



Legislation Committee
Agenda
Kenosha County Administration Building
2nd Floor Committee Room
May 17th, 2016, Tuesday, 6:00 p.m.

NOTE: UNDER THE KENOSHA COUNTY BOARD RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SECTION 2 C OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE DISCUSSED AND ACTED UPON DURING THE COURSE OF THIS MEETING AND ANY NEW MATTER NOT GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN

1. Call To Order
2. Citizen Comments
3. Chairperson Comments
4. Supervisor Comments
5. Communications
6. Ordinance 1- Amendment Of MCKC Chapter 2, County Board Rules Of Procedure
Documents: [ORDINANCE 1_001.PDF](#)
7. Ordinance- Amending MCKC Chapter 3.01 (1) (G), Filling Of Vacancies Occuring Within A Term
Documents: [ORDINANCE- CHAPTER 3 _001.PDF](#)
8. Other Matters As May Be Appropriately Brought Before The Committee
9. Adjourn

There may be a quorum of other Committees of the County Board.

KENOSHA COUNTY

BOARD OF SUPERVISORS

ORDINANCE NO. 1

Subject: Amendment of MCKC Chapter 2 - County Board Rules of Procedure			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: April 19, 2016		Date Resubmitted:	
Submitted By: Legislative Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Joseph M. Cardamone III Corporation Counsel		Signature:	

THE KENOSHA COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN that Municipal Code of Kenosha County Chapter 2, the County Board Rules of Procedure, is hereby amended as follows:

CHAPTER 2
COUNTY BOARD RULES OF PROCEDURE

2.01 Robert's Rules of Order.

Robert's Rules of Order (newly revised 1970 edition) as amended shall apply to all meetings of the Kenosha County Board and its committees and to all boards and commissions of Kenosha County Government except as hereinafter set forth and except as otherwise provided by state statute.

2.02 Open Meetings.

All meetings shall be open to the public and shall be in strict conformance with section 59.11 ~~59.04(4)~~ and sections 19.81 through 19.98 of the Wisconsin Statutes, as amended.

Commented [JC1]: Statute renumbered.

2.03 Closed Meetings.

- (1) Any meeting may be closed provided, however, that said meeting is held in conformity with the provisions of section 19.85 of the Wisconsin Statutes as amended.
- (2) In accordance with section 19.89 of the Wisconsin Statutes and unless otherwise provided by law, no duly elected or appointed member of the board may be excluded from any meeting including closed meetings of the board, its committees or commissions. Notwithstanding the provisions of section 2.13(7), the minutes, records, tapes and any other matter presented at any closed session of the board or any of its committees shall be available to all supervisors upon written request

presented to the chairman of the board or chairman of the appropriate committee. (9/28/93)

- (3) All motions and roll call votes taken in closed session must be recorded and preserved, but such recordings (minutes) shall be impounded and left in the custody of the county clerk or secretary to the committee and not distributed to anyone until the reason for closing the session has expired and secrecy is no longer required to protect vital public or private interests. Those Board or Committee members in attendance at the closed session shall have access to closed session minutes and said minutes shall be deemed approved unless objected to at the next regular meeting of the Board or Committee. (8/21/90)

2.04 Meetings. Time and Place.

(1) ORGANIZATIONAL MEETING

- (a) The county board at the first meeting after each regular election at which members are elected for full terms shall:

- 1 Meet for the purpose of organizing and for transacting general business, and
- 2 Elect a member chairman. The chairman shall assume the emergency powers bestowed upon the county executive in the absence of the county executive. Beginning with the 1990-1992 term, the Kenosha County Board of Supervisors approves the deletion of past protocol in the election of its leadership and is morally free to elect leadership on the basis of desirability and qualification regardless of the area of residence, previous office or seniority. The chairman shall appoint members to the standing committees of the County Board and shall call upon the chairs ~~chairmen~~ of such standing committees to advise him or her from time to time as the need arises as members of the chairman's advisory committee. ~~(10/15/96)~~
- 3 Elect one of its members vice-chairman. Beginning with the 1990-1992 term, the Kenosha County Board of Supervisors approves the deletion of past protocol in the election of its leadership and is morally free to elect leadership on the basis of desirability and qualification regardless of the area of residence, previous office or seniority. (7/11/89)

4 Repealed (10/15/96)

5 In the absence of the County Board Chairman and the County Board Vice-Chairman and where their presence is necessary to carry out the responsibilities of their office, the Kenosha County Board of Supervisors does hereby delegate to the most recent past chairman present the responsibility of the chairmanship of the county board. In the absence of a past chairman, such responsibilities of the chair shall be delegated to the most senior member of the county board of supervisors. (10/7/86)

(b) The county board shall also hold an organizational meeting on the third Tuesday in April in non-election years for the purpose of transacting business that is permitted at the annual meeting and for the further purpose of organizing or reorganizing as may be deemed necessary.

(c) The organizational meeting may be adjourned in the same manner as prescribed for the adjournment of the annual meeting as set forth in section 59.11 (1) ~~59.04(1)~~ of the Wisconsin Statutes.

Commented [JC2]: Statute renumbered.

(2) ANNUAL MEETING. The board of supervisors shall hold an annual meeting on the Tuesday next succeeding the second Monday in November in each year.

