

**CHAPTER FOUR  
COUNTY BOARD OPERATING PROCEDURES AND RULES**

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**CHAPTER 4  
COUNTY BOARD OPERATING PROCEDURES AND RULES**

**ARTICLE I. GENERAL PROVISIONS**

**Sec. 4-1 Election to organize under Wisconsin Statutes section 59.10.**

(a) The county shall hereafter proceed in accordance with section 59.10 of the Wisconsin Statutes, in connection with election and compensation of county board supervisors.

(b) The terms of all county board supervisors shall be concurrent.

(c) The compensation of county board supervisors shall be as established by ordinance.

(d) A vacancy in the office of supervisor occurring for any reason shall be filled by appointment by the county board chairperson with the approval of the board.

(Ord. of 2-19-74, §§ 1-4)

**Sec. 4-2 Size**

The county board of supervisors shall consist of twenty-five (25) supervisors who are elected from twenty-five (25) supervisory districts.

(Ord. of 9-15-81, § 1; Ord. No. 146-60, § 1, 10-15-91; Ord. No. 160-134, 4/11/06; Ord. No. 161-77, 2-13-07, effective 04-15-08.)

**State law reference** - Authority to determine number of supervisors, Wis. Stat. § 59.10(3).

**Sec. 4-3 Election and term of supervisors**

Supervisors are county officers and shall be elected for two-year terms at the election held on the first Tuesday in April in even-numbered years, shall take office on the third Tuesday in April of that year, and shall take and file the official oath as prescribed by statute.

(Ord. of 9-15-81, § 3; Ord. No. 146-60, § 3, 10-15-91; Ord. No. 157-122, §1, 3/11/03)

**Sec. 4-4 Required signatures on nomination papers for office of county board supervisor.**

The number of signatures on nomination papers for the office of Waukesha County Board Supervisor shall be not less than fifty (50) nor more than two hundred (200) electors.

(Ord. No. 146-65, 10-15-91)

**Editor's note** - Ordinance No.146-65, adopted Oct.15, 1991, amended the Code by adding provisions designated as § 2-28.1 at the discretion of the editor.

**Sec.4-5 Qualifications.**

A candidate for the office of county board supervisor shall be a qualified elector and resident of his supervisory district at least ten (10) days prior to the earliest time for the commencement of the circulation of nomination papers.

(Ord. of 9-15-81, § 4; Ord. No. 146-60, § 4, 10-15-91)

**Sec. 4-6 Supervisory districts.**

(a) *Descriptions.* The twenty-five (25) supervisory districts referred to in Section 4-2 are hereby created, numbered and described as follows:

SUPERVISORY DISTRICT	DISTRICT DESCRIPTION
1	City of Oconomowoc, Wards 1,2,3,4,5,6,7,8,10,11
2	Village of Lac La Belle (pt.) Town of Oconomowoc Village of Oconomowoc Lake Village of Summit City of Oconomowoc, Wards 9,12
3	Town of Merton, Wards 1,2,3,4,5,7,8,9,11 Village of Merton Town of Lisbon, Wards 4, 5, 6
4	Village of Sussex Town of Lisbon, Wards 1,2,3,7
5	Village of Menomonee Falls, Wards 1,2,10,18,19,20,21,22,23,24 Village of Lannon
6	Village of Menomonee Falls, Wards 3,4,5,6,7,8,9,11,12, 13
7	Village of Menomonee Falls, Wards 14,15,16,17 Village of Butler City of Milwaukee (pt.) City of Brookfield, Wards 1,3,4,9
8	City of Brookfield, Wards 2,7,8,13,14 Village of Elm Grove
9	City of Brookfield, Wards 5,6,10,11,12,15,16 Town of Brookfield, Wards 1,2,9,10,11
10	Town of Brookfield, Wards 3,4,5 6,7,8 City of Pewaukee, Wards 1,2, 9,10,11 City of Waukesha, Wards 1,2,3,6
11	Village of Pewaukee

