

Kenosha



County

**Legislative Committee**

**Agenda**

Kenosha County Administration Building

2nd Floor Committee Room

1010 56th St, Kenosha, WI

February 21, 2024, Wed, 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COUNTY BOARD RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS.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. Reports From Chairperson
4. Reports From Committee Members
5. Communications
6. Approval Of Minutes
7. A Resolution Requesting The State Legislature Increase The Penalties For Harming Or Killing A Law Enforcement K9

Documents:

[24-1-9 DECKER K9DEPUTYSTEEPERPENALTIES.PDF](#)

8. A Resolution To Amend Municipal Code Of Kenosha County Chapter 2 - Rules Of The County Board

Documents:

[2024-02-09 DRAFT REVISED CHAPTER 2.PDF](#)

9. A Resolution To Amend Municipal Code Of Kenosha County Chapters 19 And 20 - Kenosha County Ethics Policy

Documents:

[ETHICS CODE - LINE NUMBERS - CLEAN - FEB 2024 VERSION.PDF](#)

10. Other Matters As May Be Appropriately Brought Before The Committee

## 11. Adjourn

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



## KENOSHA COUNTY BOARD OF SUPERVISORS

Resolution No. \_\_\_\_\_

Subject: <b>A Resolution Requesting the State Legislature Increase the Penalties for Harming or Killing a Law Enforcement K9</b>			
Original <input type="checkbox"/>	Revised <input checked="" type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: 11/29/2023		Date Resubmitted: 12/8/2023	
Submitted by: Vice Chair Decker, Supervisors Rodriguez, Stocker, Thomas, Poole, Geertsen, and Nedweski			
Fiscal Note Attached <input type="checkbox"/>		<input type="checkbox"/> Legal Note Attached	
Prepared by: Vice Chair Decker, Deputy Tift, and Sergeant Malecki		Signature: <i>Evin Decker</i>	

WHEREAS, Kenosha County has long been committed to supporting its law enforcement officers; and

WHEREAS, the Kenosha County Sheriff's Department created the K9 Unit in has five K9 Deputies in active service, and these K9 Deputies and their handlers are:

- K9 Riggs and Deputy Tift on active patrol
- K9 Klaus and Deputy Lancot on active patrol
- K9 Arlo and Deputy Kasulke on active patrol
- K9 Riv and Deputy Booth on active patrol
- K9 Ludo and Corrections Officer Loesch in Kenosha County Sheriff Detentions

WHEREAS, the Kenosha County Sheriff's Department K9 Deputies are beloved members of the Department and the community; and

WHEREAS, the Kenosha County Sheriff's Department K9 Deputies are hard-working members of the sheriff's department and put their lives in danger daily to keep us safe in our homes, places of work, and on the streets; and

WHEREAS, the Kenosha County Sheriff's Department K9 Deputies help law enforcement personnel perform their jobs in a safer and more efficient manner thus saving the Sheriff's Department hundreds of man-hours every year; and

WHEREAS, law enforcement agencies use man's best friend to assist in a variety of tasks that K9 Deputies freely and willingly go into areas other deputies are not able to, and they rely on the K9 teams to use their special abilities to help us locate suspects, evidence, narcotics, explosives, or missing persons quickly; and

WHEREAS, law enforcement K9 handlers are required to give announcements to suspects putting the handler and K9 at a disadvantage as the suspect knows where they are, what they intend to do, and who is coming to look for them; and

WHEREAS, there has been a significant increase in shootings and stabbings of law enforcement K9s across this country as they perform their jobs; and

WHEREAS, K9 Deputy Riggs was shot in the head on October 21, 2021, and amazingly survived his injuries, made a complete recovery, and is back on patrol; and

WHEREAS, under Wisconsin State Statute 951.18(2m), the penalty for intentionally injuring a known law enforcement K9 is a Class I felony which the lowest class of felony and is punishable by up to 3.5 years in prison and a maximum fine of \$10,000; and the penalty for killing a law enforcement K9 is a Class H felony and is punishable by up to 6 years in prison and fines of up to \$10,000;

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin change state statutes deeming law enforcement K9s as property and increase penalties for the intentional injury or killing of said K9s; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors commends and recognizes all the work our K9s Deputies and their handlers who keep Kenosha County safe, enforce the rule of law, and respond in times of crisis; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to Kenosha County's state legislative delegations, Governor Evers, all other Wisconsin counties, and the Wisconsin Counties Association.



Erin Decker

\_\_\_\_\_  
Zach Rodriguez

\_\_\_\_\_  
Tim Stocker

\_\_\_\_\_  
Brian Thomas

\_\_\_\_\_  
John Poole

\_\_\_\_\_  
Dave Geertsen

\_\_\_\_\_  
Amanda Nedweski

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## Chapter 2

### COUNTY BOARD RULES ~~OF PROCEDURE~~

#### Sections:

- 2.01 Robert's rules of order.
- 2.02 Open meetings.
- 2.03 Closed meetings.
- 2.04 Meetings, time and place.
- 2.05 Standing committees (6/17/14).
- 2.06 Meetings.
- 2.07 Meetings, quorum, conduct of.
- 2.08 Exercise of power and presentation.
- 2.09 Motions and minutes.
- 2.10 Appeals and motions to reconsider, rescind and to take from the table.
- 2.11 Budget considerations.
- 2.12 Claims.
- 2.13 Voting.
- 2.14 Rule changes, suspension of rules.
- 2.15 Severability, prior rules, repeal, effective date, and publication.
- 2.16 Penalty provision.

Commented [AP1]: Consider reorganizing for ease of reference.

#### Addendum.

#### 2.01 Robert's rules of order.

~~The most recent version of~~ Robert's Rules of Order (~~a~~Newly ~~r~~Revised ~~1970~~ edition) ~~as amended~~ shall ~~apply to govern the proceedings at~~ all meetings of the Kenosha County Board ~~of~~ Supervisors and its committees and ~~to all other~~ boards and commissions of Kenosha County Government except as ~~hereinafter~~ set forth in these County Board Rules, also referred to herein as Board Rules, and except as otherwise provided by Wisconsin state statute.

