

Citizens for Education in Town Governance

Size of Town Board

April 23, 2024

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INTRODUCTION

Lac du Flambeau's first town election and board meeting were held on April 2, 1901, at the local lumber company's boarding house. (George O. Jones, *History of Lincoln, Oneida, and Vilas Counties*, 19234, p. 163).

The first town board consisted of three executives of the logging industry: W.M. Starret, Town Chairman, and Thomas Gahan and Oliver Anderson, Supervisors. (Michael J. Goc, *Reflections of Lac du Flambeau...*1995, p. 148).

State [statutes](#) provide two ways for a town to increase the size of its town board to five members. Electors may authorize a five-member town board at a town meeting [\[60.21\(2\)\]](#) or a town board with village powers, like Lac du Flambeau, may adopt an ordinance increasing the number of supervisors to no more than five [\[60.21\(1\)\]](#).

Following discussion at the Lac du Flambeau Annual Meeting on April 16, 2024, electors voted to increase the size of the town board from its current three members to five members ([Agenda](#), [Audio](#), [Draft Minutes](#)).

Since the meeting, [The Lakeland Times](#) and [WXPR](#) both highlighted the issue as discussed at the Annual Meeting. Click here for the [population numbers](#) noted.

CHRONOLOGY

April 18, 2017. At the Annual Meeting of Electors on April 18, 2017, electors unanimously authorized by [resolution](#) increasing the number of members on the town board from the current three members to five members at an election in 2018 ([Agenda](#), [Audio Recording](#), [Minutes](#)). The minutes of the April 18, 2017 meeting include the following statement, italics added.

Mr. Hoover brought to the meeting a resolution to increase the size of the Town Board to five members which is allowable under Wis.Stats. [60.10\(2\)\(b\)](#) and [60.21\(2\)\(a\)](#). Motion by Mr. Hoover for approval and adoption of resolution 2017-01 to increase the town board size by adding 2 additional town board supervisors at next year's regular spring election. Motion seconded by Mary Laub. Motion passed unanimously.

November 16, 2017. At the budget hearing on November 16, 2017, Town Chair Gaulke stated:

Last week I got a call from town attorney Greg Harrold regarding a letter that was in the Lakeland Times placed by Marilyn Fiddymont ([Letter to Editor, November 3, 2017](#)), and he wanted to instruct me because she more or less inferred in the letter that because of this meeting that at our annual meeting the electorate had voted to go a five-member board. He instructed me that at this

meeting that couldn't be done because there was no notice as such - that at a town meeting of the budget you can't vote on board member size unless it's noticed on the agenda.

Mr. Gaulke continued by referencing the law as presented in a [letter provided by the town attorney](#) ([Agenda](#), [Audio Recording](#), Minutes at Town Hall).

"In conclusion," the letter states, "as presently adopted, the motion at the annual meeting requires a Lac du Flambeau Town Board of 5 members, elected at large, to be elected at the April 2019 election and their term of office would commence on the 3rd Tuesday of April in 2019, after their election. This election pattern would be consistent with the statutory framework for Towns which Town Supervisor elections in odd numbered years."

April 17, 2018. Electors rescinded the original motion at the Annual Meeting held the next year, April 17, 2018 ([Agenda](#), [Audio Recording](#) 12:30-31:48, [Draft Minutes](#)). Minutes of the meeting include the following statements (italics added).

