



Title: PROCEDURES FOR DISTRICT BOARD MEETINGS/PUBLIC HEARINGS	Code: A0107
Authority: Wis. Stats., Chapter 19, Subchapter V, § 38.08; Board Minutes, 10/23/84; 1/22/90; 2/20/96; 11/26/96; 9/28/99; 12/18/01; 2/26/02; 4/22/03; 9/25/07; 12/18/18	Original Adoption: 10/23/84 Revised/Reviewed: 11/10/17 Effective: 12/18/18

District Board Meetings/Public Hearings

Regular district board meetings shall be held monthly, at a date, time, and place established at the organizational meeting. The regular meeting may, however, be set at another time or place, or be waived by resolution of the district board at a preceding meeting.

Special meetings may be called at any time by the chairperson and shall be called by the secretary upon written request of four or more members of the district board.

The district board may, from time to time, conduct public hearings at which members of the general public, MATC employees or MATC District Board members may testify. Public hearings conducted by the district board are for the purpose of the district board receiving information only. The procedure to be followed by the district board at public hearings shall be at the discretion of the district board. Time limitations on presentations, the order of speaking, and other matters shall be set as the district board determines appropriate for the public hearing in question. The chairperson shall determine the procedure to be followed during the public hearing, subject to modification by the full district board.

District board meetings/hearings shall be accessible to all citizens and be barrier free, and otherwise in compliance with the requirements of the Americans with Disabilities Act.

Election of District Board Officers

Pursuant to Wisconsin Statute 38.08, the district board shall hold its annual organizational meeting on the second Monday in July at which time it shall elect from among its members a chairperson, vice chairperson, secretary, and treasurer.

The election shall be conducted in the manner described below.

The district board shall conduct the election of officers in the following order: chairperson, vice chairperson, secretary, and treasurer. Chapter 19 of the Wisconsin Statutes allows district board members to attend the annual meeting by telephone.



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Accordingly, voting may occur by having the board member who is off site deliver his/her vote to the General Counsel (or in his/her absence, the administrative assistant assigned to record District Board minutes) in a secure location, so that it may be tallied with other board member votes.

A majority of the votes cast shall be required for election of each officer, except as otherwise provided below.

1. **A Tie Vote between Two Candidates.** If there are two candidates for an office and there is a tie vote on the first ballot, the two candidates shall be the subject of a second ballot. In the event of a tie between the two final candidates on the second ballot, the vote shall be retaken on a third ballot. If a tie is not resolved following a third ballot, that tie shall be resolved by drawing lots, as set forth in paragraph 4 below.

2. **Three or More Candidates, with No Candidate Receiving a Majority Vote.** If there are three or more candidates for an office and no candidate receives a majority of the votes cast on the first ballot, the field of candidates shall be narrowed to two in the manner set forth below.

a. If there are no ties among the three or more candidates, the two candidates receiving the most votes shall be deemed to be final candidates for the office in question. Ties occurring between these two candidates in subsequent ballots shall be resolved by following paragraphs 1, 3, and 4 of this section.

b. If one of the three or more candidates receives a plurality of votes on the first ballot and there is a tie between two individuals with the next highest number of votes, the candidate receiving the plurality of votes shall become one of two final candidates for the office in question. The two tied candidates shall be the subject of a second ballot and third ballot, if necessary, to determine which candidate shall be the other final candidate for the office in question. If the tie is not broken by the third ballot, the tie shall be resolved by drawing lots in the manner set forth in paragraph 4 below, and the candidate whose lot is drawn shall become the second final candidate for the office in question.

3. **Tie on Third Ballot.** In the event of a tie between the final two candidates on the third ballot, the tie shall be resolved by drawing lots in the manner set forth in paragraph 4 below, and the candidate whose lot is drawn shall be deemed to be elected to the officer position in question.



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4. **Procedure for Drawing Lots.** If it is necessary to draw lots in order to break a tie vote, the person chairing the annual organizational meeting shall write the names of the tied candidates on slips of paper and enclose them in identical blank envelopes. Thereafter, the District General Counsel, or in his/her absence, the administrative assistant designated to record the minutes at the annual organizational meeting, shall draw blindly one of the two envelopes, and the candidate whose name is chosen shall be deemed the winner of the run-off.