- City of Pewaukee, Wards 3,4,5,6,7,8
- 12 Town of Delafield  
City of Delafield, Wards 3,4,5,6,7,8,10  
Village of Wales  
Town of Genesee, Wards 2,9
- 13 City of Delafield, Wards 1,2,9,11,12,13,14  
Village of Hartland  
Village of Nashotah  
Village of Chenequa  
Town of Merton Wards 6,10
- 14 Village of Dousman  
Town of Ottawa  
Village of North Prairie  
Town of Eagle  
Village of Eagle  
Town of Mukwonago, Wards 9,10,11
- 15 Village of Waukesha  
Town of Genesee, Wards 1,3,4,5,6,7,8,10  
Village of Vernon, Wards 3,7,10
- 16 City of Waukesha, Wards 5,7,9,12,14,15,16,17,42,43,44
- 17 City of Waukesha, Wards 8,13,18,20,35,39,40,41,45,46,47
- 18 City of Waukesha, Wards 19,21,22,23,31,32,34,36,37,38
- 19 City of Waukesha, Wards 4,10,11,24,25,26,27,28,29,30,33
- 20 City of Brookfield, Wards 17,18,19, 20, 21  
City of New Berlin, Wards 1,8,9
- 21 City of New Berlin, Wards 2,3,6,12,15,16,17,18
- 22 City of New Berlin, Wards 4,5,7,10,13,14,19,20, 21
- 23 City of New Berlin, Ward 11  
City of Muskego, Wards 1,2,3,4,5, 6,14,15,16
- 24 City of Muskego, Wards 7,8,9,10,11,12,13  
Village of Big Bend  
Village of Vernon, Wards 1,6,8,9,11
- 25 Village of Mukwonago  
Village of Vernon, Wards 2,4,5  
Town of Mukwonago, Wards 1,2,3,4,5,6,7,8

(b) *Municipal boundaries.* References in this section to boundaries or minor civil divisions of wards of municipalities are those that exist as of September 27, 2019.

(c) *Official maps.* The supervisory districts created and described in detail in this section shall further be described in detail by an Official Map of the County of Waukesha, identified and marked “Waukesha County Supervisory Districts.” The aforementioned map shall be on file in the County Clerk’s office and shall be considered a part of this section the same as if set out in full.

(Ord. of 9-15-81, §§ 2, 5, 6; Ord. of 11-6-81; Ord. No. 146-60, §§ 2, 5, 6, 10-15-91; Ord. No. 156-51, § 1; Ord. No. 157-122, §2, 3/11/03; Ord. No. 160-134, §1, 4/11/06; Ord. No. 166-52, 09/27/11).

Sections 4-6(a) and 4-6(b) were amended by Enrolled Ordinance 174-57, effective 10/31/2019.

Section 4-6 was amended by Enrolled Ordinance 176-72, effective 11/18/21 and first applies to the election of supervisors at the next spring election following the effective date that immediately precedes the expiration of the terms of office of the supervisors in the county.

#### **Sec. 4-7 Health Insurance**

County Board supervisors may participate in county health and dental insurance programs at their expense, subject to normal enrollment rules as provided for in current health and dental insurance coverage provisions.

(Ord. No. 157-122, 3/11/03)

#### **Sec. 4-8 Social security.**

County board supervisors shall be covered by social security.

(Res. No. 16A, 7-27-65; Res. No. 16B, 7-27-65; Ord. No. 157-122, 03/11/03)

**State law reference** - Social security coverage authorized, Wis. Stat. § 40.41.

#### **Sec. 4-9 Reserved.**

(Res. No. 42, 6-18-74; Ord. No. 157-122, 3/11/03)

**State law reference** - Wisconsin retirement system, Wis. Stat. § 40.20 et seq.

**Editor’s Note:** The second sentence of this section was made void by 2011 Wisconsin legislation.

(Sec. 4-9 Participation in Wisconsin Retirement System was repealed by Enrolled Ordinance 177-56, effective 10/06/22.)

#### **Sec. 4-10 Report of county officers.**

(a) Every report, schedule, or statement required to be presented to the county board of supervisors for any county officer shall be in writing and verified by affidavit that the same is true and correct.

(b) All reports and supporting affidavits shall be filed with the county clerk on or before April 1, immediately following the close of the calendar year.

(Mo. of 4-17-84, as amended, Rule 62)

Secs. 4-11 - 4-25 Reserved.

## **ARTICLE II. COUNTY BOARD CHAIRPERSON**

### **Sec. 4-26 Supervision of officers.**

Every officer of the county board of supervisors is subordinate to the county board chairperson, and in all that relates to the prompt and correct discharge of official duty, is under the chairperson's supervision.

(Mo. of 4-17-84, as amended, Rule 56(8))

### **Sec. 4-27 Control of county board room.**

Whenever any disturbance or disorderly conduct shall occur in the county board room, the county board chairperson shall have the power to have the same cleared of all persons except members and officers of the county board of supervisors.

