

# KENOSHA COUNTY

## BOARD OF SUPERVISORS

ORDINANCE NO.

Subject: Amendment of MCKC Chapter 2 - County Board Rules of Procedure	
Original <input type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted: February 6, 2024	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 the Municipal Code of Kenosha County Chapter 2, the County Board Rules of Procedure, is hereby amended by being replaced by the attached.

Approved by:

Legislative Committee:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Excused</u>
_____ Brian Thomas, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Poole, Vice-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Amanda Nedweski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Jeff Wamboldt	<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"/>
_____ Daniel Gaschke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Monica Yuhas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Chapter 2

### COUNTY BOARD RULES

#### Sections:

- 2.01 Rules of Procedure.**
- 2.02 Meetings, time and place.**
- 2.03 Meetings, quorum, conduct of.**
- 2.04 Open meetings.**
- 2.05 Closed session at meetings.**
- 2.06 Board meeting agenda, order of business and minutes.**
- 2.07 Exercise of power and presentation.**
- 2.08 Motion Procedure.**
- 2.09 Appeals and motions to reconsider, rescind and to take from the table.**
- 2.10 Voting.**
- 2.11 Claims.**
- 2.12 Finance and budget.**
- 2.13 Standing committees (6/17/14).**
- 2.14 Rule changes, suspension of rules.**
- 2.15 Severability, prior rules, repeal, effective date, and publication.**
- 2.16 Penalty provision.**

#### **Addendum.**

#### **2.01 Rules of procedure.**

The most recent version of Robert's Rules of Order (Newly Revised) shall govern the proceedings at all meetings of the Kenosha County Board of Supervisors and its committees and all other boards and commissions of Kenosha County Government except as set forth in these County Board Rules, also referred to herein as Board Rules, and except as otherwise provided by Wisconsin state statute.

#### **2.02 Meetings, time and place.**

- (1) *ORGANIZATIONAL MEETING AND DUTIES OF OFFICERS.*

(a) On the third Tuesday in April in even-numbered years, after each regular election at which members are elected for full terms, the County Board will meet and shall:

1. Meet for the purpose of organizing and for transacting general business.
2. Elect a member chair to perform the duties set forth in section 59.12(1) of the Wisconsin Statutes in addition to other duties established in these Rules or by the County Board from time to time. Specifically, without limitation, the chair may administer oaths to persons required to be sworn concerning any matter submitted to the County Board or a committee of the County Board or connected with their powers or duties. The chair shall countersign all ordinances of the County Board, and shall preside at meetings when present. When directed by ordinance the chair shall countersign all county orders, transact all necessary County Board business with local and county officers, expedite all measures resolved upon by the County Board and take care that all federal, state and local laws, rules and regulations pertaining to county government are enforced.
3. Elect a member vice-chair to perform the duties set forth in section 59.12(2) of the Wisconsin Statutes. Specifically, in case of the absence or disability of the chair, the vice-chair shall perform the chair's duties.

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\(1\)](#) of the Wisconsin Statutes.

(b) Duties of Board Chair.

1. At the Biennial Organizational Meeting described in sec. 2.04(1)(a) or as soon thereafter as practicable, the Board Chair shall appoint members to the standing committees of the County Board and shall call upon the chairs of such standing committees to advise him or her from time to time as the need arises as members of the chair's advisory committee. The Board Chair has the authority, in his or her sole discretion, to remove members from committees and remove members as chair of a committee.
2. In the absence of the Board Chair and the Vice-Chair and where their presence is necessary to carry out the responsibilities of their office, the Kenosha County Board of Supervisors does hereby designate the most recent past chair present the responsibility to serve as chair pro tempore of a meeting of the County Board. In the absence of a past

chair, such responsibilities shall be carried out by the most senior member of the County Board. (10/7/86)

(c) 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.

(2) *ANNUAL MEETING.* The County Board shall hold an annual meeting on the date established in section 59.11(1) of the Wisconsin Statutes.

(3) *REGULAR MEETINGS.* In addition to the organizational and annual 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 Chair, in his or her discretion, may cancel a regular meeting for any reason, including, but not limited to: a lack of agenda items, inclement weather, or other unforeseen circumstances. The Board Chair shall provide reasonably adequate notice to the Supervisors and the public in advance of any such meeting cancellation.