Open Meetings Compliance

The district board shall comply with the open meetings regulations as defined in Wisconsin Statutes, Chapter 19, Subchapter V.

Placement of Items on the Agenda

Agenda items for the district board will be placed under the appropriate Order of Business designation, as set forth below.

Items may be placed directly on the district board agenda, subject to the approval of the Chairperson. A district board member wishing to introduce an agenda item shall make such intention known to the chairperson no later than seven working days prior to the day of the board meeting. The chairperson may determine that the request is outside the jurisdiction of the district board.

Any citizen wishing to have an item placed on the agenda of the district board shall submit such request verbally or in writing to the chairperson of the district board no later than seven working days prior to the day of the meeting. The chairperson may determine that the request is outside the jurisdiction of the district board.

Any citizen or member of the district may also submit petitions, resolutions, or motions for consideration during such time designated as Communications and Petitions in the Order of Business. Such items shall be referred for consideration to the Chairperson.

If there is disagreement with the chairperson's decision on placement of agenda items, a board member(s) may seek to override the decision of the chairperson through an appropriately made motion and majority vote of the board members present.



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Quorum

A majority of the members of the district board shall constitute a quorum for the transaction of business, but a smaller number may adjourn.

Order of Business

The chairperson shall call the meeting to order upon the appearance of a quorum. The order of business shall generally be as follows:

- A. Roll Call
- B. Compliance with the Open Meetings Law
- C. Approval of Minutes
- D. Comments from the Public
- E. Approval of Consent Agenda
 - 1. Bills
 - 2. Financial Report
 - 3. Personnel Report/Affirmative Action Report
 - 4. Operations Report
- F. Board Action Items
- G. Reports
 - 1. Chairperson's Report
 - 2. President's Report
 - 3. Student Senate Report
 - 4. Milwaukee PBS General Manager's Report
 - 5. Legislative Matters Report
 - 6. Other Scheduled Reports
- H. Board Monitoring
- I. Old Business/New Business
- J. Future Agenda Items and Events

However, upon request by a district board member and determination of the Chairperson, items may be considered out of order.

Order of Recognition

Generally, district board members shall be recognized to speak first on an agenda item, followed by recognition of the president or members of his or her administrative staff.



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Public Comment on Agenda and Non-Agenda Items

Public comment on agenda and non-agenda items may be presented at the time designated or "Comments from the Public" in the Order of Business. No person may speak more than once to an issue or for a period longer than five minutes, except upon the consent of a majority of the district board. No more than three people may be heard to one side of an issue, except upon the consent of a majority of the district board. Citizens wishing to speak during this period should register with the District General Counsel prior to the "Comments from the Public" in the Order of Business. The district board reserves the right to limit the total amount of time during which public comment will be heard at any given meeting.

Substantive Motions

Except for the approval of minutes, the district board shall proceed by motion. Anyone, including the chairperson, may make a motion. No motion shall be subject to debate until it has been seconded and stated by the chairperson. However, a subject may be discussed while no motion is pending.

Substantive motions shall be reduced to writing at the request of any member of the district board. Another substantive motion is out of order while one substantive motion is pending.

When a substantive motion has been made and seconded, the motion may be withdrawn by the maker of the motion at any time before a vote is taken on the issue.

For the approval of minutes of a district board meeting, the chairperson shall ask if there are any corrections. If there are none, the chairperson may state, "The minutes are approved as printed." If a member of the district board offers a correction and there are no objections to the correction, the chairperson may state, "The minutes are approved as printed and corrected." Only if a correction is offered and there is an objection to the proposed correction shall a motion be made and a vote taken.



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Amendment to a Motion

An amendment to a motion must be pertinent to the subject matter of the motion, and it may not achieve the opposite of the motion's intent. The motion may be amended and an amendment may be amended, but no further amendments may be made.

