



DODGE COUNTY SHERIFF'S OFFICE

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Open Meeting Laws

Recently we had another election. With each new election, newly elected officials need to educate themselves on open meeting laws. They are laws that are rarely ever thought about or considered when someone is running for office, but it is critical for every elected official to be knowledgeable about them. Also, those who are not elected, but who work in government should have a working knowledge of these laws as ignorance of the law is not a defense.

Newly elected officials are usually offered training from the Wisconsin Counties Association, the League of Municipalities, or another association connected to a governmental body. I strongly encourage all elected officials to attend this training as soon as possible. I also encourage elected officials who are not new to government to also attend the training again if able, especially city mayors, board chairmen, or presidents. As the leader of a governmental body, you must have a working knowledge of these laws to ensure your organization operates within the law.

Some of the more common violations of these laws include properly posting meetings. There is a great deal that goes into a properly posted meeting. First of all, a properly formatted meeting agenda must be posted no later than 24 hours before a meeting except in emergencies (which is rare). Those agendas must have agenda items specific enough to explain what exactly is going to be talked about. Also, there are restrictions on where the meeting must be posted. If a meeting is not properly posted according to state statute, that meeting may not occur.

There are many scenarios of open meetings that some don't always think about. For example, if you have a committee (for this example a committee of 5 members) and a majority of that committee goes to lunch (3 members or more), any discussion that would occur over lunch regarding committee business would be a violation of the open meetings laws unless it was properly posted.

How about email? Well, if a person were to email a government committee about a topic, and a member of that board or committee replies to all and includes the other members, that very well could be a violation of open meetings law. If 2 members reply all, it most certainly becomes a violation of open meeting laws as it would certainly become a discussion of the members of the committee.

As you can see, these laws can be very tricky and elected officials need to make sure they do not put themselves into a situation where they could be held civilly or criminally liable. The only way to avoid that is always to proceed with caution, become educated on open meetings laws, and by consulting with an attorney when those tricky situations come up.

We all want our governmental agencies to be transparent, and that transparency is extremely important to the open government that we all expect so that our citizens can provide feedback and insight into the decisions our leaders are asked to make on our behalf.

Our local elected officials are very important as they help provide for some of our everyday needs, but they must follow the laws just like anyone else. The Dodge County Sheriff's Office does investigate violations of these important laws. I hope that by stressing the importance of understanding meetings laws, there will be no violations to investigate. Education goes a long way in ensuring laws are followed and helps us to make sure Dodge County continues to be a great place to live, work and visit.

Sheriff Dale J. Schmidt