(4) *SESSION.* The two-year period of time between the organizational meetings in sec. 2.04(1)(a) hereof shall constitute a session of the County Board, and any business pending and upon which the Board has not acted prior to the close of a session can no longer be acted upon without being reintroduced. (3/20/18)

(5) *SPECIAL AND EMERGENCY MEETINGS.* Special and emergency meetings of the County Board may be held at the call of the Board Chair for any reason or otherwise pursuant to section [59.11\(2\)](#) of the Wisconsin Statutes, as amended. A written request delivered under section 59.11(2) of the Wisconsin Statutes may be signed and delivered electronically.

## **2.03 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 or she serves.

(4) The Board Chair shall preside at all meetings, preserving order and decorum and shall decide all questions of procedure and order, subject to appeal to the Board. The Board Vice-Chair shall preside in the absence of the Chair. The Board Chair and Vice-Chair shall be entitled to vote on all matters presented to the Board. (5/17/16)

(5) The Corporation Counsel's office shall serve as parliamentarian for Board meetings.

(6) All matters referred to committee or committees must be returned to the Board within sixty days if supported by 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 chair. (8/6/91)

(7) Persons wishing to make presentations to the County Board during the citizen comments portion of the meeting will limit their comments to one five-minute presentation and otherwise abide by the terms of the citizen comment rules in sec. 2.07(10). Persons requested to appear before the Board, the county executive and county department heads shall not be limited in the time required to provide the presentation. (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 chairs, routine announcements, and matters that a supervisor would like referred to a committee or department. No debate or official action will be taken up on any matter announced under such agenda items.

(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 properly before the Board. Supervisor comments on matters not on the agenda shall be specifically noted on the agenda with a description of the comments with enough specificity to comply with the Wisconsin Open Meeting Law. (5/17/16)

(10) *Rules for Citizen Comment*. The following rules apply to all periods of citizen comment at County Board and Committee meetings:

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- (a) Any person who wishes to address the County Board during the "Citizen Comment" portion of the agenda must complete the "Citizen Comment" sign-in sheet and verbally state their name and address prior to beginning comment.
  - (b) All comments shall be limited to five (5) minutes in length per speaker unless the Board Chair establishes a different time limit in his or her discretion, in which case the time limit will be announced.
  - (c) Comments should be directed to the Board as a whole and not addressed to individual Board or Committee Members.
  - (d) A commenter should refrain from asking questions of the Board or any individual Board or Committee Member.
  - (e) Commenters should be courteous in their language, avoid personalized remarks and refrain from comments that are rude, obscene, profane, personally attacking, and which demonstrate a lack of respect for others.
  - (f) The Chair reserves the right to terminate an individual's public comments if these rules are violated. As well, the Chair has the authority to rule speakers out of order where appropriate and may call a short recess in disorderly situations.

## **2.04 Open meetings.**

All meetings shall be open to the public and shall be held in conformance with section [59.11](#) and sections [19.81](#) through [19.98](#) of the Wisconsin Statutes, as amended.

## **2.05 Closed session at meetings.**

- (1) Any meeting may convene in closed session provided any such closed session complies 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 member of the Board may be excluded from any meeting of the Board, its committees or commissions provided, however, that a committee or commission may exclude a Board member that is not a member of the committee or commission from a closed session portion of a meeting upon majority vote of the committee or commission members present. The records, tapes and any other

materials distributed in any closed session of the Board or any of its committees, including without limitation the record of any official action taken or authorized, shall be available to all supervisors upon written request presented to the Board Chair or chair of the appropriate committee. (3/20/18)

(3) All motions and roll call votes taken in closed session must be recorded and preserved, but such recordings shall be impounded and left in the custody of the county clerk or recording secretary to the committee and, subject to Sec. 2.03(2), not distributed to anyone until the reason for the closed session has expired and secrecy is no longer allowed by law. Those Board or Committee members in attendance at a closed session shall have access to the record of any official action taken or authorized in the closed session and such record shall be deemed approved as recorded unless objected to at the next regular meeting of the Board or Committee. (8/21/90)