A motion was made by John Bernard to keep the Town Board a three person board. Motion seconded by Bill McCutchin. Mr. Gaulke explained how this item was brought up at the last Annual Meeting with a resolution 17-01 to increase the board to a five man board. This could only be done in an odd number year, which would be the Spring Election of 2019. That motion at that time is still in place. This would be a second motion and Mr. Gaulke looked at legal counsel to see if that original resolution 17-01 would be rescinded or if this motion would move it back to a three person board. Greg Harrold legal counsel stated it would be rescinded. Greg Harrold suggested to John Bernard that his motion be amended to read: BE IT RESOLVED, that we, the Town Electors of the Town of Lac du Flambeau , being duly assembled at the Annual Town Meeting on April 17, 2018, do hereby direct that the Resolution adopted at the 2017 Annual Town Meeting directing that the Lac du Flambeau Town Board be increased to five members be and the same is hereby rescinded. The Town Board is directed to: therefore, keep the Town Board membership at three members. Mr. Bernard states that language is exactly how he wanted his motion to read and that he accepted the friendly amendment. Bill McCutchin, who seconded the motion, also stated that he agreed to the amended motion. Harold Jackson made a comment that legal council should not have put his input into the motion. Mr. Gaulke stated that legal counsels input is to make sure that items are worded and done correctly. Mr. Hanson is looking for diversity. Mr. McCutchin mentioned he would like to comment our town is at zero debt. How many other towns can say that? None that is known. Question was raised that with a three man board representation of the board cannot meet at the same time at meetings. This is incorrect as meetings can be noticed as a quorum of the Town Board will be present at such a meeting. Many felt the town is being run just fine. Others mentioned the more board members the more delays in decisions, simpler is better, and why fix what is not broke. Question regarding the times of meetings was brought up. Mr. Gaulke stated at this time he would like to take a vote on the motion on the floor. The vote was taken by a show of hands from the electors who had registered coming into the meeting. The vote was: 54 electors in favor of the motion rescinding Resolution 17-01 and 28 electors opposing the motion rescinding Resolution 17-01. The motion carried and the resolution was adopted. Mr. Hanson asked what was the count on the original vote to approve Resolution 17-01 which had been done at the meeting in April 2017. Mr. Gaulke said that the count was 35 in favor of the resolution and therefore Resolution 17-01 was rescinded by a larger number of electors than had voted in favor of it. As a result, Resolution 17-01 is rescinded. Mr. Gaulke asked if there were any further questions.

July 21, 2021. At Supervisor Hanson’s request, town officials discussed on July 21, 2021, adopting an ordinance increasing the number of town supervisors from three to five. During discussion, Supervisor Hanson asked that approval of the ordinance be on the agenda for the Town Board meeting set for August 4, 2021 ([Agenda](#), [Audio](#), [Minutes](#)). He submitted a similar request in writing following the July 21 meeting. See minutes below.

Discussion on Ordinance for 5 person Town Board: Supervisor Hanson has requested the review of an Ordinance to allow a 5 person Town Board. Past history shows that this item was brought up at the 2017 Annual Town Meeting with approval by the electors present at that meeting. This was revisited at the 2018 Annual Town Meeting with the electors rescinding the 2017 decision and requesting that the Town Board remain a 3 person board. Supervisor Hanson is presenting today his request for an ordinance to allow for a 5 man board. Extensive discussion was held regarding the pro’s and cons of a 5 man board. Discussion was held on if this is really what the electors want for the town and perhaps the decision should not just be made with an ordinance without input from our electors. It was brought up that perhaps an informational meeting should be held to inform the electors on what is on the table. Supervisor Hanson would like Discussion and Approval of the Ordinance on the next agenda. A copy of the presented Ordinance will be sent over to the Town Attorney for review. At this point in the near future the Town Board will hold an informational meeting to inform the electors of the proposed ordinance.

>[Ordinance proposed](#).
>[Letter from Gregory J. Harold](#), attorney for Town Board, confirming Town Board’s authority (7.27.21).

August 4, 2021. The Town Chair chose, however, not to place the item on the agenda for the August 4 meeting. Supervisor Hanson then chose not to approve the agenda at that meeting, explaining his non-approval was because his request had not been honored. The meeting was held even so and, near its end, Supervisor Hanson introduced a motion for approval of the ordinance at the meeting set for August 18, 2021, noting the statute justifying his right as a supervisor to make such a motion. The town chair did not recognize Supervisor Hanson’s motion regardless, and the meeting ended ([Agenda](#), [Audio](#), [Minutes](#)). See minutes (Public Comments below).