(Mo. of 4-17-84, as amended, Rule 56(139)(15))

**Cross reference** - Adjustment of working schedules during emergencies, § 7-103.

### **Sec. 4-28 Duties at meetings of county board of supervisors.**

(a) It shall be the duty of the chairperson of the county board of supervisors to open the session at the time to which the county board of supervisors had adjourned as prescribed under section 4-50 by taking the chair and calling the members to order. The chairperson shall announce the business before the county board of supervisors and the order in which it is to be acted upon, shall receive and submit in an appropriate manner all motions and propositions presented by the members, shall put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings and shall announce the result.

(b) The chairperson shall restrain debating members in accordance with the limits prescribed in the rules of order.

(c) The chairperson shall:

1. Inform the county board of supervisors when necessary, or when referred to for the purpose, on a point of order or practice;
2. Sign county orders issued by the county board of supervisors;
3. Authenticate by his signature, when necessary, all the acts, orders and proceedings of the county board of supervisors;
4. Name the members, when directed to do so in a particular case or when it is a part of his general duties, who are to serve on committees, including designating the chair person for those committees;
5. Represent and stand for the county board of supervisors, declaring its will, and in all things obeying its commands.



(d) Reserved.

(e) The chairperson shall preserve order and decorum and shall decide questions of order subject to an appeal by any member of the county board of supervisors. The chairperson may speak on points of order, leaving his/her seat for that purpose.

(f) The county board chairperson shall vote upon a call for "ayes" and "noes" and his name shall be recorded with those of the other members.

(Mo. of 4-17-84, as amended, Rule 56(2)(10); Ord. No. 145-180, § 1, 3-19-91; Ord. No. 158-3, §1, 04/22/03)

Secs. 4-29 - 4-49 Reserved.

### **ARTICLE III. RULES OF ORDER**

#### **DIVISION 1. MEETINGS**

##### **Sec. 4-50 Meetings of board of supervisors.**

(a) Meetings of the county board of supervisors shall be held as follows:

1. The board shall hold an annual meeting on the Tuesday after the second Monday in November in each year for the purpose of transacting business, except when the day of the meeting falls on November 11 in which case the meeting shall be held on the next succeeding day.
2. The board shall meet on the third Tuesday in April in even-numbered years and the fourth Tuesday in April in odd-numbered years to organize and transact business.
3. Except for the months of April, November and December, the board shall hold regular meetings on the fourth Tuesday of each month to transact business, unless moved to a different date prior to adjournment of the previous meeting or after adjournment at the call of the county board chairperson. In the month of December, the board shall hold a regular meeting on the third Tuesday of the month. Regular meetings shall be deemed to be adjournments of 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.
4. The board may hold special or emergency meetings pursuant to section 59.11(2) of the Wisconsin Statutes, as amended.
5. *Special Meetings*
  - a. For the sole purpose set forth in Wis. Stat. 59.11(2)(a), a declared emergency shall be defined as any set of circumstances that, in the sole opinion of the county board chairman, require board action to prevent serious harm or great inconvenience to the county, its citizens or those doing business with the county.

- b. In the event of a declared emergency as defined in (a), above, the County Board Chairman may call a special meeting of the Board at any time to dispose of business which requires board action, or other pending business, provided notice of such meeting and an agenda is posted not less than seventy-two (72) hours prior to the meeting, with posting on the internet, in the County Board office and in the office of the County Clerk, and notice is attempted to county board supervisors by mail at their home address and by telephone at their home telephone number.

(b) Meetings of the county board of supervisors shall be held at 7:00 p.m., unless moved to a different time prior to adjournment of the previous meeting or after adjournment at the call of the county board chairperson. The time of adjournment shall be determined by the amount of work before the county board of supervisors.

(Ord. No. 146-39, § 2, 8-20-91; Ord. No. 146-139, 3-17-92; Ord. No. 148-139, 2-22-94; Ord. No. 157-122, §§6-9, 3/11/03; Ord. No. 158-3, §§2-3, 04/22/03; Ord. No. 161-76, 2-13-2007 and effective 04-15-08.)

Sec. 4-51 Reserved.

**Sec. 4-52 Journal of proceedings.**

The minutes of each day's proceedings of the county board of supervisors shall be kept by the clerk and printed and distributed at the earliest possible meeting of the county board of supervisors.

(Mo. of 4-17-84, as amended, Rule 45)

**State law reference** - Duty of clerk to keep minutes of proceedings, Wis. Stat. § 59.23(2).

**Sec. 4-53 Sergeants at arms.**

There shall be four (4) sergeants at arms who shall be members of the county board of supervisors. Their duties shall be as follows:

1. To assist the chairperson in the preservation of order;
2. When the county board of supervisors is in closed session, to vacate the room of all persons other than supervisors and others who are entitled to remain according to section 4-67;
3. During a closed session to keep the doors of the meeting room closed and the room vacated of unauthorized persons.