(3) REGULAR MEETINGS. The county board shall meet at 7:30 p.m. on the first and third Tuesday of each month for the purpose of transacting business. The county board at each organizational meeting shall receive a list of county board meeting dates. Deviations from the first and third Tuesday of each month, (e.g., NACO, WCA, elections, legal holiday, budget meeting and public hearing on the budget) will be noted on the meeting schedule. Regular meetings shall be deemed to be adjournments of either the annual or organizational meeting and any business that may be taken up at such annual or organizational meeting may be taken up at such regular meeting. (6/17/97)

(4) SPECIAL AND EMERGENCY MEETINGS. Special and emergency meetings of the county board may be held pursuant to section 59.11 (2) ~~59.04(2)~~ of the Wisconsin Statutes, as amended.

Commented [JC3]: Statute renumbered.

2.05 Standing Committees (6/17/14)

(1) The Standing Committees of the County Board shall be as follows:

- (a) Finance and Administration Committee
 - (b) Judiciary and Law Enforcement Committee
 - (c) Public Works and Facilities Committee
 - (d) Planning, Development and Extension Education Committee
 - (e) Human Services Committee
 - (f) Executive Committee
 - (g) Legislative Committee
- (2) Oversight Authority, Areas of Responsibility, and Powers.
- (a) Finance and Administration Committee.
1. All matters relating to purchasing, finance, taxes, budgets, assessments, audits, the sale, lease, purchase or disposition of any county lands or buildings (except highway right-of-way), economic development, Deferred Compensation, the Office of the County Clerk, the Office of the County Treasurer, the Office of the Register of Deeds, the Housing Authority, and the following Divisions of the Department of Administration: Financial Services, Information Services, and the Office of the Director which are to come before the County Board shall be referred to the Finance and Administration Committee.
 2. Pursuant to section 59.52(12)(a) ~~59.07(3)(a)~~ of the Wisconsin Statutes, the Finance and Administration Committee is delegated the power of the County Board in regard to current accounts, claims, demands, or causes of action against the County where the amount does not exceed \$5,000.
 3. All matters relating to personnel matters arising out of Wisconsin Statutes Chapter 111, employee classification, reclassification, labor contracts, collective bargaining, employee safety and working conditions, insurance, risk management, and the Department of Administration Division of Personnel Services which are to come before the County Board shall be referred to the Finance and Administration Committee.
- (b) Judiciary, and Law Enforcement Committee.
1. All matters relating to law enforcement, the jail, the house of corrections, the court system, the Sheriff's Department, the Office of Juvenile Intake, the Department of Administration Division of Emergency Services, the Department of Corrections, Conservation Wardens, the Office of the Clerk of Courts, and

Commented [JC4]: Statute renumbered.

the Office of the District Attorney which are to come before the County Board shall be referred to the Judiciary and Law Enforcement Committee.

2. The Committee shall have the authority to review and act upon licenses and permits as set forth in Chapter 8 of the Municipal Code of Kenosha County.

(c) Public Works and Facilities Committee.

1. All matters relating to highways, roads, dams, parks, recreation, and the Department of Public Works which are to come before the County Board shall be referred to the Public Works and Facilities Committee.
2. The Committee shall have the powers of a county park commission as defined in Wisconsin Statutes, Chapter 27 and the powers of the county highway committee as defined in Wisconsin Statutes, Chapter 83.
3. The Committee shall have the power to adopt rules and regulations for the administration of County Parks as set forth in section 10.02 of the Municipal Code of Kenosha County.
4. All matters relating to major repairs, remodeling, expansion, construction, demolition, purchase, sale, or lease of all county-owned buildings and grounds, including Kemper Center and the Historical Society which are to come before the County Board shall be referred to the Public Works and Facilities Committee.

(d) Planning, Development and Extension Education Committee.

1. All matters relating to land use planning, development, shore land and floodplain issues, subdivision control, sanitation, interim reapportionment, the County Surveyor's Office, and the Department of Planning and Development, excluding the land conservation function, which are to come before the County Board shall be referred to the Planning, Development and Extension Education Committee.
2. The Planning, Development and Extension Education Committee shall act as the agent of the County Board in matters pertaining to county planning and development as outlined in the Wisconsin Statutes, section 59.69 ~~59.97~~ as amended.

Commented [JC5]: Statute renumbered.

3. The Planning, Development and Extension Education Committee shall have the powers as set forth in Chapter 12 of the Municipal Code of Kenosha County in general and as set forth in section 12.03-4 of the Municipal Code of Kenosha County specifically.
 4. All matters relating to the University of Wisconsin Cooperative Extension Office (including concerns related to agriculture, home economics, horticulture, 4-H youth development, and Community, Natural Resource, and Economic Development (CNRED)), soil and water conservation, and the Department of Planning and Development land conservation function which are to come before the County Board shall be referred to the Planning, Development and Extension Education Committee.
- (e) Human Services Committee. All matters relating to community health, aging services, Brookside, the public welfare, child support, the Office of the Medical Examiner and the Department of Human Services which are to come before the County Board shall be referred to the Human Services Committee.
 - (f) Executive Committee. All matters relating to strategic planning for the greater good of Kenosha County and other matters as deemed necessary and proper by the County Board Chair shall be referred to the Executive Committee.
 - (g) Legislative Committee. All matters relating to the policies and rules of procedure of the County Board, intergovernmental relations, intergovernmental communications, pending or proposed legislation, the Office of the Corporation Counsel and other governmental matters which are to come before the County Board shall be referred to the Legislative Committee.
- (3) Committee Assignments.
- (a) Standing Committees of the County Board may at the discretion of the Board Chair consist of five (5) or seven (7) members except that the Finance and Administration Committee must have seven (7) members.
 - (b) Every supervisor shall serve on at least one committee.
 - (c) No supervisor shall serve on more than three ~~two~~ standing committees.
 - (d) No chairman of another standing committee may serve on the Finance and Administration Committee.

