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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).					
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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 (nNewly rRevised 1970 edition) as amended shall apply togovern 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 <u>held</u> be <u>held</u> in <u>strict</u> conformance with section <u>59.11</u> and sections <u>19.81</u> through <u>19.98</u> of the Wisconsin Statutes, as amended.

2.03 Closed <u>session at meetings</u>.

- (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 boardBoard may be excluded from any meeting, including closed meetings session portions thereof, of the boardBoard, its committees or commissions. Notwithstanding the provisions of section 2.13(7), tThe minutes, records, tapes and any other matter presented atmaterials distributed in any closed session of the boardBoard 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)
- (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 interestsallowed 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 athe 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 AprilThe county board at the first meeting in even-numbered years, after each regular election at which members are elected for full terms, the countyCounty boardBoard 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.
- 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.

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.

- <u>–(b) Duties of Chair Board Chair and Vice-Chair.</u>
 - 1. At the Biennial Organizational Meeting described in sec. 2.04(1)(a) or as soon thereafter as practicable, ‡the 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)

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 todesignate the most recent past chair present the responsibility of the chair of the countyCounty boardBoardto 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 countyCounty boardBoard 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 boardCounty 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 countyCounty boardBoard 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 tThe 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 county board Board 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 <u>Judiciary</u>, <u>and Law Enforcement</u> Committee shall have the authority to review and act upon licenses and permits as set forth in Chapter <u>8</u> 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 <u>Public Works and Facilities</u> Committee shall have the powers of a county park commission as defined in Wisconsin Statutes, Chapter <u>27</u> and the powers of the county highway committee as defined in Wisconsin Statutes, Chapter <u>83</u>.
 - 3. The <u>Public Works and Facilities</u> Committee shall have the power to adopt rules and regulations for the administration of County Parks as set forth in section <u>10.202</u> 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 <u>59.69</u> 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 polices 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 chairman of another standing committee may serve on the Finance and Administration Committee.

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- (e) The Finance and Administration Committee Chairman may not serve on any other standing committee except the Executive Committee.
- (f) No more than two members from any one standing committee may serve on the Finance and Administration Committee.
- (g) The Executive Committee shall consist of the Board Chair, Vice-Chair and each Committee Chair. In the event the Vice Chair is also a Committee Chair, the 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)
- (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)
 - (b) The <u>committee</u> chair shall: set the time and place for all meetings of the committee_ <u>during the session</u>, <u>shall</u> check and list committee meeting dates with the County Clerk to avoid conflicts with other committee meetings, and <u>shall</u> 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 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 staffcounty 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) AllThe full digital recording from any countyCounty 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.

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 <u>and staff</u> 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. <u>Committee members shall not engage in debate concerning any matter raised</u> <u>during citizens' comments that is not on that meeting's agenda. Nonetheless, Eeach standing committee shall endeavor to respond, or request that staff respond, to citizens' comments and inquiries when requested to <u>do so</u> by citizens.</u>
 - (e) Each standing committee shall have the power to <u>issue</u> subpoenas in accordance with Wisconsin State statutes, <u>but shall not exercise such power prior to consulting with</u>

 Corporation Counsel.

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vote to break a tie vote of committee members.

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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

(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-viewinterview 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 boardBoard shall be filed with the county board-secretaryclerk 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 officercounty 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, tThe 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-aslong as there has been sufficient public notice as per section 19.85 of the Wisconsin Statutes. The county board secretaryclerk shall forward to the respective supervisors on the date of receiptat least 48 hours prior to the start of a county board meeting copies of all agenda items

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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)

- (2) The order of business as established by the rules of the county board shall not be postponed or changed except by unanimous consent or by a vote of two-thirds of the members present.
- (3) 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 boardBoard'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 readingsmeetings 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 <u>boardBoard</u> 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 <u>countyCounty boardBoard</u> hold a joint meeting, no business shall be conducted unless there is a quorum from each committee present. Members of the <u>countyCounty boardBoard</u> 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 sessionsmeetings, 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 aserve 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 county County board Board during the citizen comments portion of the meeting may be reminded by the chair towill limit their comments to one five-minute presentation and otherwise abide by the terms of the citizen comment rules in sec. 2.07(10). Persons requested to appear before the board Board, 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)

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- (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 supervisorSupervisor would like referred to a committee or department. These reports, announcements and referrals need not be agendized with any specificityNo 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 boardBoard. Any and all other Supervisor comments on matters not on the agenda shall be specifically noted on the agendaized 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 countyCounty 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 countyCounty boardBoard committees or members shall be intended for informational orother recognized purposes but and shall not, however, be used for the purpose of instituting policies or enacting laws.