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## 2.02 Open meetings.

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

## 2.03 Closed session at meetings.

(1) Any meeting may ~~be convene in~~ closed session provided, ~~however, that said meeting any such closed session complies 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~~Board may be excluded from any meeting, including closed ~~meetings session portions thereof~~, of the ~~board~~Board, its committees or commissions, ~~Notwithstanding the provisions of section 2.13(7), the minutes, records, tapes and any other matter presented at materials distributed in~~ any closed session of the ~~board~~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 ~~chair of the board~~Board Chair or chair of the appropriate committee. (3/20/18)

**Commented [AP2]:** Recommend a rule providing that a board member may be excused from a closed session by call of chair or vote of the committee.

(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 ~~recording~~ secretary to the committee and, ~~subject to Sec. 2.03(2)~~, not distributed to anyone until the reason for ~~closing the closed~~ session has expired and secrecy is no longer ~~required to protect vital public or private interests allowed by law~~. Those Board or Committee members in attendance at ~~the a~~ closed session shall have access to ~~the record of any official action taken or authorized in a~~the closed session ~~minutes and said minutes~~such record shall be deemed approved ~~as recorded~~ unless objected to at the next regular meeting of the Board or Committee. (8/21/90)

## 2.04 Meetings, time and place.

(1) ORGANIZATIONAL MEETING.

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

1. Meet for the purpose of organizing and for transacting general business,~~and~~
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 for the Board Chair from time to time. ~~In addition,~~ The chair-Board Chair shall appoint a temporary County Executive, subject to Board confirmation, in the event of a vacancy in the office of County Executive, assume the emergency powers bestowed upon the county executive in the absence of the county executive. Beginning with the 1990-1992 term, t The Kenosha County Board of Supervisors approves the elimination 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.

**Commented [AP3]:** Recommend deleting unless historically needed.

3. Elect a member vice-chair to perform the duties set forth in section 59.12(2) of the Wisconsin Statutes. The Kenosha County Board of Supervisors approves the elimination 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.

**Commented [AP4]:** Same comment

~~he 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 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 Chair-Board Chair and Vice-Chair.~~

1. At the Biennial Organizational Meeting described in sec. 2.04(1)(a) or as soon thereafter as practicable, T~~he chair-Board Chair~~ shall appoint members to the standing committees of the County Board and shall call upon the chairs of such

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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.

3. ~~Elect one of its members vice-chair. 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)~~

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4. ~~Repealed (10/15/96)~~

52. In the absence of the ~~County Board C~~ Board Chair and the ~~County Board~~ Vice-Chair and where their presence is necessary to carry out the responsibilities of their office, the Kenosha County Board of Supervisors does hereby ~~delegate to~~ designate the most recent past chair present the responsibility ~~of the chair of the county~~ County board ~~Board to serve as chair pro tempore of a meeting of the County Board.~~ In the absence of a past chair, such responsibilities ~~of the chair~~ Board Chair shall be ~~delegated to~~ carried out by the most senior member of the ~~county~~ County board ~~Board of supervisors.~~ (10/7/86)

(cb) The ~~county~~ County board ~~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) of the Wisconsin Statutes.~~

(2) *ANNUAL MEETING.* The ~~board~~ County Board of supervisors shall hold an annual meeting on the ~~date established in section 59.11(1) of the Wisconsin Statutes~~ Tuesday next succeeding the second Monday in November in each year.

(3) *REGULAR MEETINGS.* In addition to the organizational and annual meetings, ~~The~~ county County board ~~Board~~ shall meet at 7:30 p.m. on the first and third Tuesday of each month



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for the purpose of transacting business. ~~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. Nothing in this subsection shall be construed as to in any way limit the discretion of t~~The Chair, in his or her discretion, may to—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 Aany such meeting cancellation ~~must be provided with adequate notice to Supervisors and the public. At the conclusion of the annual and organizational meetings, the board shall adjourn sine die. Any business pending upon which the board has not acted prior to the adjournment sine die can no longer be acted upon without being reintroduced.~~

(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 countyCounty boardBoard, and any business pending and upon which the boardBoard has not acted prior to the close of a session can no longer be acted upon without being reintroduced. (3/20/18)

(45) SPECIAL AND EMERGENCY MEETINGS. Special and emergency meetings of the countyCounty boardBoard may be held at the call of the Board Chair or otherwise pursuant to section 59.11(2) of the Wisconsin Statutes, as amended.

## 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

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## (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 \$~~510~~,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.

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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 [10.202](#) 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](#) 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

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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 [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 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~~man~~ of another standing committee may serve on the Finance and Administration Committee.

Commented [AP5]: Why does this rule exist?

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(e) The Finance and Administration Committee Chair ~~man~~ 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 ~~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. (5/17/16)~~

Commented [AP6]: Why does this rule exist?

(4) *Committee Operations.*

(a) ~~At the time the Board Chair appoints members to the standing committees, the Board Chair shall also~~~~The chair of the County Board shall~~ appoint a chair, and 1st vice-chair of each standing committee. ~~Each standing committee shall elect a 2nd vice-chair from the remaining members of the committee. (3/20/18)~~

Commented [AP7]: This seems nonsensical - consider deleting.

(b) The committee chair shall: set the time and place for all meetings of the committee during the session, ~~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 chair shall preside over all committee meetings.~~ The committee 1st vice-chair shall act as chair of any meeting in the absence of the chair. ~~The committee 2nd vice-chair shall act as chair if~~ in the event that both the committee chair and 1st vice-chair are absent. ~~In the event that the committee chair, 1st vice-chair, and 2nd vice-chair are all absent,~~ and the committee still has a quorum, the most senior member of the county~~County board~~Board who is a member of the committee shall act as chair. (3/20/18)

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

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

(e) ~~All~~The full digital recording from any ~~county~~County boardBoard standing or ad hoc committee open meetings ~~or and~~ public hearings, board of health meetings and board of adjustment meetings shall be digitally recorded and such recordings shall ~~is to~~ be posted, in ~~its~~ 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. This rule shall also apply to the county board of health and the county board of adjustments. 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.~~

Commented [AP8]: Should closed session recordings ever be "posted?"