Commented [JC6]: In 2011 the Board elected to reduce in membership from 27 to 23. In 2014 an additional committee was added. With 23 members and 6 committees to fill, some supervisors may have to serve on three committees.

- (e) The Finance and Administration Committee Chairman may not serve on any other standing committee except the Executive Committee.
- (f) No more than two members from any one standing committee may serve on the Finance and Administration Committee.
- (g) The Executive Committee shall consist of the Board Chair, Vice-Chair and each Committee Chair. In the event the Vice Chair is also a Committee Chair, the Chair of the Board shall appoint another Supervisor of his or her choosing.

(h) No supervisor shall simultaneously serve as the chair of a standing committee and as the chair of a County affiliated board, committee, or commission.

(4) Committee Operations.

- (a) The chairman of the County Board shall recommend a chairman, vice-chairman, and secretary of each standing committee. Each standing committee shall elect the chairman, vice-chairman and secretary.
- (b) The chairman shall set the time and place for all meetings of the committee, shall check and list committee meeting dates with the County Clerk to avoid conflicts with other committee meetings, and shall report committee attendance to the County Clerk who shall maintain a record thereof.
- (c) The committee vice-chairman shall act as chairman in the absence of the chairman.
- (d) It is the responsibility of the committee **chair** ~~Chair~~, in cooperation with the committee secretary and appropriate county oversight staff, to ensure that all proceeding minutes are recorded and posted to the County website in accordance with this policy.

Commented [JC7]: In the interest of ensuring that the work of the County Board is appropriately and fairly distributed amongst the membership, and to provide the greatest opportunities for leadership development, supervisors should not chair more than one committee, commission, or board.

Commented [JC8]: Consistency.

All meeting minutes are to be documented using a digital audio recording device and a written text of the minutes.

The full digital recording from any county board standing or ad hoc committee open meeting or public hearing is to be posted, in its unedited form, to the county website within five (5) business days of the proceeding. This rule shall also apply to the county board of health and the county board of adjustments.

Closed session minutes are to be recorded on a separate audio track and are not to be posted to the website. They may be posted at a later date when limited access is no longer needed and in accordance with the Wisconsin Open Meetings Law.

Written minutes are intended to be a brief synopsis

of the discussion with sufficient detail to provide an understanding of the topic, points of discussion, motion(s) made and action taken.

Written minutes are required to note the start and end time of the committee proceedings as well as the approximate start time of each specific agenda item to allow the public to efficiently search the audio recordings for a full audio transcript of a specific topic.

All written minutes must be approved by the respective committee at the next regularly scheduled committee meeting with all written minutes posted to the County website within five (5) business days of the date of the meeting at which the written minutes were approved. No draft meeting minutes will be allowed to be posted to the website.

The County Clerk shall keep minutes of County Board meetings and final approved minutes shall be posted within five (5) business days of approval; the Board agenda shall be kept on file with the Clerk, be posted on the county's web site and published in the proceedings of the County Board as required by law.

- (5) General Duties and Powers of Committees.
 - (a) Each standing committee shall study, conduct investigations, and make recommendations and shall perform such other duties as the County Board may from time to time direct relative to their areas of responsibility.
 - (b) Each standing committee shall meet as necessary with officials of the appropriate divisions, departments, boards, or commissions.
 - (c) Each standing committee may refer matters relating to their areas of responsibility to the County Board. In order to sign a resolution or ordinance, as a committee member, a supervisor must have been in attendance of the committee meeting at which the measure was discussed.
 - (d) Citizens' comments.
 - 1. Each standing committee shall place an item on its agenda for citizens' comments and shall report to the County Board such concerns as expressed by citizens.
 - 2. Each standing committee shall endeavor to respond to citizens' comments and inquiries when requested to by citizens.
 - (e) Each standing committee shall have the power to subpoena in accordance with Wisconsin State statutes.

- (6) All appointments, including reappointments, to boards, commissions, or department director positions by the County Executive and/or the County Board Chairman and all approvals of division head nominees which may come before the County Board shall be referred by the Chairman of the County Board to one or more appropriate standing committees. The committee(s) shall investigate, study, and inter-view perspective appointees and nominees requiring County Board approval and shall perform such other duties as the County Board may from time to time direct relative to such reviews. The committee(s) shall interview perspective appointees and nominees with respect to their familiarity with Kenosha County; their expertise and qualifications for service on the board, commission, or position in question; their understanding of the rules of procedure and due process; and their philosophy with respect to any issue or concern which the board, commission, department, or division in question will, in all likelihood, face or be subjected to.