Any paper presented to the <u>boardBoard</u> <u>requesting Board action</u> shall have endorsed thereon the date of presentation, subject matter, and the name of the presenting member(s). The <u>Board Cchair</u> or the <u>boardBoard</u> clerk shall read the endorsement and the matter shall then be either referred or otherwise disposed of as directed by the <u>boardBoard</u>.

(2) All committee resolutions and ordinances must be in writing and signed by sponsoringindicate 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 boardBoard 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 solicitingsolicits 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 beleft 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

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(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, zZoning map amendments shall only require one reading. The countyCounty boardBoard may suspend this rule requiring a second successive reading by twothirds vote of the members present and consider such matter on the day presented. Notice of possible suspension of the second reading shall appear on all county board Board agendas. In regards to ordinances and resolutions requiring two readings, no debate shall be permitted at the first reading. Unless otherwise indicated, all resolutions shall survive expiration of a session and remain in effect until such time as repealed. Any resolution intending to reflect the policy of the 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 county board Board, said item shall be read in its entirety. A copy of said resolution and ordinance shall be presented in writing to each supervisor at the time of the first reading. Thereafter, board action shall be had 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

Chapter 2, County Board Rules of Procedure Page 18 of 28 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 countyCounty boardBoard, it shall be countersigned by the bBoard €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 countyCounty 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 boardBoard. 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<u>er</u> of every motion shall be entered on the minutes of the <u>boardBoard</u>. 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 <u>chair Board Chair</u> has stated a question. When the question is under debate, no motion is in order except as <u>outlined in Robert's Rules of Orderprovided in the rules of order</u>, and such motions shall have precedence in the order outlined in said rules of order.
- (54) A motion to adjourn the boardBoard is always in order except when the countyCounty boardBoard 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-boardBoard member to address the countyCounty boardBoard, and if no supervisor objects, the county bBoard cChair shall grant the privilege to such non-boardBoard member. If a member objects, any countyCounty boardBoard 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 countyCounty bBoard cChair shall grant the privilege of the floor to the non-boardBoard member, and the county bBoard cChair shall limit the time that such person can address the countyCounty boardBoard.
- (87) The county clerk shall prepare and record the minutes of all county County boardBoard proceedings including a record of any action taken, if any, during a closed sessions portion of the meeting; _tThe chair of each committee or his or her designee, in coordination with the

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<u>county clerk</u> shall prepare and record all minutes of all committee meetings including <u>a record</u> of any action taken, if any, during a closed <u>meetings</u>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 <u>or amend</u> 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 cclerk 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 <u>Finance and Budget considerations.</u>

- (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 boardBoard in April of each year, which report shall be made available to the appropriate committees of the countyCounty boardBoard 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 countyCounty boardBoard 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 <u>or her</u> proposed budget to the <u>countyCounty boardBoard</u>.
- (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 Adminisand 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.
- (4) Supervisor's and County Executive's compensation. Any increase in the salary or compensation of countyCounty boardBoard supervisorSupervisors 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 countyCounty boardBoard supervisorSupervisors or county executive, shall require a majority vote of the entire membership of the boardBoard.
- (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—membershipmembers-elect (as defined in sec. 65.90(5)(ag) of the Wisconsin Statutes) of the—governing body of the boardBoard. 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

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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), _aAll budget changes or appropriations of money as defined below shall be made only by the adoption of the arresolution 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), Tthe countyCounty boardBoard's standing finance-Finance and Administration cCommittee 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 county boardBoard. (6/21/88)

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(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 <u>Board</u> 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 <u>60.557</u> shall be referred to the finance committee for final consideration.

2.13 Voting.

- (1) Voting Requirement. Every member who is present at a boardBoard 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 boardBoard, he or she shall request to be excused from the voting thereon which request shall be granted by the Board cChair.
- (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

Chapter 2, County Board Rules of Procedure Page 24 of 28 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 board_Board_Chair_who shall shal

- (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 chairman 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 <u>boardBoard</u> and its committees shall be recorded and preserved and open to public inspection to the extent prescribed in sec. <u>19.321</u> of the Wisconsin Statutes, <u>and s. 2.13(7)</u> 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 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 reportercounty 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 bBoard 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 twothirds 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 <u>found by final judgment by a court of competent</u> 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 <u>25</u> 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.

Notice is fieleby given triat (trie) (a) (affiliaal, organizational, regular, special, errier gency)
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.
The Municipal Code of Kenosha County is current through Ordinance 7 (2022), passed December 6, 2022.

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(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 <u>countyCounty boardBoard</u> 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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Chapter 2, County Board Rules of Procedure Page 28 of 28 (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 <u>19.84(6)</u>). The Municipal Code of Kenosha County is current through Ordinance 7 (2022), passed December 6, 2022. Disclaimer: The clerk of the board Board'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

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passed subsequent to the ordinance cited above.

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