## **2.06 Board meetings agenda, order of business and minutes.**

(1) *Agenda and Inspection.* The Board Chair, in consultation with the County Clerk, shall establish the agenda for all meetings of the Board. In creating the agenda, the Board Chair shall include, among other matters, all items acted upon favorably by a committee. The Board Chair shall determine the process for referral to a committee. All reports, resolutions, ordinances, communications, etc., to be presented to the Board shall be filed with the county clerk 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 county clerk and shall be open to public inspection upon filing. The Board Chair may authorize the filing of any report, resolution, ordinance, communication, etc., at a later time than provided herein. The county clerk shall forward to the respective supervisors at least 48 hours prior to the start of a county board meeting copies of all agenda items which have been timely filed. A matter may be pulled from the agenda only by the Board Chair after polling and receiving a consensus of the committee members present during the Announcements of the Chair 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) The Board agenda shall be kept on file with the Clerk, be posted on the county's website and published in the proceedings of the County Board as required by law.

(2) The order of business as established by the rules of the County Board shall not be changed except by unanimous consent or by a vote of two-thirds of the members present.

(3) The County Clerk shall prepare and record minutes of County Board meetings including a record of any action taken, if any, during a closed session portion of the meeting. The chair of each

committee or his or her designee, in coordination with the county clerk shall prepare and record all minutes of all committee meetings including a record of any action taken, if any, during a closed session portion of the meeting. Final approved minutes of Board and committee meetings shall be posted to the county's website within five (5) business days of approval.

(4) Unless otherwise required by law, no item may be scheduled for inclusion on the agenda for a regular meeting of the County Board until the appropriate committee or committees has acted upon the item unless the Board Chair, in his or her discretion and after consultation with the item's submitter, determines that the matter is of a time sensitive nature requiring the Board's attention in which case the Board Chair may place the item on the agenda for a regular meeting without committee consideration. This section does not prevent a matter from being scheduled for the first of two required readings prior to committee consideration. (1/17/17)

(5) *Consent Calendar.* The Chair may place items of routine business on the consent calendar portion of the agenda. Unless an objection is raised by any member of the Board, all items on the consent calendar may be disposed of by a single motion approving the consent calendar. If an objection is raised to the consent calendar, the objector shall specify the individual items in the consent calendar that will be removed from the consent calendar and acted upon individually. Each agenda containing a consent calendar shall specify the matters being considered in the consent calendar.

## **2.07 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 purposes and shall not be used for the purpose of instituting policies or enacting laws.

Any paper presented to the Board requesting Board action shall have endorsed thereon the date of presentation, subject matter, and the name of the presenting member(s). The Board 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 indicate the "yes" or "no" vote or abstention of every member of the committee present at the committee meeting where such resolution or ordinance was acted upon. 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 do so in compliance with the Open Meetings Law by having such resolution or ordinance or policy statement delivered to each Supervisor by the County Clerk, by mail or electronic delivery, 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)

All committee resolutions and ordinances must also have a space for:

- (a) a fiscal note commenting on the financial impact of the proposal to be completed and signed by the County's Finance Department; and
  - (b) a legal note commenting on the legal authority relating to the proposal to be completed and signed by the Office of the Corporation Counsel.
- (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 (as determined by the Board Chair in consultation with the Corporation Counsel) or which are otherwise required by law to have more than one reading shall be read at two successive Board meetings. 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 survive expiration of a session and remain in effect until such time as repealed. Any resolution intending to reflect the policy of the County Board shall be so duly noted and properly indexed and incorporated into a policy manual. When presenting these items for first reading, the County Clerk 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. The County Board may take action on the proposed resolution or ordinance 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 full, in the yearly Proceedings of the County Board pursuant to Wis. Stat. § 59.14.