~~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.~~

(f) ~~All~~ written minutes ~~of a previous meeting~~ 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~~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.

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(e) No item may be scheduled for inclusion on the agenda for a ~~regular committee~~ meeting ~~without the consent of the committee chair of the county board unless it has already been considered by the appropriate committee or committees, unless the County Board Chair, in consultation with the item's submitter, determines that the matter is of a time sensitive nature requiring the board's attention. 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) *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 ~~its every committee meeting~~ agenda for citizens' comments ~~and shall report to the County Board such concerns as expressed by citizens.~~

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.~~

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(f) The Board Chair, at the request of the relevant committee chair, 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 County Board Chair and all approvals of division head nominees which may come before the County Board shall be referred by the Board Chair ~~of the County Board~~ to one or more appropriate standing committees. The committee(s) ~~shall may~~ investigate, study, and ~~inter-view~~ interview perspective-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) ~~shall may~~ interview perspective-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.

## 2.06 Meetings.

(1) Agenda and Inspection. The Board Chair, in consultation with the County Clerk, shall establish the agenda for all meetings of the Board. All reports, resolutions, ordinances, communications, etc., to be presented to the ~~board~~ Board shall be filed with the county ~~board-secretary~~ 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 ~~presiding officer~~ county clerk 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, t~~The Board Chair ~~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~~ clerk shall forward to the respective supervisors ~~on the date of receipt~~ 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 of the Board 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)

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Commented [AP9]: Provide process for board to place item on agenda?

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

(3) The County Clerk shall keep minutes of County Board meetings and final approved minutes shall be posted to the county's website 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.

(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 it has been considered by the appropriate committee or committees unless the County Board Chair, in consultation with the item's submitter, determines that the matter is of a time sensitive nature requiring the board 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 meetings prior to committee consideration. (1/17/17)

## 2.07 Meetings, quorum, conduct of.

- (1) A majority of the supervisors entitled to a seat on the board 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 County board Board hold a joint meeting, no business shall be conducted unless there is a quorum from each committee present. Members of the county County board Board who are present and serving as members of more than one of

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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 cChair shall preside at all ~~sessions~~meetings, preserving order and decorum and shall decide all questions of procedure and order, subject to ~~an~~ appeal to the boardBoard. The Board Vice-Chair shall preside in the absence of the Chair. ~~The Board Chair shall be an ex-officio member of all committees and shall assume all powers and duties as outlined in section 59.12 of the Wisconsin Statutes. The Board cChair and Vice-Chair shall, however, be entitled to vote on all matters presented to the Board. The chair of the Board Chair, at the request of the relevant committee chair, 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 chair of the Board Chair is not needed to make a quorum, he or she may still vote to break a tie vote of committee members.~~

(5/17/16)

(5) The Corporation Counsel's office shall ~~provide a~~serve as parliamentarian for boardBoard 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 countyCounty boardBoard during supervisor comments by the committee chair. (8/6/91)

(7) Persons wishing to make presentations to the countyCounty boardBoard during the citizen comments portion of the meeting ~~may be reminded by the chair to 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 boardBoard, the county executive ~~or and~~ county department heads shall not be ~~covered by citizen comments rules~~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~~Supervisor would like referred to a committee or department. ~~These reports, announcements and referrals need not be agendized with any specificity~~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 ~~moved and seconded~~properly before the ~~board~~Board. ~~Any and all other~~Supervisor comments on matters not on the agenda shall be specifically ~~noted on the agenda~~ized with a description of the comments 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~~with enough specificity to ~~comply in compliance~~ 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:

(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 residential address prior to beginning comment.

(b) All comments must be germane to an item on the meeting agenda.

(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.

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## 2.08 Exercise of power and presentation.

(1) The ~~county~~County boardBoard 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~~County boardBoard committees or members shall be intended for informational ~~or other recognized~~ purposes ~~but and~~ shall not, ~~however~~, be used for the purpose of instituting policies or enacting laws.

Any paper presented to the ~~board~~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~~Board clerk shall read the endorsement and the matter shall then be either referred or otherwise disposed of as directed by the ~~board~~Board.

(2) All committee resolutions and ordinances must be in writing and ~~signed by~~ ~~sponsoring~~ ~~indicate the~~ ~~committee members and signifying their~~ "yes" or "no" vote or their ~~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~~ ~~insure~~ compliance with the Open Meetings ~~Law~~ ~~precluding a "walking quorum"~~ by either (a) ~~insuring that the number of co-sponsors does not create a quorum of the full board~~ ~~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~~ ~~soliciting~~ ~~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~~ ~~having~~ 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)

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

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(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 ~~boardBoard sessionsmeetings. Notwithstanding anything to the contrary contained in the Kenosha County Municipal Code, z~~ zoning map amendments shall only require one reading. The ~~countyCounty boardBoard~~ 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 ~~countyCounty boardBoard~~ 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 ~~countyCounty boardBoard of supervisors~~ shall be so duly noted and properly indexed and incorporated into a policy manual. When presenting these items for first reading, ~~they the County Clerk~~ shall read them by number and title only, but when requested by any one member of the ~~countyCounty boardBoard~~, 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~~The countyCounty boardBoard 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

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number where said report or resolution is reported 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~~County boardBoard, it shall be countersigned by the ~~b~~Board ~~c~~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~~County boardBoard of supervisors, 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 boardCounty 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 board 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.

## 2.09 Motions and minutes.

(1) After a motion receives a second and has been re-~~when~~ stated by the chair, ~~it~~ is in possession of the ~~board~~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, unless the Board cChair asks if there is any objection. If no Board member objects, the item of business is adopted by unanimous consent and receives none. (3/20/18)

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

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

(54) A motion to adjourn the ~~board~~Board is always in order except when the ~~county~~County ~~board~~Board is voting. A motion to close debate or ~~move~~ the previous question may not be made by the person ~~moving~~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)

(65) 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 ~~chair~~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.