(Mo. of 4-17-84, as amended, Rule 10)

**Sec. 4-54. Parliamentarian.**

One (1) member of the county board of supervisors shall be appointed by the chairperson to serve as parliamentarian. The parliamentarian shall advise the chairperson and county board members on the Division titled Rules of Order of this chapter and Roberts Rules of Order where they apply in county board procedure, and shall make recommendations from time to time to the executive committee.

(Mo. of 4-17-84, as amended, Rule 63; Ord. No. 157-122, 3/11/03)

Sec. 4-55 Reserved.

**Sec. 4-56 Reconsideration of legislation vetoed by county executive.**

(a) A resolution or ordinance which has been vetoed shall be reconsidered by the county board at its next meeting following receipt of the vetoed resolution or ordinance from the county executive.

(b) A resolution or ordinance shall be deemed received when such vetoed resolution or ordinance is personally presented to the county clerk and the county board chairperson.

(c) A resolution or ordinance which has been vetoed (in whole or in part) by the county executive and which has been returned to the county board for reconsideration shall be read by the county clerk along with the county executive's objections, which shall be entered in the proceedings of the county board. The question of the matter for reconsideration shall be presented by the county board chairperson as follows: "Shall the ordinance/resolution as read by the county clerk and as vetoed by the county executive be adopted? If you wish to override the veto, vote 'aye'; if you wish to sustain the veto, vote 'no.' A two-thirds vote of the members-elect is required to override the veto."

(d) An ordinance or resolution reconsidered following a veto by the county executive shall not be subject to amendment or change.

(Ord. No. 146-6, § 1, 5-21-91)

**Editor's note** - Section 1 of Ord. No. 146-6, adopted May 21, 1991, amended Ch. 2 by adding a section thereto, but did not specify a number. Inclusion of the provisions as § 2-40 was at the editor's discretion.

**Sec. 4-57 Remote Participation in Committee during an Emergency Declaration.**

The County Board Chairman or the chairperson of a standing committee may allow a member of their respective bodies to participate in a meeting by telephone or by other means of telecommunication or electronic communication, and be considered present for all purposes, including voting:

(a) During a State of Emergency as declared by the Governor or Waukesha County Executive under Chapter 323 of the Wisconsin Statutes or at a special meeting called during a declared emergency by the County Board Chairman under Section 4-50(a)5.

(b) During any other special meeting of the County Board called pursuant to Wisconsin Statute section 59.11(2) and County Code Section 4-50(a)4.

(Section 4-57 was created by Enrolled Ordinance 175-11, effective 06/09/2020.)

Secs. 4-58 - 4-60 Reserved.

**DIVISION 2. RULES OF ORDER**

**Sec. 4-61 Suspension or amendment.**

(a) This division shall not be rescinded or changed unless a written notice reaches the chairperson's office at least one (1) week prior to the next meeting of the county board of supervisors so it can be noted

on the agenda. The notice of motion to rescind or change sections in this division shall include the proposed amendment language in full.

(b) This division shall not be suspended, changed, or rescinded except by vote of at least two-thirds of the members present.

(Ord. No. 157-122, 3/11/03; Ord. No. 158-3, §4, 04/22/03)

**Sec. 4-62. Roberts Rules of Order.**

The rules of parliamentary practice comprised in Roberts Rules of Order shall govern the county board of supervisors in all cases to which they are applicable, to the extent that they are not inconsistent with this division.

(Mo. of 4-17-84, as amended, Rule 56)

**Sec. 4-63 Special order of business.**

All requests for special orders of business shall be made in writing to the county board chairperson's office by a committee or any five (5) supervisors. All requests must reach the chairperson's office at least one (1) week prior to the next meeting of the county board of supervisors so it can be noted on the agenda.

(Mo. of 4-17-84, as amended, Rule 37(B))

**Sec. 4-64 Organization.**

(a) The county board of supervisors, at the first meeting after each regular election at which members are elected for full terms, shall elect a member chairperson, a member vice chairperson, a member 2nd vice chairperson, and two (2) at-large members of the executive committee.

(b) County board supervisors can declare their candidacy for chairperson, vice chairperson, 2nd vice chairperson, and/or at-large member of the executive committee one week prior to the organizational meeting through procedures established by the county board office.