2.06 MEETINGS

- (1) Inspection. All reports, resolutions, ordinances, communications, etc., to be presented to the board shall be filed with the county board secretary no later than 10:00 a.m. on the Friday preceding the Board meeting and shall be open to public inspection upon filing. In the case of committees, all reports, resolutions, ordinances, communications, etc., shall be filed with a designee of the presiding officer and shall be open to public inspection upon filing. Such reports, resolutions or ordinances may be signed by sponsoring supervisors at the meeting at which they are to be presented. However, the Chair ~~chairman~~ of the board or the referring committee may authorize the filing of any report, resolution, ordinance, communication, etc., at a later time than provided herein as long as there has been sufficient public notice as per section 19.85 of the Wisconsin Statutes. The county board secretary shall forward to the respective supervisors on the date of receipt copies of all agenda items which have been timely filed. A matter may be pulled from the agenda only by the ~~Chairman~~ of the Board after polling and receiving a consensus of the committee members present during the Announcements of the ~~Chairman~~ segment of the meeting. Removal of an item is not subject to debate. Where an item is not submitted by a committee but by an individual supervisor, that item may be removed from the agenda at the request of the presenter. (11/4/96)
- (2) The order of business as established by the rules of the county board shall not be postponed or changed except by

unanimous consent or by a vote of two-thirds of the members present.

- (3) ~~Any agenda item requiring a roll call vote or more than a majority vote shall note the vote required. Any item requiring a transfer of funds shall note the account numbers from which the funds are transferred and the account number to which the funds are to be transferred.~~

Commented [JC9]: This has not been the practice of the County Board for a number of years and there is no statutory requirement to do so. Any item requiring a transfer of funds is usually noted either on the resolution itself or on the attached financial information.

2.07 Meetings, quorum, conduct of

- (1) A majority of the supervisors entitled to a seat on the board or a committee thereof shall constitute a quorum. All questions shall be determined by a majority of the supervisors present unless otherwise provided.
- (2) Where two or more committees of the county board hold a joint meeting, no business shall be conducted unless there is a quorum from each committee present. Members of the county board who are present and serving as members of more than one of the committees meeting jointly are to be considered present in determining whether there is a quorum of each committee of which they are a member.
- (3) In those cases where a joint report or resolution is to be considered, those members serving on more than one of the committees meeting jointly shall be entitled to cast separate votes as a member of each committee upon which he serves.
- (4) The chairman shall preside at all sessions, preserving order and decorum and shall decide all questions of order, subject to an appeal. **The Board Vice-Chair shall preside in the absence of the Chair.** The Board Chairman shall be an ex-officio member of all committees and shall assume all powers and duties as outlined in section **59.12** ~~59.05~~ of the Wisconsin Statutes. The chairman shall, however, be entitled to vote on all matters presented to the Board. The chairman of the Board, at the request of the committee chairman, shall be considered in determining if a committee quorum is present only if his **or her** presence is needed to obtain a quorum and in which case he **or she** shall be entitled to vote on said committee. In those instances where the chairman of the Board is not needed to make a quorum, he **or she** may still vote to break a tie vote of committee members. (6/20/89)
- (5) The Corporation Counsel's office shall provide a parliamentarian for board meetings.
- (6) All matters referred to committee or committees must be returned to the Board within sixty days if supported by

Commented [JC10]: Nowhere is it explicitly noted that the Board Vice-Chair presides over County Board meetings in the absence of the chair, and while this is prescribed by Robert's Rules, it seems prudent to include it in the rules.

Commented [JC11]: Statute renumbered.

the committee. In the event of referral to more than one committee, action must be taken separately by each committee, although joint meetings may be held and joint reports may be made as outlined in subsections (2) and (3). An issue that does not receive an affirmative vote in committee may be reported back to the county board during supervisor comments by the committee chairman. (8/6/91)

- (7) Persons wishing to make presentations to the county board during the citizen comments portion of the meeting may be reminded by the chairperson to limit their comments to one five minute presentation. Persons requested to appear before the board, the county executive or county department heads shall not be covered by citizen comments rules. (4/17/90)

- (8) Supervisor Reports, Announcements, and Referrals.
(4/12/05)

After "Citizen Comments" at County Board meetings an item shall appear on the agenda entitled: "Supervisor Reports, Announcements and Referrals." This item is intended to allow for committee reports by committee chairpersons, routine announcements, and matters that a Supervisor would like referred to a committee or department. These reports, announcements and referrals need not be agendized with any specificity.

- (9) Supervisor Comments. (4/12/05)

Comments by Supervisors regarding matters on the agenda shall be made only at the time that the matter is moved and seconded. Any and all other comments on matters not on the agenda shall be specifically agendized under an agenda item titled "Supervisor Comments" and appearing on the County Board agenda prior to "Approval of Minutes" with the subject matter of such comments specifically noticed in compliance with the Wisconsin Open Meeting Law.

2.08 Exercise of Power and Presentation.

- (1) The county board shall act by way of ordinances or resolutions. Except as otherwise noted, ordinances and resolutions shall be adopted by majority vote of a quorum or by such other vote as may be required by statute or ordinance. Reports submitted by county board committees or members shall be intended for informational or other recognized purposes but shall not, however, be used for the purpose of instituting policies or enacting laws.

Any paper presented to the board shall have endorsed thereon the date of presentation, subject matter, and the name of the presenting member(s). The chair or the board clerk shall read the endorsement and the matter shall then be either referred or otherwise disposed of as directed by the board.