(76) Any member may ask for the privilege of the floor for a non-~~board~~Board member to address the ~~county~~County ~~board~~Board, and if no supervisor objects, the ~~county~~bBoard ~~e~~Chair shall grant the privilege to such non-~~board~~Board member. If a member objects, any ~~county~~County ~~board~~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~~County ~~b~~Board ~~e~~Chair shall grant the privilege of the floor to the non-~~board~~Board member, and the ~~county~~bBoard ~~e~~Chair shall limit the time that such person can address the ~~county~~County ~~board~~Board.

(87) The county clerk shall prepare and record the minutes of all ~~county~~County ~~board~~Board proceedings including a record of any action taken, if any, during a closed session's portion of the meeting; ~~the~~The chair of each committee or his ~~or her~~ designee, in coordination with the

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county clerk shall prepare and record all minutes of all committee meetings including a record of any action taken, if any, during a closed meeting session portion of the meeting.

## 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 chair-Board Chair by one member making the appeal and another seconding it, at which point the question shall be taken from the chair-Board Chair and vested in the County Board for final decision. Upon such motion for appeal made and seconded, the chair-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 countyCounty boardBoard 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 lostthat fails 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 or amend a prior action of the Board shall require prior notice and shall require the same vote as needed to pass-adopt the original motion. Any supervisor intending and qualified to bring a motion to reconsider, or 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 or any supervisor intending to move to take a matter from the table shall notify the Board Chair and eClerk 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.



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## 2.11 **Finance and Budget considerations.**

(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 the first meeting of the board~~ ~~Board in April of each year, which report shall be made available to the appropriate committees of the county~~ ~~County board~~ ~~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 ~~or her~~ message to the ~~county~~ ~~County board~~ ~~Board of supervisors~~ 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~~ ~~County board~~ ~~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 after having been reviewed by the Finance and Adminis~~ and shall be then adopted by the ~~county~~ ~~County board~~ ~~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~~ ~~County board~~ ~~Board of supervisors~~, the budget shall be forwarded to the county executive pursuant to the provisions of section 59.17(6) of the Wisconsin Statutes.

Commented [AP10]: Clarify process for committee consideration of budget components?

(4) *Supervisor's and County Executive's compensation.* Any increase in the salary or compensation of ~~county~~ ~~County board~~ ~~Board supervisor~~ ~~Supervisors~~ or the county executive ~~shall require a majority vote of the entire membership of the Board and shall be~~ made at ~~or before~~ the annual meeting ~~or an adjournment thereof, and to shall~~ take effect after the next scheduled election for ~~county~~ ~~County board~~ ~~Board supervisor~~ ~~Supervisors~~ or county executive ~~shall require a majority vote of the entire membership of the board~~ ~~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~~ ~~members-elect (as defined in sec. 65.90(5)(ag) of the Wisconsin Statutes) of the governing body~~ of the ~~board~~ ~~Board~~. Where such changes are made they shall be published as a class 1 notice under chapter 985 within ~~ten~~ ~~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 ~~subsection seven.~~Section 2.11(7).

(6) ~~Subject to Section 2.11(7),~~ ~~a~~All budget changes or appropriations of money as defined below shall be made only by the adoption of ~~the 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 ~~ten-15~~ 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) ~~Notwithstanding Section 2.11(6),~~ ~~The~~ ~~countyCounty boardBoard's~~ standing ~~finance-Finance and Administration c~~Committee may, without further ~~boardBoard~~ action, transfer ~~in any one year~~ up to ~~\$1,000~~ ~~\$25,000~~ between appropriation units for an individual county office or department, if such units have been separately appropriated, and may, without further ~~boardBoard~~ action, supplement the appropriations for a particular office, department or activity by transfers from the general or contingent fund of up to ~~\$1,000~~ ~~\$25,000~~ 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 ~~countyCounty boardBoard~~. (6/21/88)

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Commented [AP11]: Subject to review and comment by the Finance team.

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

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## 2.12 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)

~~(3) Fire claims presented to the Board by any Town in accordance with section [60.557](#) shall be referred to the finance committee for final consideration.~~

## 2.13 Voting.

(1) *Voting Requirement.* Every member who is present at a ~~board~~[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)

~~(2) If a member has a direct personal interest in the question placed before the board~~Board~~, he or she shall request to be excused from the voting thereon which request shall be granted by the ~~Board c~~[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

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absent him or herself from any meeting while the meeting is in session shall first obtain consent from the ~~chair-Board Chair~~ who shall so notify the ~~boardBoard~~.

~~(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 ~~boardBoard~~ except the election of officers of such ~~boardBoard~~ in any meeting; except as so provided in the case of officers, any member of the ~~boardBoard~~ 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-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~~man~~ 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 ~~its-their~~ 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 ~~boardBoard~~ and its committees shall be recorded and preserved and open to public inspection to the extent prescribed in sec. ~~19.321~~ of the Wisconsin Statutes, ~~and s. 2.13(7) of these rules.~~

(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 countyCounty boardBoard; that is, not less than sixteen votes of the 23 member23 member Board votes cast.~~ (11/15/88)

(9) Any member of the ~~boardBoard~~ or the ~~chair-Board Chair~~ may move for consideration of a ~~report~~, resolution or ordinance by paragraph or seriatim. Upon the adoption of said motion by majority vote, the ~~chair-Board Chair~~ shall read the first subdivision or paragraph of the ~~report~~, resolution or ordinance, after which reading the proponent shall ~~be provided the opportunity to~~ explain said paragraph or subdivision, after which the ~~chair-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.

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After all parts have been considered, the ~~chair~~ Board Chair shall open the entire document to further amendment. All such amendments shall be corrected and inserted in the record by the ~~reporter~~ county clerk, 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 b~~ 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 ordinance change to these Board Rules ~~in the rules or orders of the board~~ shall be ~~mailed provided~~ to the ~~board~~ 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.

### 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. ~~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 CHAIR.~~

Commented [AP13]: Recommend not allowing a board member to cede floor time to the general public.

