the same per diem rate as is paid to county board supervisors for each day an agency meeting is attended, to a maximum of sixty (60) meetings per year for any one agency.

(8) Per diems shall not be authorized in the following instances: (a) For any elected official of any city, village or town who serves on an administrative agency in an official capacity as a representative of his or her municipality; (b) For county personnel, other than supervisors, except that the county employee member of the equal opportunity commission shall be compensated as are other commission members for attending meetings occurring at 15.03 – 15.04(8)(b) Page 15-3 rev. 013119 times when the employee-member is not in pay status.

(9) Any member of a board or commission claiming meeting payments or expenses, or both, shall submit a completed claim form to the controller before payment is made. The controller is hereby authorized to return to any claimant any incomplete, inaccurate or illegible claim and no meeting payments or expenses shall be paid until the claim is completed according to the requirements of the claim form. Except no claim shall be paid without finance committee approval if submitted more than 45 days after the month in which the meeting occurred.

(10) Unless otherwise expressly provided, members of boards and commissions shall receive mileage reimbursement for attending meetings equal to that paid county officials and employees. [History: 15.04 am., Sub. 1 to 2016 OA-73, pub. 06/28/17; (1) and (2) am., (4) – (10) cr., Sub. 1 to 2017 OA-51, pub. 04/24/18.]

15.05 PROCEDURAL RULES. Unless otherwise required by statute, boards and commissions will follow county board procedural rules in Chapter 7. All questions not covered by county board rules shall be governed by the most recent edition of Robert's Rules of Order. [History: 15.05 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.]

15.06 JUDICIAL OR QUASI-JUDICIAL ADMINISTRATIVE PROCEEDINGS. (1) This section applies in every case where the board or commission decision is required by law to be made on the record after notice and an opportunity for an agency hearing.

(2) All such interested persons, as determined by the board or commission itself (subject to any applicable law, court ruling or board order), shall be given notice and an opportunity to be heard in any judicial or quasi-judicial proceeding either in person or by an attorney of the person's choice.

(a) The notice, unless personal service is required by law, shall be served by certified mail and shall include: 1. A statement of the time, place and nature of the hearing; 2. A statement of the legal authority and jurisdiction under which the hearing is to be held; 3. A reference to the particular sections of the statutes and ordinances involved; and 4. A short, plain

statement of the matters asserted by the proponent of this action which is to be decided in the proceeding. (b) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. (c) Unless otherwise precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default. (d) The record of a judicial or quasi-judicial proceeding shall contain: 1. All pleadings, motions and intermediate rulings; 2. All evidence received or considered by the board or commission; 3. A statement of any matters officially noticed; 4. All questions and offers of proof, objections and rulings thereon; 5. All proposed findings and exceptions; 6. All decisions, opinions and reports by the officer or board or commission presiding at the hearing; 7. All staff memoranda and data submitted to the hearing officer or members of the board or commission in connection with their consideration of the case. (e) Oral proceedings or any part thereof shall be transcribed at the request of any interested person. The cost of transcription shall be borne equally among the parties involved in the proceedings. (f) Findings of fact shall be based exclusively on the evidence presented at the proceedings and on matters officially noticed. (3) In all judicial or quasi-judicial proceedings, the following rules of evidence shall apply: (a) Irrelevant, immaterial or unduly repetitious evidence shall be excluded; (b) Hearsay evidence shall not be accepted unless direct evidence is not available and the hearsay evidence is otherwise reliable; (c) Rules of privilege recognized by law shall be respected; (d) Documentary evidence may be received in the form of copies of excerpts if the original is not available; and (e) Notice may be taken of officially cognizable facts. (4) A final decision of an a board or commission shall be in writing or stated on the record. All final decisions shall include findings of fact and conclusions of law, separately stated. Interested parties shall be notified either personally or by certified mail of any 15.04(9) – 15.06(4) Page 15-4 rev. 013119 decision or order. Upon request such notification shall include a copy of the decision or order. (5) In any contested judicial or quasi-judicial proceedings, members or employees of the board or commission to render the decision or to make findings of fact and conclusions of law shall not communicate directly or indirectly with any party to the proceedings on any matter relating to the proceedings except upon notice and opportunity for all parties to participate. (6) Any interested person who has exhausted all administrative remedies available within a board or commission and who is aggrieved by a final decision in a contested case is entitled to judicial review of the agency's decision by filing a petition for a writ of certiorari in accordance with section 252.04 of the Wisconsin Statutes within 30 days after the decision has been served. [History: (1), (2), (4) – (6) am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.07 FORMS. Boards or commissions may prepare and utilize any forms which are necessary or desirable to the accomplishment of the objectives of the body and may require any person to utilize such forms as a prerequisite to initiating action by the body. [History: 15.07 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.08 MINUTES. Minutes of all meetings of boards and commissions shall be kept by staff. [History: 15.08 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.09 POSTING OF SCHEDULED MEETINGS. (1) A copy of the agenda, including the time and place of the meeting and of the matters to be discussed, shall be given to the County Clerk by noon on the Friday prior to the week in which the meeting will occur for posting on the bulletin board in his or her office and such other place(s) in the City-County Building which provide prompt and sufficient notice to the public as soon as possible after scheduling. In the event that exceptional circumstances prevent a meeting from being posted by noon on Friday before the meeting is to occur, the agenda must be posted no less than 24 hours prior to the meeting and the County Clerk should be alerted immediately. (2) No committee may take action on any item which has not been posted with the agenda as specified

