

## Town Chair Job Description

Background: The town chair is a member of the town board of supervisors. He or she has an equal vote to the other board members and may make and second motions at town board meetings. The town chair does not have veto power. While the town chair has many of the same duties and responsibilities as the other board members, the chair does have some unique powers and responsibilities. These are listed in detail under s. 60.24, Wis. Stat. The powers of the chair most frequently exercised are described in more detail below.

### Chair Duties:

#### 1. Preside over meetings of the town board

The town chair calls the town board meetings to order and runs the meetings. The board may adopt a policy as to who will run the meeting if the chair is absent. If there is no policy in place, the board members who are present will need to vote to assign that task at the start of the meeting.

#### 2. Provide notice of town board meetings pursuant to s. 19.84, Wis. Stat.

In the absence of a local policy or ordinance to the contrary, the town chair, or his or her designee, is responsible for preparing the agenda for each board meeting and providing proper notice of the meeting to the public. Some town boards choose instead to adopt a local policy that establishes how the agenda will be created and how items are added. Such a policy may give sideboard members clear authority to add items to future agendas without having to seek the approval of the chair. Even if no such policy is in place, the town board has the power to vote to add an item to a future agenda if the chair refuses to place the item on the agenda.

#### 3. Preside at town elector meetings, if present, pursuant s. 60.13(1), Wis. Stat.

The state law outlines the process for selecting a chair for the meeting if the town chair is absent.

#### 4. Sign documents such as ordinances, contracts, resolutions, etc.

When the town board votes to adopt an ordinance, issue a permit, enter a contract, etc., the town chairperson is required to sign the document on behalf of the town board even if

he or she did not vote in favor of it. The town clerk also typically signs the attestation portion of the document. The remaining town board members may sign ordinances and resolutions as a sign of support, but those additional signatures are not required.

5. Sign checks and transfer orders as required under s. 66.0607, Wis. Stat.

State law requires the town clerk, town treasurer, and town chair to sign all drafts, checks and transfer orders that disburse money from the town treasury. The town board may authorize use of a facsimile signature by ordinance, but the chair must retain custody of the stamp and personally use it to sign such documents.

Q. Does the town chair have the authority to buy equipment, hire employees or sign contracts without consulting the town board?

A. We receive many questions regarding the authority of the town chair. Town chairs do not have any inherent statutory authority to make purchasing decisions or employment decisions without town board approval.

Under s.60.24(1)(f), Wis. Stats., a town chair may, if authorized by the town board, solicit bids or quotes for equipment, materials or services. However, this section also specifically states that the bids or quotes must then be submitted to the town board for approval. The chair cannot hire someone to perform a service or sign a contract without first getting town board approval.

Some towns find that they would like a town officer or employee to be able to make limited purchases without first obtaining town board approval. If this is desired, the town board should adopt a written policy that spells out the following: who may make purchases; what maximum dollar amounts are allowed; when can purchases be made [emergencies only?]; what sorts of items or services may be purchased, etc. Such a policy should be used for small purchases that are not subject to the public bidding requirements under s.60.47, Wis. Stats.

Pursuant to s.60.37(1) of the Wis. Stats., the town board is responsible for making employment decisions. However, if the board chooses to do so, it may delegate the authority to make employment decisions to a specific officer or employee. Such a delegation should take place by majority vote at a properly noticed board meeting.

Remember, the town board has charge of all town affairs not committed by law to another body, officer or town employee. See s.60.22(1), Wis. Stats