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.

Approval of minutes from previous meeting(s).

- (4) Announcements and appointments of chair.

(5) Elections.

(6) Citizen comments. (~~Chair shall have the privilege of limiting the time of any or all such comments~~Citizen comments are subject to the rules).

(7) County Executive communications.

(8) County supervisor reports and announcements.

(9) Unfinished business (by committee in alphabetical order).

(a) Resolutions second reading

(b) Ordinances second reading

(10) New business (by committee in alphabetical order).

(Note: Under ~~county~~County board~~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

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(11) Licenses and permits.

(12) Petitions.

(13) Communications.

(14) Claims.

(15) ~~Miscellaneous business and other matters as authorized by law.~~ Supervisor Comments under Rule 2.07(9)

(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\(6\)](#)).

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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 [boardBoard](#)'s office has the official version of the Municipal Code of Kenosha County. Users should contact the clerk of the [boardBoard](#)'s office for ordinances passed subsequent to the ordinance cited above.

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

[Hosted by Code Publishing Company, A General Code Company.](#)



DRAFT ETHICS CODE FOR ALL COUNTY ELECTED OFFICIALS AND  
COUNTY EMPLOYEES

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19.01-1 TITLE

This code shall be known as, referred to, or cited as the Kenosha County Code of Ethics.

19.02-1 DECLARATION OF POLICY

The proper operation of democratic government requires that Elected County Officials and County Employees be independent, impartial and responsible to the people; that government decisions and policies be made in proper channels of the government structure; that public elected office not be used for improper personal gain; and that the public have confidence in the integrity of its government. Kenosha County believes that a code of ethics for the guidance of all County Employees and Elected County Officials will help them avoid conflicts which are substantial and material between their personal interests and their public responsibilities. In recognition of these objectives, there is hereby established a Code of Ethics for all County Employees and Elected County Officials. The purpose of this code is to establish rules for ethical standards of conduct to assist public officials and employees in avoiding those acts or actions which are incompatible with the best interests of county government and by directing disclosure by such officials of private interests in matters affecting the county.

Specifically exempt from the provisions of this ordinance are volunteer citizen committee and commission members and the following State employees, who are governed by separate codes of ethics: Circuit Court Judges, the District Attorney and Assistant District Attorneys. Nothing herein contained is intended to deny to any individual rights granted by the United States Constitution, the Constitution of the State of Wisconsin, the laws of the State of Wisconsin.

19.03-1 RESPONSIBILITY OF PUBLIC OFFICE

Elected County Officials and County Employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin; to carry out impartially the laws of the nation, state and county; to observe in their official acts the highest standards of ethics; and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct and their official actions are to be above reproach so as to foster respect for all government.

All future Elected County Officials, County Employees and candidates for such positions shall be given notice of the fact that they will be subject to the provisions of this Code of Ethics as well as any financial disclosure requirements that they will be subject to and the need to reveal any potential or actual conflict of interests.

19.04-1 STANDARDS OF CONDUCT

- (1) Public Trust. Kenosha County hereby reaffirms that each Elected County Official and County Employee holds his or her position as a public trust and any effort to realize an improper personal gain through official conduct is a violation of that trust. Except as may be provided for herein, this section does not prevent any Kenosha County Elected Official or County Employee from accepting other employment

or following any pursuit which in no way interferes with the faithful discharge of his or her duties to this county. Kenosha County further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as Elected County Officials and County Employees retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for Elected County Officials and County Employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that Elected County Officials and County Employees may need to engage in employment, professional or business activities, other than their official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this section.

- (2) Use of Public Property. No Elected County Official or County Employee shall request or permit the use of county services or manpower or of county-owned vehicles, equipment, materials, facility or property for non-official purposes or personal profit unless in accordance with County policy.
- (3) Obligations to Citizens. All persons shall be treated fairly and impartially and without discrimination in accordance with the federal and state Constitution and laws.
- (4) Special Conflicts and Standards of Conduct Enumerated. Conflicts of interest prohibited under this section and expected standards of conduct by Elected County Officials and County Employees include:
  - (a) Disclosure of Confidential Information. No Elected County Official or County Employee shall, without proper legal authorization from the County Corporation Counsel or pursuant to a Court order or Court-approved subpoena, disclose legally confidential information as defined in this ordinance gathered in the course of his or her duties concerning the affairs of the county or of a citizen, nor shall he or she use such information to advance the financial or personal interest of himself or others.
  - (b) Incompatible Employment. No Elected County Official or County Employee shall engage in or accept private employment or render services for compensation for a private interest when such employment or service is consistently incompatible with the proper discharge of official duties or would impair the independence or judgment or action in the performance of official duties or would lessen the time to perform such duties. For County Employees, disclosure of all outside employment must be made to an immediate supervisor, disclosing the nature and extent of the outside employment prior to accepting such employment. Where employment is not consistently or inherently incompatible, the employee must avoid all county involvement in any matter where a conflict or appearance of a conflict or

impropriety may arise.

(c) Representing Private Interests Before County Agencies or Courts. No Elected County Official or County Employee shall represent, *as a paid advocate*, any private interests adverse to Kenosha County, other than for himself or herself, his or her spouse or children, before any county agency or department; nor, except as hereinafter provided, shall any Elected County Official or County Employee who is admitted to practice law in the State of Wisconsin represent as an advocate any private interests other than for himself or herself, his or her spouse or children, in any proceeding adverse to the county in any court without prior County authorization. Elected County Officials and County Employees who are licensed to practice law in the State of Wisconsin expressly may act as a criminal or ordinance defense counsel, Juvenile Court counsel, or as a Guardian ad Litem, only in conformity with State law and the Rules and Regulations of the State Bar of Wisconsin.