(c) Candidates who have formally declared their candidacy for an open position need not be further nominated. Additional nominations may be made from the floor. Declarations of candidacy and floor nominations shall not prevent balloting for any other member.

(d) Each candidate will be given the option to speak for up to five (5) minutes prior to balloting.

(e) Ballots shall be cast for chairperson, vice chairperson and 2nd vice chairperson separately, shall be by secret ballot, and shall be cast until a member receives the vote of the majority of the members present. The same procedure shall be used for the election of two at-large members of the executive committee except that such ballots shall not be secret.

(f) For the protection of the minority, it is not permissible to suspend this section by any procedure.

(Mo. of 4-17-84, as amended, Rule 9; Ord. No. 145-180, § 1, 3-19-91; Ord. No. 157-122, 3/11/03)  
(Section 4-64 was amended by Enrolled Ordinance 177-92, effective 03/09/2023.)  
(Section 4-105(b) was amended by Enrolled Ordinance 178-49, effective 10/07/2023.)

**Sec. 4-65 Contested seats.**

Contestants for seats shall have the privilege of the chamber until their respective cases are settled. The privilege shall extend only for access to the county board of supervisors chamber and only taken to settle the contest.

(Mo. of 4-17-84, as amended, Rule 4)

**Sec. 4-66 Roll call.**

At meetings of the county board of supervisors subsequent to the organizational meeting, the chairperson shall check the voting board and ascertain whether a quorum is present and the clerk shall record the names of absent members.

(Mo. of 4-17-84, as amended, Rule 3)

**Sec. 4-67 Closed sessions.**

The county board of supervisors may resolve itself into a closed session in accordance with the provisions of law upon the adoption of a motion by the county board. Such motion must contain:

1. The items of business which the board intends to discuss at the closed session with no other business being discussed;
2. The specific section number of the Statute relied upon for the closed session; and,
3. A recording in the minutes of the vote of each member with a majority prevailing.

(Mo. of 4-17-84, as amended, Rule 53)

**State law reference** - Meetings in closed session, Wis. Stat. § 19.85.

**Sec. 4-68 Leaves of absence.**

(a) No member or officer of the county board of supervisors shall be absent from a meeting of the county board of supervisors or a meeting of a standing committee of the board to which the member or officer is assigned without first having obtained leave of absence from the chairperson.

(b) If any member of the county board of supervisors shall miss (i) three or more meetings of the county board of supervisors or (ii) six or more standing committee meetings to which the member is assigned during a single board year the absences shall be reviewed by the executive committee of the county board of supervisors. The member shall be entitled to be present during any part of such review conducted in closed session, except during any portion of the meeting closed pursuant to Wis. Stat. § 19.85(1)(a), and shall be entitled to address the executive committee. If the executive committee determines that just cause does not exist for the member's serial absences, the executive committee shall make a recommendation to the full county board of supervisors as to what action, if any, should be taken. Action of the board of supervisors may include censure, forfeiture from salary, or removal from one or more standing committee assignments.

(Mo. of 4-17-84, as amended, Rule 7)

(Section 4-68 was amended by Enrolled Ordinance 176-23, effective with the 177<sup>th</sup> County Board Year, which began

on 4/19/2022.)

**Sec. 4-69 Board members leaving their seats.**

While the county board chairperson is addressing the county board of supervisors, or putting the question, no member of the county board of supervisors shall cross the floor or leave the room. No member of the county board shall, while a member is speaking, walk between the member and the chair.

(Mo. of 4-17-84, as amended, Rule 41)

**Sec. 4-70 Manner of addressing board; privilege of floor for nonmembers.**

(a) When any member is to speak in debate, or deliver any matter to the county board of supervisors, the member shall, by pressing the microphone button and upon recognition by the chair, rise, speak into the microphone and address the county board and chairperson. The members' remarks shall be confined to the question under debate and avoid personalities.

(b) Any member may ask for the privilege of the floor for a nonmember to address the county board, and if no supervisor objects, the county board chairperson shall grant such privilege. If a member objects, any county board member may move that the privilege of the floor be granted and any other member may second the motion. If the motion is adopted by a two-thirds vote of the members present, the county board chairperson shall grant the privilege of the floor and the county board chairperson shall limit the time that such person can address the county board of supervisors.

(Mo. of 4-17-84, as amended, Rule 38)

**Sec. 4-71 Member called to order by chairperson.**

When a member of the county board of supervisors is called to order, the member shall sit down and not speak until it is determined whether the member is in order. When a guest speaker has the privilege of the floor, the supervisors shall confine their remarks to questions of the speaker and withhold comments on the subject under discussion until it is before the county board of supervisors for action.

