



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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March 6, 2008

Ms. Cecelia A. Stencil
Clerk-Treasurer
Town of Big Bend
N1195 Hwy 40
New Auburn, WI 54757

Dear Ms. Stencil:

You recently wrote to the Wisconsin Department of Justice ("Department") asking whether it was proper to put an item at the beginning of a town meeting agenda which states "Approval of February Agenda & Moving Agenda Items as Necessary."

The open meetings law provides, in pertinent part, that the public notice of a meeting of a governmental body must "set forth the . . . subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof." Sec. 19.84(2), Wis. Stats. There is no requirement that a governmental body must follow the agenda in the order listed on the meeting notice, with one exception. This office has cautioned that if a particular agenda item is noticed for a particular time, for example, if the agenda states that remodeling of the town hall will be discussed at 7:30, the governmental body should make certain that that agenda item is discussed at that time because citizens might have relied on the fact that a specific time was given. If the agenda items do not have specific times listed, it is within the discretion of the governmental body to reorganize its agenda at the meeting.

I hope you find this information helpful. If you have other questions, do not hesitate to write or call.

Sincerely,


Alan Lee
Assistant Attorney General

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