

## Town Government Operations During COVID-19: Frequently Asked Questions

UPDATED: March 17, 2020 4pm

### **1. Should we cancel our town board meetings or put limits on access to our town hall?**

On March 17, 2020 the Governor issued an order banning all public and private gatherings of 10 people or more. State and local government facilities are exempted - [https://content.govdelivery.com/attachments/WIGOV/2020/03/17/file\\_attachments/1403535/Gov.%20Evers\\_DHS%20order\\_3.17.20.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/03/17/file_attachments/1403535/Gov.%20Evers_DHS%20order_3.17.20.pdf).

Cancelling a meeting is a discretionary decision on the part of the board, but if there is nothing mission critical, cancelling an upcoming meeting/s should certainly be considered. Given the open meetings law, it is impossible to know how many people might show up to a meeting which may make it difficult to comply with the Governor's March 16 order that also contains recommendations for meetings with less than 50 people:

[https://content.govdelivery.com/attachments/WIGOV/2020/03/16/file\\_attachments/1402207/DHS%20Order%20Mass%20Gatherings%20of%2050%20or%20More.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/03/16/file_attachments/1402207/DHS%20Order%20Mass%20Gatherings%20of%2050%20or%20More.pdf)

Town boards may also wish to consider adopting policies on conducting electronic meetings. See the following link for suggestions on that topic: <https://lgc.uwex.edu/files/2015/08/fs22ElectronicMeetings.pdf>. Attorney General Josh Kaul issued the following open meetings law guidance today - <https://www.doj.state.wi.us/news-releases/office-open-government-advisory-coronavirus-disease-2019-covid-19-and-open-meetings>. The board might also consider adopting an alternative payment procedure via ordinance which would allow bills to be paid prior to a board meeting. See [here](#) for more information on that topic.

Towns might also consider adopting proclamations declaring an emergency pursuant to s. 323.14(4), Wis. Stat. Such a proclamation could give one person (such as the town chair) the ability to order temporary closures of (or place limits on access to) town facilities, and other necessary actions to protect the public health, etc. during the emergency. If the board is unable to meet to adopt such a proclamation due to emergency conditions, a chair could adopt such a proclamation on his or her own and it would be subject to later alteration or repeal by the body as soon as the body is able to meet.

### **2. What about the annual town meeting and board of review?**

Some of you have asked about postponing the annual meeting or Board of Review. While those events are still several weeks away and our recommendations may change, for now, be aware that an annual town meeting can be called to order (by a small group of say 3 electors) and then adjourned for up to 30 days. See s. 60.11(4), Wis. Stat. Similarly, the BOR can also meet briefly to adjourn to a future date, if desired. See s. 70.47(4), Wis. Stat. Please know that we are actively discussing alternative strategies to holding these meetings even if to adjourn with the Governor's office. We will update you as soon as we know any more.

### **3. Should we use the town hall as a daycare or for students to use the town's internet?**

Town halls are likely not licensed as daycares and concentrating students in a town hall defeats the purpose of the school closings. We recommend town halls are not used as daycares or student gathering sites, especially in light of the ban on public or private gatherings of 10 people or more.

**4. What about elections?**

WTA is awaiting guidance from WEC. They are meeting on March 18<sup>th</sup> to discuss elections procedures given the crisis. Town clerks receive all WEC communications.

**5. Should we cancel current and future town hall use/rentals?**

There is a ban on gatherings of 10 or more people as per the Governor's order linked above. WTA recommends not taking any more reservations for events and cancelling currently scheduled events.

**6. What should we do if we have a sick board member?**

We encourage towns to have backup plans in place in case any town officials are ill or absent. Attached is an article from the WTA website [here](#) that discusses how to hire deputy clerks and treasurers and authorize additional signatures on your town checking accounts, among other suggestions. Additionally, note that Governor Evers recently signed a bill into law that gives towns the option to fill temporary vacancies on a town board. Previously this option was only available for temporarily absent non-board member elected officials, such as clerks and treasurers. Now, if a town board member is temporarily unable to perform his or her town board duties due to illness or medical reasons, the board has the authority to appoint a temporary substitute to perform their duties until he or she can return. A copy of the new law with the relevant section highlighted for your review can be found [here](#).