(Mo. of 4-17-84, as amended, Rule 40)

**Editor's note** - Section 1 of Ord. No. 145-80, adopted Mar. 19, 1991, repealed former § 2-62, which pertained to referral of matters to the committees and derived from a motion of April 17, 1984, as amended, Rules 84(2) and 49.

**Sec. 4-72 Action to rescind.**

Any motion to rescind a motion, order, resolution or ordinance previously adopted by the county board shall be presented by written motion, order, resolution or ordinance signed by five (5) or more county board members and shall require a vote of two-thirds of the members present, but in no case, less than the majority of the members. A motion, order, resolution or ordinance to rescind may be considered only if it is placed upon the county board's published agenda.

(Mo. of 4-17-84, as amended, Rule 50)

**Sec. 4-73 Motions to be stated; motions to be reduced to writing.**

When a motion is made it shall be stated by the county board chairperson or read by the clerk prior to debate. Upon request by any member, all motions, except to adjourn, postpone or commit, shall be

reduced to writing. Any member may withdraw his motion with the consent of his second.

(Mo. of 4-17-84, as amended, Rule 49)

**Sec. 4-74 Reading of orders, resolutions or motions.**

Proposed ordinances, resolutions and orders may be read by the county clerk upon request by a county board supervisor.

(Mo. of 4-17-84, as amended, Rule 52; Ord. No. 144-244, § 3, 4-10-90; Ord. No.145-80, § 1, 3-19-91)

**Sec. 4-75 Action on reports, orders, resolutions and ordinances.**

Action on reports shall be acceptance or rejection. Action on orders, resolutions and ordinances shall be adoption, passage, rejection or denial.

(Mo. of 4-17-84, as amended, Rule 36)

**Sec. 4-76 Certain motions to be decided without debate.**

A motion to adjourn, to lay on the table, to call for the question, or to call for the previous question, shall be decided without debate, and all incidental questions of order arising after a motion is made for any questions named in this section, and pending such motion shall be decided, whether on appeal or otherwise, without debate.

(Mo. of 4-17-84, as amended, Rule 47; Ord. No. 158-3, §5, 04/22/03)

**Sec. 4-77 Motions allowed when question is under debate; extraneous amendments.**

(a) When a question is under debate, no motion shall be received except:

- a. To adjourn;
- b. To lay on the table;
- c. To call for the question (limit debate);
- d. To call for the previous question;
- e. To postpone to a day certain;
- f. To commit to a committee;
- g. To amend; or
- h. To postpone indefinitely.

(b) The motions listed in subsection (a) shall have precedence in the order in which they stand arrayed in subsection (a). No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment and no petition, ordinance or resolution shall at any time be amended by annexing thereto, or incorporating therein, any other petition, ordinance or resolution pending before the county board of supervisors.

(Mo. of 4-17-84, as amended, Rule 46; Ord. No. 158-3, §6, 04/22/03)

**Sec. 4-78 Call for previous question.**

Any member of the county board of supervisors who is in order and has the floor may call for the previous question, and if the motion shall be seconded by five (5) members, other than the mover, the

question announced by the county board chairperson shall be, "Shall the main question now be put?" If two-thirds of the members present vote in the affirmative, the main question shall be put without further debate and all amendments not previously adopted shall be deemed lost.

(Mo. of 4-17-84, as amended, Rule 39) (Ord. No. 158-3, §7, 04/22/03)

#### **Sec. 4-79 Reconsideration of motions or questions.**

(a) When a motion or question has been decided in the negative, it shall always be in order for any member of the board who voted on the prevailing side to move for reconsideration at the same or succeeding meeting of the board.

(b) When a motion or question has been decided in the affirmative, it shall always be in order for any member of the board who voted on the prevailing side:

1. To move for reconsideration at the same meeting of the board;
2. To give the county board chairperson notice in writing, before Friday noon of the week the board voted on the matter, of an intent to reconsider. After receipt of such notice, the county board chairperson shall notify the county clerk to withhold presentation of the matter to the county executive. All other matters shall be presented to the county executive by the county clerk after Friday noon of the week the board voted on them.

(c) When a motion or question has been decided in the affirmative, it shall always be in order for any member of the board to move to suspend subsection (b)(2). If the motion carries, the county clerk shall present the matter to the county executive after passage. It shall also be in order for the county board chairperson, in emergencies as deemed by the chairperson, to present a matter to the county executive after passage and prior to Friday noon of the week the board voted on the matter.