(d) Gifts, Favors, Raffles and Door Prizes. No person or organization may offer or give to an Elected County Official or County Employee, directly or indirectly, and no Elected County Official or County Employee may solicit or accept from any person or organization, directly or indirectly, anything of value as herein defined if it could reasonably be expected to influence such Elected County Official's or County Employee's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such Elected County Official or County Employee. Non-monetary gratuities, such as but not limited to food or flowers given by members of the public at holidays or on special occasions may not exceed \$200 in total value annually and may be accepted only when made available to an entire department and not an individual official or employee. This provision does not apply to monetary donations to Kenosha County which are accepted by the County Board or donations to Brookside Care Center or its "Sunshine Fund" which are accepted by either the County Board or the Brookside Trustees.

Elected County Officials and County Employees attending an event at the expense of the County must reimburse the County the value of any raffle or door prize obtained at that particular event unless its value is de minimis as defined by Section 132(e)(1) of the Internal Revenue Code or unless it is donated to or used solely for County purposes.

(e) Insider Advantage. No Elected County Official or County Employee may intentionally or recklessly use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization, if the information has not been communicated to the public or is not public information.

(f) Contracting. (Personal Gain). Except as otherwise provided by Wis. Stat. §

946.13, no Elected County Official or County Employee shall, in his or her private capacity, negotiate or bid for or enter into a contract in which he or she has a private pecuniary interest, direct or indirect, if at the time he or she is authorized or required by law to participate in his or her capacity as such Elected County Official or County Employee in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on his or her part, nor shall any Elected County Official or County Employee, in his or her official capacity, participate in the making of a contract in which he or she has a private pecuniary interest, direct or indirect, or perform in regard to that contract some function requiring the exercise of discretion on his or her part. A violation of Wis. Stat. § 946.13 shall also constitute a violation of this code.

An Elected County Official or County Employee, or a member of the Elected County Official's or County Employee's immediate family, as defined in this ordinance, may not contract with the County.

The employer of an Elected County Official or County Employee may contract with the County only if the Elected County Official or County Employee abstains from voting and attests in writing that he or she will receive no direct or indirect benefit from such contract and further attests that he or she has had no discussions with any county official or employee with respect to such contract and has made no direct or indirect attempt to influence the awarding of such contract.

(g) Consulting. Except as otherwise may be expected as part of an official's or employee's job description and in the normal course of employment by Kenosha County, no Elected County Official or County Employee is to serve as a consultant to or, except as hereinafter provided, serve as a member of the Board of Directors of any for-profit entity or for-profit corporation doing business either as a contractor or sub-contractor or otherwise with, or seeking to do business with, Kenosha County, subject to exemptions in the Wisconsin State Statutes. This provision shall not apply to Elected County Officials or County Employees serving on a Board of Directors where such service has been approved by the County Board or in cases where the Corporation Counsel's Office has reviewed such membership and found no conflict of interest.

(h) Business Associates and Clientele. No Elected County Official or County Employee shall render service to, engage in debate, lobby for, make any decision concerning or involving any, as defined herein, former, present or known future business associate or client or customer of such Elected County Official or County Employee who may have a matter pending before the County Board. Where such relationship and circumstances exist, the Elected County Official or County Employee shall abstain from participation in any decision-making process and file a financial disclosure statement or an amended statement as required by this code and reveal the nature and extent of the relationship. This provision, however, shall not be applied in the case

of a legally recognized privilege, such as in the case of an attorney-client or doctor-patient relationship.

- (i) Issuance of Permits. No Elected County Official empowered to vote upon issuance of a discretionary permit under either state or local laws or regulations shall vote on the issuance of any such permit to himself or herself or to any member of that individual's immediate family. No County Employee shall process a discretionary permit under either state or local laws or regulations sought by himself or herself or to any member of that individual's immediate family without first revealing in writing the request for such permit to that individual's immediate supervisor who shall then assign another employee to process such permit.
- (j) Material Conflict of Interest. No Elected County Official or County Employee shall engage in any material conflict of interest as defined in section 19.06-1(3) or this Code. Pursuant to this Code, a material conflict of interest on the part of an Elected County Official or County Employee is deemed to exist within the meaning of this section in regard to a matter in which he or she is involved, or is about to be involved, in the discharge of his or her official duties, whenever the Elected County Official or County Employee utilizes and exploits his or her official capacity in such a way as to obtain a personal financial benefit for himself or herself or his or her immediate family or an organization with which he or she is associated.
- (k) Personal Services. No Elected County Official or County Employee shall be required to perform any private work or private or personal service for any Elected County Official or County Employee or make a contribution to any such Elected County Official or County Employee. Nothing contained herein shall be construed to bar voluntary campaign contributions to an Elected County Official or County Employee.
- (l) Falsifying Claims or Records. No Elected County Official or County Employee shall intentionally or recklessly engage in submitting any falsified claim and knowingly false document.
- (m) Misuse or Misappropriation of County Property or Funds. No Elected County Official or County Employee shall misuse or misappropriate any county funds or property including. The use of County copiers, computers, tablets and phones are subject to separate terms of use policies; however, the County maintains the right to access, monitor and review the use of such equipment and recognizes no claim of confidentiality regarding the use of such County equipment. No County property, facility or personnel on County time may be used to repair or maintain an Elected County Official's or County Employee's personal property.
- (n) Acquiring of County Property. No Elected County Official or County Employee shall acquire any county-owned property if the Elected County Official or County Employee was aware of any material information

239 regarding the property or the property sale that was not also publicly  
240 available.

