

Historic Preservation Plan Advisory Committee Designated Roles

The first Historic Preservation Plan Advisory Committee meeting will be held February 26 and will include Chair and Vice Chair elections. Committee members should come prepared to nominate themselves or members for these roles.

Chair: The role of this person will be to work with city staff to set agendas and run orderly meetings. The Chair will do things such as call the meeting to order, ensure Robert's Rules of Order are followed, ensure proper voting procedures (motions, seconds, deliberation, votes, etc.), moderate public comment, adjourn the meeting, etc.

Please nominate yourself or another Committee member(s) to serve as the Chair.

Vice Chair: The role of this person will be to take on the duties of the Chair as shown above, when the Chair is absent.

Please nominate yourself or another Committee member(s) to serve as the Vice Chair.

Wisconsin Open Meetings Law Q & A

The Historic Preservation Plan Advisory Committee is required to comply with the Wisconsin Open Meetings Law. Below are some questions and answers to help people better understand how to comply with the law.

Question 1. What is it and why is important to our work? Wisconsin State Statutes (19.81-19.98) requires appointed public bodies to comply with the Open Meetings Law. The law is based upon the belief that an informed public is essential to the health of a representative

government and thus the public is *entitled* to observe government in action.

Question 2. Why does the Advisory Committee need to follow the Wisconsin Open Meetings Law? The Mayor appointed the Committee to assist in the development of a historic preservation plan that, once adopted by the Common Council, will become city policy. It is imperative that deliberations and actions are open and transparent to the public.

The state statutes require compliance with the Open Meetings Law. Violations of the Open Meetings Law can leave members of this body personally liable for any action taken in a meeting.

Question 3. How will the Advisory Committee comply with Wisconsin Open Meetings Law?

All meetings of the Committee must be preceded by notice and an agenda, be open to the public, and be held in an accessible place. A meeting is defined as: the convening of members of a governmental body for the purpose of exercising the responsibility, authority, power or duties delegated to or vested in the body.

Question 4. When should the Advisory Committee provide notice of a meeting? As part of the Historic Preservation Plan planning process, city staff will provide notice of regularly scheduled meetings of the full Advisory Committee.

Question 5. What other type of situations should the Advisory Committee provide notice for and/or avoid? Committee members should be cautious of: *Negative Quorum* and *Walking Quorum*. In both cases, members should avoid situations when sufficient number of members are present to block passage of an action or affect the course of action taken by the Committee. Rule of Thumb: Four (4) members constitute a negative/walking quorum.

For more information on Wisconsin Open Meetings Law:

Department of Justice, www.doj.state.wi.us, City of Madison Attorney's Office, www.cityofmadison.com/attorney/index.htm

If you know that there is a possibility that four or more members will be present at a meeting, notify city staff so they can post a “Notice of Possible Quorum of the Historic Preservation Plan Advisory Committee.”

If four or more members are present at an event, and the event was not properly noticed, one or more members should immediately leave so no more than three members are present.

Question 6. As an Advisory Committee member, can I correspond with other members or the general public via email?

Listserv? All emails pertaining to Advisory Committee business are subject to Wisconsin Open Meetings and Public Records Law. To avoid negative/walking quorum, no Advisory Committee members should send emails to other members.

Committee members should not communicate about Advisory Committee business via a listserv or other social media outlets.

Question 7. As an Advisory Committee member, can I inform and discuss committee work with others?

A Committee member can freely discuss the committee’s work, solicit input, and discuss potential points to bring back to the full body from the area of expertise the person represents.

Question 8. An Advisory Committee member is talking with a member of the public, and the person asks about issues concerning Advisory Committee work, wants to provide feedback, and wants to discuss in more detail how to address the issues. What are the appropriate actions of the Committee member?

The simple answer is to *listen*. Committee members *can* discuss their committee business with anyone outside their meetings except for a quorum, walking quorum or negative quorum of the Committee. As a Committee member, you may want to preface any remarks as being YOUR

own and not the official statements of the body itself.

Question 9. What actions may I take on my own? Any member of the body on their own initiative may meet with as many other persons (non-committee members) under whatever circumstances they deem best. The Open Meetings Law does not apply to such initiatives.

Question 10. Can the Advisory Committee delegate the responsibility to solicit input from the public to others? No. The Mayor appointed Advisory Committee members to work on the plan. The work of the Committee is required to comply with the Open Meetings Law, Public Record Laws, and the Ethics Code. Public input should be provided during the planning process.

Question 11. Can the Advisory Committee request individuals and organizations to help inform the public about opportunities to have input during the planning process? Yes.

Distributing fliers, circulating Internet announcements, placing ads in neighborhood newsletters, and announcing events at various City events is welcomed and encouraged.

Question 12. An organization wants to provide input that would be useful during the plan process. Can they do so? What role can Advisory Committee members play?

Organizations and communities are encouraged to creatively provide input. Committee members can encourage organizations to provide input and present their findings by providing: 1) written correspondence to the Committee 2) a brief statement during the public comment period at a Committee meeting; or 3) scheduling a formal presentation at a Committee meeting. Instruct the respective organization to contact city staff to discuss the best method to provide public input. Advisory Committee members should refrain from any preparation, coordination, or participation in any outside organization’s outreach efforts.

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Department of Justice, www.doj.state.wi.us, City of Madison Attorney’s Office, www.cityofmadison.com/attorney/index.htm