(d) A motion to reconsider any motion or question shall be made and heard only once.

(Mo. of 4-17-84, as amended, Rule 44; Ord. No. 148-19, § 1, 5-11-93).

#### **Sec. 4-80 Certain motions not to be repeated.**

A motion to postpone to a day certain, to commit to a committee or to postpone indefinitely, being lost, shall not be again allowed on the same day and at the same stage of the ordinance, resolution, or proposition, unless the motion has precedence under section 4-78.

(Mo. of 4-17-84, as amended, Rule 48)

#### **Sec. 4-81 Voting.**

Every member present when a question is put shall vote unless, for special cause, the member is excused by a majority vote of the members present, but it shall not be in order for a member to be excused after voting has commenced. Any member has the right to change their vote up to the time the vote is finally announced by the chairperson, and such member shall rise to get the floor in order to change their vote prior to the announcement of the vote by the chairperson. Thereafter, a member shall not be allowed to change his vote, even with unanimous consent.

(Mo. of 4-17-84, as amended, Rule 48) (Ord. No. 158-3, §8, 04/22/03)



**Sec. 4-82 Roll call votes.**

Immediately after any oral vote, either before or after the decisions of the county board chairperson has been announced, any member of the county board of supervisors may call for a roll call vote. All “aye” and “no” votes shall be recorded in the journal of the clerk.

(Mo. of 4-17-84, as amended, Rule 48)(Ord. No. 158-3, 04/22/03).

**Sec. 4-83 Appeal of point of order.**

When the chairperson’s decision on a point of order is appealed, no member shall speak more than once unless by leave of the county board of supervisors. On appeal, the question shall be: “Shall the decision of the chairperson stand as the judgment of the county board?” This question and the action of the county board of supervisors on it shall be entered in the minutes of the proceedings.

(Ord. No. 158-3, §9, 04/22/03)

**Sec. 4-84 Change of order of business.**

The order of business, as established by the published county board agenda, may be changed only by announcement of the county board chairperson, but if there is an objection, then only by a vote of at least two-thirds of the members present.

(Ord. No. 158-3, §10, 04/22/03)

**Sec. 4-85 Resolutions Ruled Out of Order.**

(a) A decision of the county board chairperson ruling a resolution out of order for falling outside the scope of the powers and duties of counties set forth in Chapter 59 of the Wisconsin Statutes may be appealed by any county board supervisor submitting a written appeal to the county board office within 5 business days of the decision stating the reasons why the resolution should be considered in order. The appeal will be placed on the agenda of the executive committee’s next scheduled meeting. A majority vote of the executive committee membership is necessary to overrule the decision of the county board chairperson.

(b) If a county board supervisor wishes to bring forward for consideration by the board a resolution that has been or would be ruled out of order, with or without appeal, for falling outside the scope of the powers and duties of counties set forth in Chapter 59 of the Wisconsin Statutes, the county board supervisor must submit a proposed written resolution as required under sections 4-91 and 4-92 of this Code with a request to the county board office to send a copy of the proposed resolution to the full county board for co-sponsorship. No such resolution shall proceed unless at least one-third of county board supervisors agree that the resolution should be considered by the board. If one-third of county board support is achieved the resolution shall proceed directly to the full county board of supervisors and be placed on the agenda of the next scheduled meeting.

(Section 4-85 was created by Enrolled Ordinance 175-11, effective 06/09/2020.)

**Secs. 4-86 Sanctions for violation.**

Sanctions for any violation of the rules of order of board of board of supervisors may be imposed

upon the offending member upon a motion duly made and passed by a majority of the members of the county board of supervisors setting forth the violation and the sanction to be imposed. One or more of the following sanctions may be imposed for violation of the county board of supervisor's rules of order:

1. A censure formally reprimanding the member for the violations(s);
2. A forfeiture of not less than \$50 and not more than \$200 for each violation.
3. Notwithstanding Section 4-96 of this Code, temporary or permanent removal from one or more standing committee assignment.

(Section 4-86 was created by Enrolled Ordinance 176-23, effective with the 177<sup>th</sup> County Board Year, which began on 4/19/2022.)

Secs. 4-87 - 4-89 Reserved.