in subsection (6) hereof (24 hours notice) unless: (a) A delay to comply with the provisions of subsection (6) hereof would result in needless expense to Dane County, would endanger health or safety or would render any action of the committee meaningless, and (b) There can be demonstrated a good faith effort to provide as much notice as possible to the public and the news media of the consideration of the item to be added to the agenda, and (c) The special consideration is not an attempt to avoid the provisions of the Dane County Board rules, and (d) Notice of the special consideration has been posted with the committee agenda for at least two hours as required by sec. 19.84(2), Wis. Stats. (3) The minutes of any meeting during which an item receives such special consideration shall indicate that the consideration was an addition to the posted agenda and that the minimum posting requirements have been met. (4) The procedures in this rule shall apply to meetings called under emergency situations insofar as practicable. In no case may an emergency meeting be held without at least a two hour notification and an attempt to inform the news media of the time, place and subject matter to be considered. (5) Members constituting at least one less than a majority of the committee may call a meeting of the committee or place a particular item on the agenda if, after a request to do so, the chairperson fails or refuses to call a meeting or place any particular item on the agenda. (6) In the event a scheduled meeting must be cancelled, the chairperson shall provide timely notification to the county clerk and other committee members and to the public. In the event a committee meeting is cancelled on the day of the scheduled meeting, the chair shall arrange for conspicuous written notice to be posted at the entrance of the location where the meeting was to be held, and on the county website. (7) In order to encourage civic participation, meetings of County Board committees shall not be scheduled on holidays or on the day of any general election. [History: (1) am., (2) – (7) cr., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.10 OFFICERS. (1) Unless otherwise specified, each board or commission shall elect from among its membership a chairperson and vice-chairperson and shall assign the duties of each. 15.06(5) – 15.10(1) Page 15-5 rev. 013119 (2) County board supervisors are eligible to serve as officers of administrative agencies, but the offices of chairperson and vice-chairperson may not both be held by supervisors unless by a unanimous vote of the administrative agency's members. [History: 15.10 am., Sub. 1 to OA 33, 1995-96, pub. 07/17/96; (1) am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.11 SCOPE OF ADMINISTRATIVE POWERS. Boards and commissions shall exercise all of those powers specified in this chapter or otherwise provided by law, those powers reasonably implied by those specified powers and those powers which are essential to the carrying out of the specified powers. [History: 15.11 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.115 BOARD OR COMMISSION WORK PLANS. Every board or commission subject to this chapter, including subcommittees appointed pursuant to s. 15.04(2), shall submit an annual work plan to the County Board and the County Executive by September 1st of each year. [History: 15.115 cr., Sub. 1 to 2016 OA-73, pub. 06/28/17; 15.115 am., Sub. 1 to 2017 OA-51, pub. 04/24/18.] 15.12 EQUAL OPPORTUNITY COMMISSION. (1) As used in this section: (a) Commission means the equal opportunity commission. (b) Director means the director of the office of equal opportunity or her or his designee. (2) The commission shall consist of nine members. In making her or his appointments, the county executive shall give due consideration to a membership which reflects the gender, racial and ethnic characteristics of the Dane County community, including representatives of people with disabilities. At least two members shall be county supervisors. No more than one member shall be a Dane County employee. (3) Commission members shall serve staggered three year terms. (4) Transitional provision. Notwithstanding sub. (3), the county executive shall designate the initial terms of appointees so

that three terms expire in each of the first two years and three in the third year. Appointments for unexpired terms shall be for the balance of the term only. (5) The director shall be responsible for the preparation and submission of recommendations for an effective affirmative action plan to the commission and ultimately to the county board and county executive. The director shall provide the commission and its advisory committees with such staff assistance as may be required to carry out its functions. (6) The commission shall advise the county executive and county board on ways in which county government can affirmatively create equal opportunity for the county's diverse citizenry, including county employees. This includes policy advice and oversight of the county's efforts to provide equal opportunity pursuant to chapter 19, which commits the county to take affirmative action to provide opportunities in employment and county contracting for groups that have been historically excluded from the county's workforce and contracting. The commission shall also advise and assist the county executive, county board, and county staff to promote full participation of traditionally underrepresented populations in broader community life, including opportunities related to employment throughout the Dane County economy, housing, recreation, economic development, and the social and political life of the community. The commission may initiate special projects to enhance opportunities for traditionally excluded groups; collaborate with a wide range of individuals and organizations in the county to provide positive means of engaging the community in equal opportunities; and design initiatives and support existing efforts to increase cooperation and enhance understanding among diverse populations. The commission shall also serve as a resource for county government on matters pertaining to the county's diverse population. [History: (4) am., OA 8, 1985-86, adopted 10/17/85; (1) am., OA 6, 1986-87, adopted 08/21/86; (1) and (5) am. and (6) cr., Sub. 1 to OA 46, 1993-94, pub. 05/16/94; (1) and (5) am., OA 36, 1995-96, pub. 01/16/96; 15.12 am., OA 17, 1999-2000, pub. 12/14/99; (7)