- 241
- 242 (o) Obligation to Report Fraud. Any Elected County Official or County  
243 Employee who has actual knowledge of fraud or other illegal activity  
244 conducted by an Elected County Official or County Employee must report  
245 such activity or conduct to the Office of Corporation Counsel as soon as  
246 practical.
- 247
- 248 (p) Obligation to Report Conflicts. Elected County Officials and County  
249 Employees shall disclose to the County Corporation Counsel any conflict  
250 of interest involving another Elected County Official or County Employee.
- 251
- 252 (q) State Standards of Conduct for Municipal Employees. Those standards  
253 incorporated in Wisconsin Statutes § 19.59 for municipal officials and  
254 employees are incorporated herein by reference as if fully set forth.
- 255
- 256 (r) Conflicts of Law or with Agreements. In case of a conflict between the State  
257 law and this Code, or in the event of a conflict between requirements  
258 contained in any agreements or contract entered into by Kenosha County  
259 and this Code, the more restrictive standard shall apply.
- 260

261 19.05-1 COMPLIANCE WITH STATE STATUTES

262

- 263 (1) The following sections of the Wisconsin Statutes as they may be amended or re-  
264 numbered from time to time are hereby incorporated by reference and made a part  
265 of this Code of Ethics:
- 266
- 267 (a) Section 19.01---Oaths and Bonds.
- 268
- 269 (b) Section 19.21---Custody and Delivery of Official Property and Records.
- 270
- 271 (c) Section 19.31 through 19.39---Public Records.
- 272
- 273 (d) Section 19.59---Code of Ethics for Local Government Officials,  
274 Employees and Candidates
- 275
- 276 (e) Section 19.81 through 19.89---Open Meeting of Governmental Bodies.
- 277
- 278 (f) Section 946.12---Misconduct in Public Office.
- 279
- 280 (g) Section 946.13---Private Interest in Public Contract Prohibited.
- 281
- 282 (h) Any provision of Chapter 17 of the Wisconsin Statutes justifying removal  
283 of an official or employee for cause.
- 284
- 285 (2) All Elected County Officials and County Employees shall comply with the  
286 provisions of these enumerated sections of the Wisconsin Statutes and failure to so

comply shall, in addition, constitute a breach of this Code of Ethics.

#### 19.06-1 ACTION UPON CONFLICT AND COMPLAINTS

- (1) Any Elected County Official or County Employee who, in the discharge of his or her official duties, is involved or about to be involved in any matter that could result in a violation of this code or a material conflict of interest as defined herein, on his or her part shall:
  - (a) Prepare a written statement describing such matter and the nature of the possible conflict of interests; and
  - (b) Deliver copies of the statement to the Corporation Counsel's office; and
  - (c) Take no further action in regard to such matter until an opinion has been rendered by the Corporation Counsel.
- (2) Notwithstanding any other provision to the contrary in the Municipal Code of Kenosha County, the Corporation Counsel's Office is authorized to issue an ethics / conflict of interest opinion to any Elected County Official or County Employee and at the request of such official shall keep the matter confidential as it pertains to that individual and request. In situations where guidance is sought on prospective conduct and the official making the request supervises the Corporation Counsel or is authorized to vote on the annual budget of the Corporation Counsel's Office, the Corporation Counsel may choose to either issue an advisory opinion or refer the matter to either the Attorney General, the State Ethics Board, the Kenosha District Attorney or outside counsel.
- (3) In situations where an act or omission contrary to this Code or state law has already occurred, a complaint or request for a legal opinion may be made to the Corporation Counsel and the Corporation Counsel shall refer the complaint or request for opinion to outside counsel for investigation and recommendations. A complaint may also be made with the District Attorney's Office for review and potential prosecution, consistent with Section 19.11 of this Code.

#### 19.07-1 EXCEPTIONS

- (1) Fees and Honorariums.
  - (a) In order to achieve the broadest possible public discussion and understanding of county government, the legislative process and the specific policy issues and proposals pending before the legislature, every Elected County Official or County Employee is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups and other gatherings to discuss and to interpret these topics.

(b) Notwithstanding any provisions of this code, reasonable compensation and reimbursement for expenses for any off-duty speaking, teaching, lecturing or for any published work or creation of any product or intellectual property may be accepted by a Elected County Official or County Employee. However, if such speaking, teaching, lecturing, , product creation, published work or intellectual property that is created or conducted by an Elected County Official or County Employee with the use of county time or of its facilities, services or supplies not generally available to all citizens of this county in the course of his or her official duties, the Elected County Official or County Employee may not retain such compensation or reimbursement of expenses but shall deposit it with the County Treasurer and the activity, product, published work or intellectual property created shall be deemed a work made for hire and shall be the property of Kenosha County and any copyright, trademark or patent obtained by such individual shall be transferred without compensation to Kenosha County.

(2) Reimbursements. Nothing in this section prevents or limits reimbursement by the county of actual and reasonable expenses incurred by an Elected County Official or County Employee in the performance of official duties.

(3) Reward Points and Frequent Flyer Miles  
Nothing contained in this Ordinance shall preclude an Elected County Official or County Employee from obtaining credit card reward points or frequent flyer miles where the initial payment, prior to County reimbursement, was paid for by the Elected County Official or County Employee.

#### 19.08-1 CAMPAIGN ACTIVITY

(1) Nothing contained herein shall be construed as prohibiting an Elected County Official or County Employee from voluntarily endorsing or contributing to a candidate or working on a candidate's behalf outside of County facilities or on their personal time.

(2) It is prohibited to require current County Employees to campaign on behalf of elected officials as a condition of maintaining continued employment with Kenosha County.

(3) Campaign solicitation and electioneering on County property or in violation of work rules is prohibited, provided, however, that photographs of or on County common areas are permitted.

(4) Use of County property for campaign purposes is prohibited.

(5) This section does not prohibit an Elected County Official or County Employee from accepting employment or being involved with any political campaign which in no way interferes or could reasonably be expected to interfere with the full discharge of his or her official duties. This section may not fully apply to law enforcement officers employed by the Kenosha County Sheriff's Office and who are covered by the law



enforcement officers' bill of rights contained in Chapter 164 of the Wisconsin Statutes or may be subject to the Hatch Act.

#### 19.09-1 FINANCIAL/PERSONAL LEGISLATIVE INTEREST DISCLOSURE

The Financial/Interest Disclosure Form set forth in Appendix 1 shall be completed by all Elected County Officials and candidates for such office, and filed with the Kenosha County Clerk as a public record prior to the end of business on the last day for filing nomination papers for the Spring election. In non-election years the disclosure statements shall be filed prior to January 7. Subsequent to filing the Financial/Interest Disclosure Form set forth in Appendix 1, an Elected County Official shall, in the event of a change in circumstances or upon becoming aware of an omission or error in a form already on file with the County Clerk, file an amended form within ten (10) business days of becoming aware of the change in circumstances or error.