(6) *Adoption.* Upon the adoption of any ordinance or resolution enacted by the County Board, it shall be countersigned by the Board Chair and the county clerk and forwarded to the county executive pursuant to the provisions of section [59.17\(6\)](#) of the Wisconsin Statutes. Upon approval or abstention by the county executive or in the event of his or her veto, upon the subsequent overriding vote of the County Board, the county clerk shall publish said resolution or ordinance and distribute copies pursuant to the applicable state statutes. If any resolution or ordinance is not returned by the county executive to the County Board at its first meeting occurring not less than 6 days, Sundays excepted, after it has been presented to the county executive, it shall become effective unless the County Board has recessed or adjourned for a period in excess of 60 days, in which case it shall not be effective without the County Executive's approval. If the County Executive vetoes, in whole or in part as allowed by law, any ordinance or resolution, the Board shall place the vetoed ordinance or resolution on the agenda for the next Board meeting for purposes of reconsidering the vetoed ordinance or resolution and if, after such reconsideration, 2/3 of the members-elect of the Board agree to adopt the vetoed ordinance or resolution, it shall become effective as provided therein but in no event earlier than the date of the meeting at which such ordinance or resolution is reconsidered.

(7) The Board Chair shall appoint a temporary County Executive, subject to Board confirmation, in the event of a vacancy in the office of County Executive.

## **2.08 Motion procedure.**

(1) After a motion receives a second and has been restated by the chair, it 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. A motion to amend a main motion, when in order, shall require a second and a vote of the body.

(2) Any item of business before the Board not otherwise required by law to be acted upon in a specific manner of voting may be acted upon by unanimous consent by the Board Chair asking if there is any objection. If no Board member objects, the item of business is adopted by unanimous consent. (3/20/18)

(3) The names of the mover and the seconder of every motion shall be entered on the minutes of the Board. A proposed ordinance or resolution appearing on the agenda with a positive recommendation from a committee shall not require a motion and second and the minutes shall reflect that the committee recommended and moved adoption of such ordinance or resolution.

(4) No debate shall be permitted until the Board Chair has stated a question. When the question is under debate, no motion is in order except as provided in the rules of order, and such motions shall have precedence in the order outlined in said rules of order.

(5) A motion to adjourn the Board is always in order except when the County Board is voting. A motion to close debate or move the previous question may not be made by the person making 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 or move the previous question, when in order, is not debatable and shall require two-thirds vote of the members present to be adopted. (6/6/95)

(6) A member has the floor only after he or she 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 Board Chair shall determine the order in which such members shall speak. A member called to order shall immediately return to his or her seat and discontinue speaking unless permitted to explain by the chair.

(7) 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 Board Chair 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 Chair shall grant the privilege of the floor to the non-Board member, and the Board Chair shall limit the time that such person can address the County Board.

## **2.09 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 Board Chair by one member making the appeal and another seconding it, at which point the question shall be taken from the Board Chair and vested in the County Board for final decision. Upon such motion for appeal made and seconded, the Board Chair shall state the question as "Shall the decision of the chair be sustained?" This motion is debatable, but each member may speak only once on the motion.

(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 provided, however, that a motion to reconsider may be made in a committee meeting by a member of the committee that was absent from the meeting at which the question was presented. A motion to reconsider that fails shall not be renewed. The motion to reconsider and again place a prior motion before the Board shall require a majority vote. A motion to rescind or amend a prior action of the Board shall require prior notice and shall require the same vote as needed to adopt the original motion. Any supervisor intending and qualified to bring a motion to reconsider, rescind or amend a prior action of the Board at any meeting other than the meeting at which the report, resolution or ordinance was adopted shall notify the Board Chair and Clerk of his or her intent so that the motion may be properly placed on the appropriate agenda. Neither a motion to reconsider, rescind nor amend a prior action of the Board shall be in order if there has been action or an undertaking in furtherance of implementing the business that is the subject of the motion to reconsider, rescind or amend the prior action of the Board.

## **2.10 Voting.**

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- (1) *Voting Requirement.* Every member who is present at a Board meeting, including the Board Chair, shall cast a vote when the question is put before the Board 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)
- (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 Board Chair who shall so notify the Board.
- (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 county clerk 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 chair of the committee or his or her designee. Records of closed session portions of meetings shall be impounded until the body by majority vote authorizes their release and 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. [19.31](#) of the Wisconsin Statutes.
- (8) Unless otherwise specified or required by law, 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 votes of the 23 member Board. (11/15/88)

(9) Any member of the Board or the Board Chair may move for consideration of a resolution or ordinance by paragraph or seriatim. Upon the adoption of said motion by majority vote, the Board Chair shall read the first subdivision or paragraph of the resolution or ordinance, after which reading the proponent shall be provided the opportunity to explain said paragraph or subdivision, after which the Board Chair shall inquire as to debate or amendment to that 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 Board Chair shall open the entire document to further amendment. All such amendments shall be corrected and inserted in the record by the county clerk, and after final debate and amendment, the entire resolution or ordinance shall be acted upon in a single vote.

