

# KENOSHA COUNTY

## BOARD OF SUPERVISORS

### Resolution No. 79

<b>Subject:</b>  A Resolution Declaring and Extending The State of Emergency And Addressing Steps and Critical Procedural Matters Moving Forward			
<b>Original</b>	<b>Corrected</b>	<b>2nd Correction</b>	<b>Resubmitted</b>
<b>Date Submitted:</b>		<b>Date Resubmitted:</b>	
<b>Submitted By:</b> Corporation Counsel Joseph M. Cardamone III			
<b>Fiscal Note Attached</b>		<b>Legal Note Attached</b>	
<b>Prepared By:</b> Corporation Counsel Joseph M. Cardamone III		<b>Signature:</b>	

**WHEREAS**, in December, 2019, a novel strain of coronavirus known as COVID-19 was detected, and COVID-19 has continued to spread throughout the world, including to the United States and the State of Wisconsin; and

**WHEREAS**, the federal government, state governments, and local governments are working together to contain the further spread of the disease and treat existing cases; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services declared a Public Health Emergency, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic, and on March 12, 2020 the Governor of the State of Wisconsin declared a Health Emergency in the State; and

**WHEREAS**, on March 12, 2020 County Executive Jim Kreuser declared a State of Emergency for Kenosha County; and

**WHEREAS**, Kenosha County (the "County") has been working before and since that time to protect the health and well-being of its residents from the spread of COVID-19, and to prepare for the impacts the disease is likely to have on the County; and

**WHEREAS**, the County Board (the "Board") has determined that it is necessary to make all possible resources and means available to the County in order to protect the health, safety, and welfare of its residents from the threat posed by the continued spread of COVID-19; and

**WHEREAS**, the State of Emergency has caused the County to take measures to ensure the adequacy of personnel necessary to provide public safety services and, as well, serve as emergency responders; and

**WHEREAS**, to further the County's mandate during this time of emergency, it is imperative that the Sheriff's department be able to fill vacancies on an expedited basis, particularly with candidates who would not require completion of the academy and are eligible for immediate assignment in the field;

**NOW THEREFORE BE IT RESOLVED** that pursuant to Wis. Stat. § 323.11 the Board finds and declares that an emergency exists within the County by reason of an imminent threat of disaster impairing medical care, health, and other critical systems of the County due to the spread of COVID-19; and

**BE IT FURTHER RESOLVED** that pursuant to Secs. 5.03 and 5.05 (2) of the Municipal Code of Kenosha County (MCKC), the Board hereby extends the period of the local State of Emergency declared by County Executive Jim Kreuser for a period of ninety (90) days from the effective date of this resolution, unless declared lifted by the County Executive or further extended by resolution of the Board; and

**BE IT FURTHER RESOLVED** that during the period of emergency prescribed by this Resolution, the Board may order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the County; and

**BE IT FURTHER RESOLVED** that the County Executive is hereby authorized and directed by the Board to coordinate and administer the County's emergency management response and to carry out the orders of the Board related thereto, in accordance with his powers as delineated in Sec. 5.04, MCKC, as well as any duties and responsibilities necessary to comply with State and Federal legislation existing or implemented in response to the current emergency; and

**BE IT FURTHER RESOLVED** that the Head of Emergency Management of the County is authorized and directed to carry out his duties under the County's Emergency Management Plan under the supervision and direction of the County Executive and perform such other duties as may be directed by further resolution of the Board or order of the County Executive; and

**BE IT FURTHER RESOLVED** that any existing County Board rule that would require personal attendance at a meeting in order to fully participate or would otherwise be contrary to the current directions related to "social distancing" is hereby suspended during the period of emergency and the County Supervisors are hereby authorized to attend meetings of the Board remotely, and the Board shall take all actions necessary to effectuate the same in compliance with all other applicable laws; and

**BE IT FURTHER RESOLVED** that this includes the suspension of the requirement to include Citizen Comments on all Board and Board committee agendas, that public hearings as required by statute can proceed but that for these and any other citizen comments citizens are advised to make efforts to provide any desired comments in writing prior to any scheduled meeting; and

**BE IT FURTHER RESOLVED** that meetings of the Board, its committees, and affiliated boards, committees, and commissions be permitted to take place remotely, with the public being afforded access and notice as required by statute and as practicable as long as other applicable requirements such as quorum are observed; and

**BE IT FURTHER RESOLVED** that the Corporation Counsel is authorized to opine and advise as to what steps need to be taken to ensure compliance with those rules and statutes that cannot be suspended; and

**BE IT FURTHER RESOLVED** that for the pendency of the State of Emergency, those provisions of the Civil Service Ordinance, as listed in Sec. 4.01 MCKC dealing with the hiring of deputies are hereby suspended and the Sheriff shall work with the Director of Human Resources or her designee and the County Executive to fill vacant deputies positions by following those provisions as closely as practicable and appropriate; provided, however, that such suspension does not apply to, amend, or otherwise modify the authority of the Board of Supervisors under Sec. 4.01(7) MCKC and Sec. 4.01(14) MCKC; and

**BE IT FURTHER RESOLVED** that all actions heretofore taken by the County Executive, Board, and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Respectfully submitted at Kenosha County, Wisconsin, this 8<sup>th</sup> day of April, 2020.

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Joseph M. Cardamone III

Corporation Counsel