- (2) All committee resolutions and ordinances must be in writing and signed by sponsoring committee members and signifying their "yes" or "no" vote or their abstention. Resolutions, reports and ordinances not sponsored by a committee must be signed by the sponsoring member. If the County Board member initiating the resolution or ordinance or policy statement seeks additional support and sponsors he or she shall insure compliance with the Open Meeting law precluding a "walking quorum" by either a) insuring that the number of co-sponsors does not create a quorum of the full board or committee if a majority vote is needed to pass the resolution or ordinance or where rules governing a "negative quorum" apply, does not equal or exceed the number of votes needed to defeat the resolution or ordinance, or b) in the alternative solicits support or sponsorship at a County Board Meeting under Supervisors Comments by announcing that members wishing to sponsor the proposed resolution or ordinance or policy statement may do so by signing such resolution or ordinance or policy statement which will be left in the County Clerk's office prior to the next Board meeting, or c) in the alternative, have such resolution or ordinance or policy statement mailed to each Supervisor by the County Clerk as part of Board's meeting packet with a memorandum informing all Board members that they may co-sponsor and sign the resolution, ordinance or policy statement immediately prior to the next County Board meeting. [Opinions of the Attorney General, March 11, 1993, July 28, 1998, September 16, 2002] (1/8/08)
- (3) Ordinances and resolutions may be adopted by a majority vote of a quorum or by such majority vote as may be required and ordinances shall commence as follows: "The County Board of Supervisors of Kenosha County do ordain as follows . . ."
- (4) Readings and Notations. Every resolution and report, except as otherwise noted, shall only require one reading. All ordinances and all resolutions which are intended to reflect policy or which are otherwise required by law to have more than one reading shall be read at two successive board sessions. Notwithstanding anything to the contrary contained in the Kenosha County Municipal Code, zoning map amendments shall only require one reading. The county board may suspend this rule

requiring a second successive reading by two-thirds vote of the members present and consider such matter on the day presented. Notice of possible suspension of the second reading shall appear on all county board agendas. In regards to ordinances and resolutions requiring two readings, no debate shall be permitted at the first reading. Unless otherwise indicated, all resolutions shall remain in effect until such time as repealed. Any resolution intending to reflect the policy of the county board of supervisors shall be so duly noted and properly indexed and incorporated into a policy manual. When presenting these items for first reading, they shall read them by number and title only, but when requested by any one member of the county board, said item shall be read in its entirety. A copy of said resolution and ordinance shall be presented in writing to each supervisor at the time of the first reading. Thereafter, board action shall be had after the second reading. Any resolutions or ordinances shall be read by title only unless any one supervisor requests a reading of the resolution or ordinance in its entirety, which request can be overridden by a 2/3 vote of the members present. (3/6/12)

- (5) All resolutions, ordinances and reports shall be filed and indexed cumulatively, with said file and index reflecting the subject matter and number of the report or resolution, and the page number where said report or resolution is reported in the yearly Proceedings of the County Board.
- (6) Adoption. Upon the adoption of any ordinance or resolution enacted by the county board, it shall be countersigned by the board chairman and the county clerk and forwarded to the county executive pursuant to the provisions of section 59.17 (6) ~~59.032(6)~~ of the Wisconsin Statutes. Upon approval or abstention by the county executive or in the event of his veto, upon the subsequent overriding vote of the county board of supervisors, the county clerk shall publish said resolution or ordinance and distribute copies pursuant to the applicable state statutes.

Commented [JC12]: Statute renumbered.

2.09 Motions and Minutes.

- (1) A motion when stated by the chair is in possession of the board. Before the adoption of any amendment or decision on the question it may be withdrawn by the mover with the consent of a second. If any member objects to the withdrawal of the motion, it may be withdrawn only with the consent of the majority of the members present.

- (2) The names of the mover and the second of every motion shall be entered on the minutes of the board.
- (3) No debate shall be permitted until the chair has stated a question. When the question is under debate, no motion is in order except as outlined in Roberts Rules of Order, and such motions shall have precedence in the order outlined in said rules of order.
- (4) A motion to adjourn the board is always in order except when the county board is voting. A motion to close debate or the previous question may not be made by the person moving the motion or amendment or by the person who seconds the motion or amendment. Furthermore, no speaker may make a motion to close debate or to move the previous question immediately after speaking on the question. A motion to close debate shall require two-thirds vote of the members present. (6/6/95)
- (5) A member has the floor only after he is recognized by the chair; and the member who wishes to be recognized shall seek recognition from the chair. When two or more members ask for recognition, the chair shall determine the order in which such members shall speak. A member called to order shall immediately return to his seat and discontinue speaking unless permitted to explain by the chair.
- (6) Any member may ask for the privilege of the floor for a non-board member to address the county board, and if no supervisor objects, the county board chairman shall grant the privilege to such non-board member. If a member objects, any county board member may move that the privilege of the floor be granted, and any member may second such motion. If the motion is adopted by a two-thirds vote of all members present, the county board chairman shall grant the privilege of the floor to the non-board member, and the county board chairman shall limit the time that such person can address the county board.
- (7) The county clerk shall prepare and record the minutes of all county board proceedings including closed sessions; the chairman of each committee or his designee shall prepare and record all minutes of all committee meetings including closed meetings. ~~The minutes of all County Board proceedings shall be published annually in a bound volume.~~

2.10 Appeals and Motions to Reconsider, Rescind and to Take from the Table.

- (1) Any two members have the right to appeal any decision of the chairman by one member making the appeal and another

Commented [JC13]: The Office of the Corporation Counsel has advised that this is no longer required by law as all information is available online.

seconding it, at which point the question shall be taken from the chair and vested in the County Board for final decision. Upon such motion for appeal made and seconded, the chair shall state the question as "Shall the decision of the chair be sustained?"

