



Annual Town Meeting FAQs

Q. When is the annual town meeting held?

A. Pursuant to Wis. Stat. § 60.11(2)(a), the default date for the annual town meeting is the third Tuesday in April. In some cases, the electors at an annual town meeting might set a different date for the *following* year's annual town meeting. But, such different date must fall within the 10 days *after* the third Tuesday in April. See Wis. Stat. § 60.11(2)(b)(1). Note that the town board itself cannot change the annual town meeting date.

If a town does not wish to proceed with the full meeting on the third Tuesday in April (or the later date as set by the electors at the previous year's annual meeting), the annual meeting must still be called to order on that date and may then be adjourned to a date within 30 days after the original meeting date. See Wis. Stat. § 60.11(4). To accomplish this, after the annual meeting is called to order, there would need to be a motion and vote to adjourn. The motion would specify the specific date and time to which the annual meeting has been adjourned.

Q. I have been hearing from some town electors that they would like to attend the annual meeting via Zoom or some other virtual platform. They feel the town should do more to accommodate people who travel for work or have second homes in other locations. Is this something that the board can or should consider offering?

A. The laws that pertain to the town annual meeting do not contemplate virtual or telephone attendance. So, there is no definitely no state law that would require a town to comply with such a request. Even if the town is open to the idea, allowing remote attendance could prove problematic. How do you verify that a remote attendee is a town resident? What if the electors vote to use paper ballots to conduct a vote? What if the electors vote to require a poll list under Wis. Stat. § 60.11(7) and expect attendees to sign in at the meeting? The law does not provide answers to these questions. So, to avoid potential problems, it is best to require in person attendance at town elector meetings.

Q. How do we provide public notice for the annual town meeting?

A. If the town's annual meeting is being held on the 3rd Tuesday of April, no public notice is technically required, Wis. Stat. § 60.11(5). However, if the town electors at last year's annual meeting picked a date for this year's annual meeting within the 10 days following the third Tuesday in April, a Class 2 notice under ch. 985 is required. See Wis. Stat. §§ 60.11(5) & 60.12(3). A Class 2 notice is also required if the location or time of the annual meeting changes. Towns without official newspapers have two options for providing this notice.

1. **By Paid Newspaper Publication:** If this method is used, the first notice must be published in a newspaper at least 15 and not more than 20 days in advance of the meeting and the second notice must be published at least one week prior to the meeting.
2. **By Posting:** In lieu of publication, towns may post their annual meeting notice in three (3) public places at least 15 days and not more than 20 days in advance of the meeting or post the notice in

one physical location and a town-maintained website. Notices must be posted at least 15 days and not more than 20 days in advance of the meeting and left up until the meeting.

Please note that even if notice is not legally required for a town's annual meeting because it is being held on the third Tuesday in April at the same time and location as the previous year, the WTA strongly encourages towns to publish or post notice to encourage attendance.

Q. Who chairs the annual meeting?

A. The town chair chairs the annual meeting. If the chairperson is not available, another town board member may chair the meeting. If there are no town board members available to chair the meeting, the electors who are present may select a chair from amongst themselves. Wis. Stat. § 60.13(1)(a).

Q Who is responsible for taking minutes at the annual meeting?

A. The town clerk is responsible for taking minutes. See Wis. Stat. § 60.15. If the town clerk is not available, then the deputy clerk is responsible for taking meeting minutes. If a deputy clerk is not available, the town meeting chairperson must select someone to be the clerk of the meeting. Meeting minutes must be signed by the town clerk (or person assigned to take the minutes) and filed in the office of the town clerk within 5 days after the annual meeting.

Q. Can the town electors vote on anything binding during the annual meeting?

A. It's important for the board members to review Wis. Stat. § 60.10 before the meeting. Items under (1) are binding such as setting the pay for elected town officials. Items under (2) are mostly grants of authority that the board would need to take various actions such as building a town building or buying town land and (3) consists of grants of authority to appropriate money for certain limited purposes. Grants of authority provide permission to act, but do not place binding mandates on the board.

Q. Who may vote at an annual meeting?

A. Only qualified electors may vote at an annual meeting. See Wis. Stat. § 60.14(1). A qualified elector must be at least 18 years old, a town resident, and eligible to vote in regular town elections pursuant to Chapter 6 of Wisconsin Statutes. See Wis. Stat. § 6.03.

NOTE:

1. An elector does not have to be registered to vote to be eligible to vote at the annual meeting.
2. While an elector must be a town resident, he or she is not required to own property in the town. In other words, renters may vote.
3. Non-residents that own property in the town are not permitted to vote. However, the chair may allow non-residents to speak during the meeting.
4. Remember, proxy voting and absentee voting are not allowed at town elector meetings.

Q. If there is proper action taken by the electors at the annual meeting, what are the next steps? When do they take effect?

A. The town clerk must post or publish all resolutions, motions, and other actions taken by the town electors within 30 days of any town elector meeting. See Wis. Stat. § 0.80(1)(a). The items posted will take effect the day after publication or posting unless there is a later date expressly provided in the resolution, motion, or action. Salary changes for elected officials don't take effect until the start of the next term of office. See Wis. Stat. § 60.32.