#### 19.10-1 POST COUNTY EMPLOYMENT CONFLICTS

Elected County Officials who have voted on the awarding of a contract with a particular contractor, provider or vendor or who have had input into such award may not accept employment with such contractor, provider or vendor or their sub-contractors for a period of one year after such vote. Further, no contractor, provider or vendor or their sub-contractor may make an offer of employment to such Elected County Official or any member of their immediate family between the date of a contract solicitation or proposal and the later of one year after the vote on the contract or the commencement of the contract with Kenosha County.

#### 19.11-1 PENALTY

Any Elected County Official or County Employee found by a court of competent jurisdiction to have violated any provision of this code shall be subject to a fine of not less than \$100 nor more than \$1000 for each violation and may be required to reimburse the County for any costs, including attorney fees and for direct or indirect costs and damages resulting from such violation, including, but not limited to, the costs of investigation. Violations shall be prosecuted by the District Attorney's Office.

Any action taken on behalf of Kenosha County and found to be in violation of this code may be reconsidered by the Kenosha County Board of Supervisors and deemed void. Any party found to have violated County ethics ordinances or policies may be prohibited from doing business with Kenosha County for a period not to exceed five years.

In addition to any penalty imposed in this section, the County Clerk shall accept nomination papers in cases where the candidate has not filed a financial disclosure statement as required herein, however, any candidate who fails to timely file a disclosure statement as required herein shall not have his or her name placed on the ballot, as permitted pursuant to Wis. Stat. § 19.59(3)(b).

#### 19.12-1 EFFECTIVE DATE

This code shall take effect upon publication.

429 19.13-1 SEVERABILITY

430 If any provision of this code is found by a court of competent jurisdiction to be invalid or  
431 unconstitutional, or if the application of this code to any person or circumstances is found  
432 by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or  
433 unconstitutionality shall not affect the other provisions or applications of this code which  
434 can be given effect without the invalid or unconstitutional provision or application.

435  
436 19.14-1 DEFINITIONS

437 In this code, and for purposes of this code only:

- 438
- 439 (1) "Anything of Value" means any of the following items [either alone or in  
440 combination] whose value in a calendar year from any one person or entity is in  
441 excess of \$200: money, gift card, creditcard reward points, frequent flyer miles, or  
442 property, favor, service, gift, loan payment, subscription, advance forbearance,  
443 lodging, food or drink, travel, recreational or entertainment expense, thing or  
444 promise of future reward or employment that could reasonably be expected to  
445 influence such Elected County Official's or County Employee's official actions or  
446 judgment, or could reasonably be considered as a reward for any official action or  
447 inaction on the part of such county public official, BUT DOES NOT INCLUDE  
448 compensation and expenses paid by the county, speaking fees, honorariums [except  
449 as may be otherwise allowed by this Ordinance] and expenses, political  
450 contributions which are properly reported under Chapter 11, Wisconsin Statutes,  
451 tips for food service normally given to waiters and waitresses or for customary  
452 services provided to the general public at County golf facilities, unsolicited  
453 advertising or promotional material, such as pens, pencils, note pads, calendars and  
454 other items of de minimis values as defined by Section 132(e)(1) of the Internal Revenue  
455 Code.
- 456
- 457 (2) "Associated" when used with reference to an organization, includes any  
458 organization in which a person or member of his or her immediate family is an  
459 employee, director, officer or trustee or owner or controls, directly or indirectly and  
460 severally or in the aggregate at least 10% of the outstanding equity.
- 461
- 462 (3) "County Employee" means all persons filling an allocated position of county  
463 employment or any volunteer with the exception, however, that "employee" does  
464 not include citizen volunteer committee, citizen commission members or judges but  
465 does include court commissioners.
- 466
- 467 (4) "Financial Interest" shall mean any interest that will yield directly or indirectly a  
468 monetary or other material benefit to the officer or employee or to any person  
469 employing or retaining the services of the official or employees or any member of  
470 the immediate family of said official or employee, except as permitted by Wis. Stat.  
471 § 946.13.
- 472
- 473 (5) "Former Client" for purposes of requiring an abstention from voting as an Elected  
474 County Official, means a person or other legal entity, including all known officers  
475 and directors of that legal entity, who the Elected County Official knows has  
476 engaged the services of that Elected County Official or that Elected County

Official's employer or associate or who has been a customer of that Elected County Official or that Elected County Official's employer or associate within a period of four (4) years prior to any matter affecting that former client or customer coming before the County.

- (6) "Gift" means the payment or receipt of anything of value without valuable and sufficient consideration.
- (7) "Known Future Client" for purposes of requiring an abstention from voting, means a person or other legal entity, including all officers and directors of that legal entity, to whom an Elected County Official or that Elected County Official's employer or associate has a commitment either direct or implied, formal or informal to provide services or products for anything of value, as defined herein, at some time in the future after the County's consideration of a matter affecting such client or customer.
- (8) "Personal Interest" shall mean any interest arising from a personal, familial or intimate relationship.
- (9) "Immediate Family" means either a spouse, child, parent, or any other person, including a domestic partner, who is a member of the immediate household or receives more than 50% of their support from such employee or official.
- (10) "Income" has the meaning given under the federal internal revenue code.
- (11) "Non-Official Purpose" means unrelated to county business but does not include assistance to a non-profit entity.
- (12) "Elected County Official" shall mean any person holding an elected or appointed county office, but not elected Judges.
- (13) "Person" shall mean any natural person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, trust or other legal entity recognized as such by the laws of the State of Wisconsin.
- (14) "Privileged Information" or "Confidential Information" or "Legally Confidential Information" is information recognized by State or Federal law as being entitled to confidentiality or privilege or matters that may be legally considered in closed session pursuant to the Wisconsin Open Meetings law or written or oral material related to county government which has not become a part of the body of public information and which is designated by statute, court decision, lawful orders or custom as being either privileged or confidential. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

#### 19.15-1 REFERENCE

This Ordinance may be referred to as the Kenosha County Code of Ethics.