- (2) No motion to reconsider is in order unless made by a member who cast a vote on the prevailing side of the question proposed to be reconsidered, or where the county board is evenly divided by any member who voted in the negative, and such motion is made at the same meeting at which the original decision on that question was made or at the next meeting. A motion to reconsider being put and lost shall not be renewed. The motion to reconsider and again place a prior motion before the Board shall require a majority vote. This shall not preclude the board from considering a motion to rescind at any time. A motion to rescind a prior action of the Board shall require prior notice and shall require the same vote as needed to pass the original motion. Any supervisor intending to bring a motion to reconsider or rescind at any meeting other than the meeting at which the report, resolution or ordinance was adopted or any supervisor intending to move to take a matter from the table shall notify the clerk of his intent so that the motion may be properly placed on the appropriate agenda.

2.11 Budget Considerations.

- (1) The county financial report for the previous year and the annual report of each department shall be presented at the first meeting of the board in April of each year, which report shall be made available to the appropriate committees of the county board prior to budget hearings. At or before the first meeting in June, the county executive shall be allotted sufficient time to present a full explanation of the financial report and his message to the county board of supervisors as provided for in section 59.17 (5) ~~59.032(5)~~ of the Wisconsin Statutes.
- (2) Prior to October 15 of each year, the county executive shall submit his proposed budget to the county board.
- (3) The annual budget shall be presented to the County Board for informational purposes and in accordance with the laws of the State of Wisconsin and then presented at a public hearing and shall be then adopted by the county board at its annual meeting held in November of each year, which budget shall be adopted by resolution and shall require a majority roll call vote for enactment. Upon adoption by the county board of supervisors, the budget shall be forwarded to the county executive pursuant to the provisions of section 59.17 (6) ~~59.032(6)~~ of the Wisconsin Statutes.

Commented [JC14]: There is no statutory requirement that the "State of the County" address be given at the first meeting in June, nor has this always been Kenosha County's practice.

Commented [JC15]: Statute renumbered.

Commented [JC16]: Statute renumbered.

- (4) Supervisor's and County Executive's compensation. Any increase in the salary or compensation of county board supervisors or the county executive made at the annual meeting, or an adjournment thereof, and to take effect after the next scheduled election for county board supervisors or county executive shall require a majority vote of the entire membership of the board.
- (5) Except as provided in Subsection (7), the amount of tax to be levied or certified, the amounts of the various appropriations and the purposes for such appropriations stated in such budget, after any alterations therein made pursuant to the hearing required by this section, shall not be changed thereafter unless authorized by a vote of two-thirds of the entire membership of the governing body of the board. Where such changes are made they shall be published as a class 1 notice under chapter 985 within ten days thereafter. Failure to give such notice shall preclude any changes in the proposed budget and alterations thereto made pursuant to subsection seven.
- (6) All budget changes or appropriations of money as defined below shall be made only by the adoption of the resolution or ordinance passed in accordance with the law of the State of Wisconsin, and may not be made by the adoption or acceptance of any committee report or motion; any such resolution or ordinance that will by its actions change the budget or appropriate additional funds so as to put it into effect, must contain the amount of money required, the account which it is to be transferred from, the account which it is to be transferred to, and the recommendation of the finance committee to either adopt or reject such resolution or ordinance. If the Finance Committee does not recommend adoption or rejection of the resolution or ordinance, then their inaction shall be deemed to be a recommendation to reject the resolution or ordinance. A budget change is defined as a transfer of moneys from the contingency or general fund to any other account, or a transfer of funds from one appropriation unit to another such unit. Within ten days after adoption of such resolution or ordinance transferring moneys, the county clerk shall give notice thereof by publication as required by section 65.90(5) of the Wisconsin Statutes. Failure to give such notice shall preclude any changes in the proposed budget and alteration thereto. (6/21/88)
- (7) The county board's standing finance committee may, without further board action, transfer up to \$1,000 between appropriation units for an individual county office or department, if such units have been separately

appropriated, and may, without further board action, supplement the appropriations for a particular office, department or activity by transfers from the general or contingent fund of up to \$1,000 in any budget year pursuant to Wisconsin Statutes, section 65.90 and its limitations. The publication provisions of subsection (5) shall apply to all committee transfers from the contingent fund and shall be reported to the Board.

An appropriation unit is defined as the level of control at which a line item is adopted in the annual budget. The level of control shall be established in the annual resolution to adopt the county budget, or in a separate resolution approved by the county board. (6/21/88)

- (8) No committee or department of county government shall purchase any insurance or personal bond without prior approval of the administration committee.