Following the meeting, the *Lakeland Times* reported on August 10, 2021, that the Executive Director of the Wisconsin Towns Association, Mike Koles, confirmed “Hanson was actually correct” to introduce the motion as he did.

Public Comments: Concern from Mr. Wetzel on why Supervisor Hanson is not approving the agenda on two different occasions. Mr. Hanson responded that the reason was because his requested agenda item was not on the agenda. Supervisor Hanson suggested that perhaps a policy should be made regarding placing agenda items on the agenda.

The Town Chair, Matt Gaulke, then added “Discussion/Possible action: Increase of Town Board Membership” to the agenda set for the August 18, 2021 town board meeting ([Agenda](#)).

August 18, 2021. At the town board meeting on August 18, 2021, Supervisor Robert Hanson moved to approve a first reading of an ordinance increasing the number of members on the town board from three to five. Supervisor Gloria Cobb seconded the motion to permit discussion. Town chair, Matt Gaulke, called for a vote following discussion, at times heated.

Supervisor Cobb voted “no” while having told voters when she was candidate Cobb of her preference for a five-member board; “Increase the town board size, this would also help with communication and involvement from the community (League of Women Voters of the Northwoods, 2021). Matt Gaulke also voted “no” and Bob Hanson voted “yes”. ([Agenda](#), [Audio](#), [Minutes](#)). See minutes below.

Increase in Town Board Membership: Chairman Gaulke explained this item has been on the agenda at several prior meetings. Supervisor Hanson presented an ordinance to increase the town board members from 3 members to 5 members. The town attorney has reviewed the ordinance Supervisor Hanson prepared and felt it was adequate.

Mr. Gaulke asked what was the board's pleasure on moving forward.

To put the first reading of the ordinance on the next agenda, stay with a 3 member board or wait for this item to be brought up at the annual meeting in April as it has been done in the past. It is customary to have 2 readings and publication for an ordinance. Motion by Supervisor Hanson to go forward in putting the first reading of the ordinance on the next agenda. Chairman Gaulke asked for a second to the motion. Motion seconded by Supervisor Cobb for discussion: Supervisor Hanson, Supervisor Cobb, Chairman Gaulke received emails in support of a 5 member board. The clerk received several concerns against a 5 member board. Discussion was held with discussion on the want or need for a 5 member board. Supervisor Cobb explained her position on the subject. She needs to feel that we are preparing well for this expansion. Although she supported the motion for discussion at this time she cannot support the expansion until our current house is in order. She stated we need to get strategic planning and committees formed now so we can be prepared for the 2023 election. Chairman Gaulke asked for a roll call vote on the motion on the floor to move forward with the ordinance to increase the Town Board membership to 5.

Supervisor Hanson Aye:

Supervisor Cobb No:

Chairman Gaulke No:

The motion fails.

Letters from constituents were acknowledged during the discussion. The [letters and responses](#) were subsequently released by the town when responding to a document request submitted by *Citizens for Education in Town Governance*.

April 18, 2023. Increasing the size of the Lac du Flambeau town board from three to five members was noted briefly at the town's annual meeting of electors on April 18, 2023, when Supervisor Hanson responded to an elector saying he favors having a five-member board ([Agenda](#), [Audio](#), [Minutes](#)).

The annual meeting aside, both Supervisor Hanson and Supervisor Cobb recently had indicated favoring a five-member board when they completed a questionnaire for [LDFvote.org](#) (Greater Northwoods LLC). Both responded "yes" to the question, "Do you believe the LDF town board should have 5 members?" The town chair, Matt Gaulke, chose not to complete the questionnaire.

ADDITIONAL INFORMATION

[Wisconsin State Statutes](#)

Lac du Flambeau Band of Lake Superior Chippewa Indians newsletter, April 20, 2018: [LdF town annual meeting](#)

[Margolis](#), research on optimal group size for decision-making