## 2.11 Claims.

- (1) All claims against the county that are otherwise not acted upon by the Finance and Administration Committee as provided in these Board Rules shall follow the procedure set forth in sections [59.64](#) and [893.80](#) of the Wisconsin Statutes and amendments thereto.
- (2) The Corporation Counsel may recommend a compromise of any claim or lawsuit to the Board Chair and Vice-Chair of the Board, the chair of the finance committee and the chair 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. (5/17/16)

## 2.12 Finance and budget.

- (1) No later than the second Board meeting of April of each year, the county financial report for the previous year and the annual report of each department shall be presented. At or before the first meeting in June, the county executive shall be allotted sufficient time to present his or her message to the County Board as provided for in section [59.17\(5\)](#) of the Wisconsin Statutes.
- (2) Prior to October 15 of each year, the county executive shall submit his or her 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, acted upon by the Finance Committee, 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, the budget shall be forwarded to the county executive pursuant to the provisions of section [59.17\(6\)](#) of the Wisconsin Statutes.
- (4) *Supervisor's and County Executive's compensation.* Any increase in the salary or compensation of County Board Supervisors or the county executive shall require a majority vote of the members-elect (as defined in sec. 65.90(5)(ag) of the Wisconsin Statutes), shall be made at or before the annual meeting and shall take effect after the next scheduled election for County Board Supervisors or county executive.

(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, shall not be changed thereafter unless authorized by a vote of two-thirds of the members-elect (as defined in sec. 65.90(5)(ag) of the Wisconsin Statutes) of the Board. Where such changes are made they shall be published as a class 1 notice under chapter 985 within 15 days thereafter or a notice of the changes is posted on the County's website within 15 days thereafter. Failure to give such notice shall preclude any changes in the proposed budget and alterations thereto made pursuant to Section 2.11(7).

(6) Subject to Section 2.11(7), all budget changes or appropriations of money as defined below shall be made only by the adoption of a resolution or ordinance passed in accordance with the laws 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 and Administration 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 15 days after adoption of such resolution or ordinance transferring moneys, the county clerk shall give notice thereof 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) Notwithstanding Section 2.11(6), the County Board's standing Finance and Administration Committee may, without further Board action, transfer in any one year up to an amount equal to 10% of the funds originally provided for an appropriation unit 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 an amount equal to 10% of the funds originally provided for an appropriation unit 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.

## **2.13 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\(12\)\(a\)](#) 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 \$10,000.

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, personnel policy, 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 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 Judiciary, and Law Enforcement 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 Public Works and Facilities 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 Public Works and Facilities Committee shall have the power to adopt rules and regulations for the administration of County Parks as set forth in section [10.20](#) 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, 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](#) as amended.

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 [12.03–12.04](#) 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 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 unless otherwise determined by the Board Chair provided such determination is confirmed by the County Board.

(c) No supervisor shall serve on more than three standing committees.

(d) No chair of another standing committee may serve on the Finance and Administration Committee.

(e) The Finance and Administration Committee Chair 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 Board Chair 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. For avoidance of doubt, the Joint Services Board is not a County affiliated board, committee, or commission. (5/17/16)

(4) *Committee Operations.*

(a) At the time the Board Chair appoints members to the standing committees, the Board Chair shall also appoint a chair and vice-chair of each standing committee. (3/20/18)

(b) The committee chair shall set the time and place for all meetings of the committee during the session, check and list committee meeting dates with the County Clerk to avoid conflicts with other committee meetings, and report committee attendance to the County Clerk who shall

maintain a record thereof. Standing Committees of the County Board shall convene no earlier than 6:00 PM if a vote or legal action is to be taken. Standing Committee meetings may occasionally require alternate meeting times. In these rare situations, the committee chair will notify the County Board chair prior to noticing a meeting occurrence. This shall not be interpreted to hinder the duly noticed working session of the Planning, Development and Education Extension Committee.