2.12 Claims.

- (1) All claims against the county shall follow the procedure set forth in section ~~59.64~~ 59.77 and ~~893.80~~ 895.43 of the Wisconsin Statutes and amendments thereto.
- (2) The Corporation Counsel may recommend a compromise of any claim or lawsuit to the ~~Chairman~~ and ~~Vice-Chairman~~ of the Board, the ~~chairman~~ of the finance committee and the ~~chairman~~ of the standing committee of any department involved in the claim, who, together, shall advise the corporation counsel on a proposed settlement including the limits and conditions of settlement contingent upon approval of the Board if the proposed settlement is acceptable to the claimant or litigant. This provision is subject to any statutory requirements and/or contractual obligations related to any claim for which the County is insured.
- (3) Fire claims presented to the Board by any Town in accordance with section ~~60.557~~ 60.29(2)(c)(1) shall be referred to the finance committee for final consideration.

Commented [JC17]: Statutes renumbered.

Commented [JC18]: Our insurer, WMMIC, directs the disposition of those claims for which they provide insurance.

Commented [JC19]: Statute renumbered.

2.13 Voting

- (1) Voting Requirement. Every member who is present at a board meeting, including the ~~Chairman~~, shall cast a vote when the question is put before the Chair; when a vote is equally divided, the question is lost. This section shall not be construed to prohibit a supervisor from abstaining from voting for any reason. (3/16/93)
- (2) If a member has a direct personal interest in the question placed before the board, he or she shall

request to be excused from the voting thereon which request shall be granted by the chair.

- (3) No member shall be permitted to vote on any question unless he or she is present or unless he or she appears, upon division of the Board, prior to the tally. A member wishing to absent him or herself from any meeting while the meeting is in session shall first obtain consent from the chairman who shall so notify the board.
- (4) The ayes and nays shall be taken and recorded in the minutes if requested by a member before the decision is announced by the chair.
- (5) Unless otherwise specifically provided by statute, no secret ballot may be authorized to determine any election or decision of the board except the election of officers of such board in any meeting; except as so provided in the case of officers, any member of the board may require that a vote be taken at any meeting in such manner that the vote of each member is ascertained and recorded.
- (6) The records of the reporter after approval by a majority of the members of the governmental body and certification of such approval by the prescribed officer, shall be filed in the office of the clerk and in the case of committees with the chairman of the committee or his designee. Records of closed meetings shall be impounded until the body by majority vote authorizes its release and the inclusion in the regular public records file.
- (7) The motion and roll call votes of each meeting including closed sessions of the board and its committees shall be recorded and preserved and open to public inspection to the extent prescribed in sec. 19.21 of the Wisconsin Statutes and s. 2.13(7) of these rules.
- (8) Unless otherwise specified, the majority vote shall consist of a simple majority of the votes cast and unless otherwise specified, a two-third vote shall consist of two-thirds of the members of the county board; that is, not less than sixteen ~~eighteen~~ votes of the 23 ~~27~~ member Board. (11/15/88)
- (9) Any member of the board or the chairman may move for consideration of a report, resolution or ordinance by paragraph or seriatim. Upon the adoption of said motion by majority vote, the chairman shall read the first subdivision or paragraph of the report, resolution or ordinance, after which reading the proponent shall explain said paragraph or subdivision, after which the chair shall inquire as to debate or amendment to that

Commented [JC20]: Reflects current size of County Board.

particular paragraph or subdivision. When there is no further debate or amendment to the first paragraph, each succeeding paragraph or subdivision shall be taken up in similar fashion. Amendments to each paragraph shall be voted on as they arise, but no paragraph as amended shall be acted upon (as to final adoption or review) at that time. After all parts have been considered, the chair shall open the entire document to further amendment. All such amendments shall be corrected and inserted in the record by the reporter, and after final debate and amendment, the entire report, resolution or ordinance shall be acted upon in a single vote.

2.14 Rule Changes, Suspension of Rules

No standing rule or order of the board as herein adopted may be rescinded, or changed, nor any new rule or order added hereto except by amendment to this ordinance by a two-thirds vote. Any such proposed ordinance changes in the rules or orders of the board shall be mailed to the board members at least three (3) days before the meeting at which it is to be presented for the first reading. Any Rule not in conflict with state statutes may be suspended by a two-thirds vote of the members present.

2.15 Severability, Prior Rules, Repeal, Effective Date, and Publication.

- (1) If any provisions of this ordinance are invalid or unconstitutional, or in conflict with the Wisconsin Statutes, or if the application of this ordinance and these rules or ordinance is invalid or unconstitutional or conflicting said provision shall not affect the provisions or application of this ordinance which can be given effect without the invalid or unconstitutional provision.
- (2) All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.
- (3) This ordinance shall take effect upon passage and publication as provided by law.

2.16 Penalty Provision.

The penalty provision of Chapter 25 of the Municipal Code of Kenosha County shall not apply to any violation of this chapter.

A D D E N D U M

AGENDA FORM

NOTE: UNDER THE KENOSHA COUNTY BOARD RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SEC. 2.10(2) OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE DISCUSSED AND ACTED UPON DURING THE COURSE OF THIS MEETING AND ANY NEW MATTER NOT GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN.