Amendments must be seconded by another member of the district board. After debate, the chairperson will ask if there are any objections to the amendment. If not, the amendment shall be incorporated into the original substantive motion. Any objection to the amendment will require that a vote be taken on the amendment.

Adoption by Majority Vote

A motion shall be adopted by a majority of the votes cast, with a quorum being present, unless otherwise required by district board policy or the laws/regulations of the State of Wisconsin.

Typically, voting will be by voice vote. In cases where there seems to be no opposition, a vote may be taken by unanimous consent. At his or her discretion, the chairperson may request a roll call vote at any time. In addition, any district board member may make a motion for a roll call vote.

District board members are expected to vote on all issues except on matters involving potential conflicts of interest. In such case, the vote shall be recorded as an abstention.

Other Procedural Motions

In addition to substantive proposals, the following procedural motions shall be in order. Unless otherwise noted, each motion must be seconded, is debatable, may be amended, and requires a majority vote for adoption.

1. Motion to Suspend the Rules. This motion is in order when the district board wishes to do something that it may legally do, but cannot accomplish without violating its own rules.
2. Motion to Divide a Complex Motion. This motion allows a substantive motion to be divided into parts and voted on separately.



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3. Motion to Move the Question. This motion is not in order until there has been at least 20 minutes of debate or every member has had an opportunity to speak once. A second and two thirds of the vote is necessary for the motion to pass.
4. Motion to Postpone to a Certain Time. This motion allows the district board to defer consideration to a specified time or day.
5. Motion to Refer Back to Committee. This motion refers the matter back to a standing or ad hoc committee for review and consideration. All matters referred to committee must automatically return to the district board within two months unless specifically defined by this motion.
6. Motion to Move into Closed Session. Any motion to move into closed session must follow the regulations and procedures in Wisconsin Statutes, Chapter 19.

Presiding Officer

The chairperson shall preside at district board meetings and at all district board public hearings. In the absence of the District Board Chairperson, district meetings/public hearings shall be chaired by the vice-Chairperson of the district board; likewise, in the absence of the vice-chairperson, the secretary shall serve as chairperson; and in the absence of other officers, the treasurer shall serve as chairperson. In order to address the district board, a member must be recognized by the person serving as the chairperson. The chairperson shall have the following powers:

1. To rule motions in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes;
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on an objection from a board member on this ground;
3. To entertain and answer questions of procedure;
4. To call a brief recess at any time; and
5. To adjourn in an emergency.



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Other Rules of Order

To the extent not provided for in these procedures, the chairperson shall rule on procedural matters, subject to appeal by any district board member. If an appeal is requested, the district board shall vote to uphold or not uphold the decision of the chairperson.

Meetings

1. A "meeting" occurs when members of a governmental body convene for the purpose of engaging in governmental business, and the number of members present is sufficient to determine the course of action of the governmental body.
 - a. When one-half or more of the members of a governmental body are present, a meeting is "rebuttably presumed." However, a social or chance gathering or conference does not constitute a meeting. To avoid a problem, board members are encouraged to limit attendance at the same function to one or two members.
 - b. The number of members present to determine a governmental body's course of action may be (a) a simple majority or (b) a negative quorum (a group of sufficient size to block a proposal).
 - c. Walking/talking quorums are prohibited. These are gatherings among separate groups of board members, each less than a quorum, who agree to act uniformly in sufficient number to create a quorum.
2. If a sufficient number of members gather to determine the governmental body's course of action, it is the members' burden to prove that they did not discuss or enact any business.

Committee Meeting Procedures

1. From time to time the district board may elect to form an ad hoc committee with interested board members, no less than three (3), to more fully review and examine an issue of importance requiring future board action. The purpose of the ad hoc committee is to review and ascertain information in order to form a recommendation for the district board to consider and take formal board action.



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2. Ad hoc committees will provide for public comments on their agendas.

3. District board members may attend meetings of ad hoc committees to which they are not assigned. District board members attending meetings of committees of which they are not members should provide notice to the Chairperson of the committee before the committee meeting. District board members attending meetings of committees of which they are not members may participate in the discussion of the committee but shall not take any formal action at the meeting (such as making motions, seconding motions, or voting).