(c) The committee chair shall preside over all committee meetings. The committee vice-chair shall act as chair in the absence of the chair. (3/20/18)

(d) It is the responsibility of the committee chair, in cooperation with the county clerk, to ensure that all proceeding minutes are recorded in the appropriate format and posted to the County website.

(e) All County Board standing or ad hoc committee open meetings and public hearings, board of health meetings and board of adjustment meetings shall be digitally recorded and such recordings shall be posted, in unedited form, to the county website within five (5) business days of the proceeding. 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. No portion of any closed session of a meeting shall be posted unless and until the confidentiality of any such recording is no longer necessary.

(f) All written minutes of a previous meeting must be approved by the 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 shall 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.

(g) No item may be scheduled for inclusion on the agenda for a committee meeting without the consent of the committee chair. Members of the County Board shall endeavor to file all reports, resolutions, ordinances, communications, etc., to be presented to the committee with the county clerk no later than 10:00 a.m. on the Thursday preceding the committee meeting.

The committee chair may authorize the filing of any report, resolution, ordinance, communication, etc., at a later time than provided herein.(h) While members of the County Board may attend any meeting of a committee or commission, subject to sec. 2.03(2), members of the County Board who are not members of the committee or commission shall not participate in discussion or debate on any matter presented to the committee or commission without the committee chair's approval.

(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 and staff 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 every committee meeting agenda for citizens' comments.

2. Committee members shall not engage in debate concerning any matter raised during citizens' comments that is not on that meeting's agenda. Nonetheless, each standing committee shall endeavor to respond, or request that staff respond, to citizens' comments and inquiries when requested to do so by citizens.

(e) Each standing committee shall have the power to issue subpoenas in accordance with Wisconsin State statutes, but shall not exercise such power prior to consulting with Corporation Counsel.

(f) If the relevant committee chair requests and the Board Chair agrees to attend, the Board Chair's presence at a committee meeting 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 Board Chair is

not needed to make a quorum, he or she may still vote to break a tie vote of committee members.

(6) All appointments, including reappointments, to boards, commissions, or department director positions by the County Executive and/or the Board Chair and all approvals of division head nominees which may come before the County Board shall be referred by the Board Chair to one or more appropriate standing committees. The committee(s) may investigate, study, and interview prospective 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) may interview prospective 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.

## **2.14 Rule changes, suspension of rules.**

No Board Rule 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 change to these Board Rules shall be provided to the Board members at least three (3) days before the meeting at which it is to be presented for the first reading. Any Board 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 found by final judgment by a court of competent jurisdiction, after exhaustion of all rights to appeal, 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. This ordinance shall be construed in accordance with the Wisconsin Statutes and in the event of any conflict between this ordinance and the Wisconsin Statutes, the Wisconsin Statutes shall prevail.

(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.

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**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.



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**Addendum.**

## 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.

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 \_\_\_\_\_, 20\_\_ 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) Approval of minutes from previous meeting(s).
- (5) Announcements and appointments of chair.
- (6) Elections.
- (7) Citizen comments. (Citizen comments are subject to the rules).
- (8) County Executive communications.
- (9) County supervisor reports and announcements.
- (10) Consent calendar.
- (11) Unfinished business (by committee in alphabetical order).
  - (a) Resolutions second reading

(b) Ordinances second reading

(12) 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 first reading

(b) Ordinances 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

(13) Licenses and permits.

(14) Petitions.

(15) Communications.

(16) Claims.

(17) Supervisor Comments under Rule 2.07(9)

(18) Closed session, contemplated to consider, deliberate, confer, or take action upon matters pursuant to Wisconsin Statutes, section [19.85\(1\)](#) (\_\_\_), to-wit:

(19) Adjournment to \_\_\_\_\_.

(20) Meeting of \_\_\_\_\_ Committee to discuss item \_\_\_\_\_ of the agenda in room \_\_\_\_\_ following adjournment. (Wis. Stat. section [19.84\(6\)](#)).

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**The Municipal Code of Kenosha County is current through Ordinance 7 (2022), passed December 6, 2022.**

Disclaimer: The clerk of the Board's office has the official version of the Municipal Code of Kenosha County. Users should contact the clerk of the Board's office for ordinances passed subsequent to the ordinance cited above.

[County Website: www.kenoshacounty.org](http://www.kenoshacounty.org)

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