Notice is hereby given that (the) (a) (annual, organizational, regular, special, emergency) meeting of the County Board will be held at _____ (a.m.) (p.m.) on the _____ day of _____, 2019 at the _____ and that the following will be the agenda for said meeting,

1. Call to order.
2. Pledge of allegiance.
3. Roll call.
4. Announcements and appointments of chairman.
5. Elections.
6. Citizen comments. (Chairman shall have the privilege of limiting the time of any or all such comments).
7. County Executive communications.
8. County supervisor reports and announcements.
9. Unfinished business (by committee in alphabetical order).
 - a. Resolutions ~~Ordinances~~ second reading
 - b. Ordinances ~~Resolutions~~ second reading
10. New business (by committee in alphabetical order).

(Note: Under county board rules of procedure, rules may be suspended and action taken after the first reading of any resolution or ordinance).

 - a. Resolutions ~~Ordinances~~ first reading
 - b. Ordinances ~~Resolutions~~ first reading
 - c. Reports standing committees

Standing Committees:
Executive Committee
Finance and Administration Committee
Human Services Committee
Judiciary and Law Enforcement Committee
Legislative Committee
Planning, Development and Extension Education Committee
Public Works Committee

 - d. Reports Special Committees
11. Licenses and permits.
12. Petitions.
13. Communications.
14. Claims.
15. Miscellaneous business and other matters as authorized by law.

Commented [JC21]: Order of consideration reversed in order to comply with statutory provisions related to amendments of the Comprehensive Plan.

Commented [JC22]: Reflects current committee structure.

- 16. Approval of minutes.
- 17. Closed session, contemplated to consider, deliberate, confer, or take action upon matters pursuant to Wisconsin Statutes, section 19.85(1) (___), to-wit:
- 18. Adjournment to _____.
- 19. Meeting of _____ Committee to discuss item _____ of the agenda in room _____ following adjournment. (Wis. Stat. section 19.84(6)).

Respectfully submitted,

Joseph M. Cardamone III

Approved by:

Legislative Committee:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
_____ Boyd Frederick, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Dayvin Hallmon, Vice-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Andy Berg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Erin Decker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Franco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Michael Skalitzy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

KENOSHA COUNTY

BOARD OF SUPERVISORS

ORDINANCE NO.

Subject: Amendment of MCKC Chapter 3.01 (g) – Filling of Vacancies Occurring Within a Term	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: May 17, 2016	Date Resubmitted:
Submitted By: Supervisor Ed Kubicki, Legislative Committee	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared By: Joseph M. Cardamone III Corporation Counsel	Signature:

THE KENOSHA COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN that the Municipal Code of Kenosha County Chapter 3.01 (g), the County Board Rules of Procedure, is hereby amended as follows:

- (g) Filling of Vacancies Occurring Within A Term. Vacancies in the office of County Supervisor shall be filled in the following manner: (2/24/09)
- i. If the vacancy occurs **after the Spring non-partisan election but** prior to December 1 of an even numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the odd-numbered year, **such election being for the unexpired portion of the term;** prior to such an election the County Board Chair shall appoint a successor, in accordance with the provision set forth in section **iv** 4, who shall be confirmed by the County Board and shall serve until his **or her** successor is elected at such non-partisan election in the odd numbered year;
 - ii. Except as hereinafter provided, if the vacancy occurs after December 1 of an even numbered year, **including at any time during an odd numbered year,** the vacancy shall be filled by an election in the Spring non-partisan election of the next even-numbered year; prior to such an election the County Board Chair shall appoint a successor, in accordance with the provision set forth **in section iv herein,** who shall be confirmed by the County Board and shall serve until his **or her** successor is elected at such non-partisan election in the next even- numbered year;
 - iii. If the vacancy occurs after **the deadline for filing nomination papers for** ~~December 1 of an odd-numbered year and prior to~~ the Spring election in an even numbered year, ~~the vacancy shall be filled by an election in the Spring non-partisan election of the next odd-numbered year; prior to such an election~~ the County Board Chair **may, at his or her discretion,** shall appoint a successor **in accordance with the provision set forth in section iv or leave the office vacant;**

- iv. Prior to making an appointment pursuant to the provision set forth herein, the County Board Chair shall advertise for the position in the County's official publication for legal notices **for not less than five business days**; he **or she** shall interview all interested candidates and report the qualifications of all such interested persons to the County Board, along with the qualifications of his or her appointee, **no later than the first County Board meeting occurring at least twenty days after the final day the advertisement is published**. Persons appointed shall be qualified electors and residents of the supervisory district in which the vacancy occurred. **All reasonable efforts shall be made to publish the advertisement for the vacant position within ten business days of the effective date of the vacancy.**
- v. **Pursuant to Sec. 19.285, Wis. Stats., if the vacancy is caused by the expiration of the term of an incumbent and a successor has not been determined due to the pendency of a recount or an appeal from a recount determination, the County Board Chair may fill such a vacancy on a temporary basis or leave it vacant. The procedure outlined in section iv for advertising the vacancy and interviewing all applicants need not be followed in such a case; the County Board Chair may simply appoint an individual, who shall be confirmed by the County Board, to serve until such time as a successor is qualified.**

Respectfully Submitted,

Edward Kubicki

Approved by:

Legislative Committee:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
<hr/> Boyd Frederick, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Dayvin Hallmon, Vice-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Andy Berg	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Erin Decker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> John Franco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<hr/> Michael Skalitzky	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>