#### **ARTICLE IV. LEGISLATION**

##### **Sec. 4-90 Actions required to be ordinance; actions required to be resolution.**

(a) The following definitions shall apply to this section:

1. *Ordinance* means an official legislative action of the county board of supervisors which is a regulation of a general and permanent nature and is enforceable as a local law. Except as provided in subsection (c), the provisions of this Code shall be considered ordinances. The following is a non-exclusive, illustrative listing of actions which constitute ordinances under this definition:
  - a. Actions that create, alter or abolish any county department, office or agency;
  - b. Actions that provide for a fine or other penalty or establish a rule or regulation in which a fine or other penalty is imposed for violations;
  - c. Actions that appropriate funds or adopt a budget;
  - d. Actions that grant, renew or extend franchises, or special permits or rights in public roads or public property, or close abandoned roads;
  - e. Actions that authorize the borrowing of money or the issuance of bonds;
  - f. Actions that levy taxes, assess property for improvements or establish charges for services.
2. *Resolution* means an expression of the county board of supervisors concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the county board of supervisors, and is limited in scope to issues within the powers and duties of counties set forth in Chapter 59 of the Wisconsin Statutes.

(b) Unless specifically required otherwise by state law:

1. No action that is defined in subsection (a) to be an ordinance shall be taken by the county board of supervisors except by ordinance;
2. No action that is defined in subsection (a) to be a resolution shall be taken by the county

board of supervisors except by resolution.

(c) Provisions of this Code that are required by state law to be other than an ordinance may be amended by legislation as provided by state law.

(Section 4-90(a)(2) was amended by Enrolled Ordinance 175-11, effective 06/09/2020.)

**Sec. 4-91 Legislation generally.**

(a) Except at the discretion of the county board chairperson, all ordinances, resolutions and orders proposed for adoption must be in written, final form and in the office of the county board chairperson before they can be noted on the county board agenda.

(b) An ordinance, resolution or order is not in final form until it has been reviewed and signed by all appropriate committees and staff in accordance with the Waukesha County Code of Ordinances and supplemental policies and procedures issued by the county board chairperson, which are on file with the county clerk.

(c) Ordinances, resolutions and orders proposed for adoption shall contain the signatures of all committee or commission members present at the time the committee or commission takes action. In the event a committee or commission member is opposed to the proposed ordinance, resolution or order, the member shall sign it and indicate opposition by the word "no" after his or her name. In the event the member is absent at the time action is taken, the chairperson or acting chairperson of the committee or commission shall indicate that member's absence by writing the word "absent" in the space designated for the member's signature.

(d) Prior to submission to any committee of the county board, all proposed ordinances, resolutions and orders must be forwarded to the county board chairperson, the corporation counsel, the county clerk and the appropriate department pursuant to section 4-92 of this Code.

(e) If any proposed ordinance, resolution or order will affect a specific geographical area of the county, a map which shows the specific area must be attached to the proposed ordinance prior to submission to any committee.

(Mo. of 4-17-84, as amended, Rule 34(1); Ord. No.144-224, § 1, 4-10-90; Ord. No. 158-3, §11, 04/22/03)

**Sec. 4-92 Referral of legislation requiring financial data, information relative to wages, hours, etc.**

(a) Ordinances or resolutions shall be referred to the department of administration when account numbers are necessary or when a fiscal impact report is to be attached.

(b) Ordinances or resolutions shall be referred to the department of administration when the content of the proposal affects the wages, hours and conditions of employment of any county employee or elected official or the staffing and structuring of county departments.

(Mo. of 4-17-84, as amended, Rule 34(4); Ord. No.144-224, § 2, 4-10-90)

**Sec. 4-93 Adoption of ordinances creating new classifications or positions.**

An ordinance is necessary to create a new position or to reclassify an existing position, and it requires a

majority vote of members present for adoption. An ordinance which creates a new position or which reclassifies an existing position and which changes a current year budget appropriation requires a two-thirds vote of the entire board for adoption.

(Ord. No. 158-3, §12, 04/22/03)

Sec. 4-94 Reserved.

## **ARTICLE V. COMMITTEES, COMMISSIONS AND PANELS**

### Division 1. General Information

#### **Sec. 4-95 Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Committee* means and includes both statutorily defined and county board established public bodies which exercise delegated powers of the county board, or which are otherwise subject to the control, selection, or appointment of the county board.

*Panel* means a public body established by legislation of the county board for a particular purpose. Panels may have nonsupervisory members who may be compensated, as specified in the enabling ordinance, and are appointed by the county board chairperson unless otherwise specified in the enabling ordinance. Panels shall report and make recommendations to a standing committee of the county board.

*Select committee* means a committee recommended for formation by a standing committee to undertake a task for which it has functional responsibilities. Membership shall consist of one or more members of the standing committee, one of whom shall be select committee chairperson, and any number of other members of the county board. Formation of select committees shall be approved by the executive committee, appointment shall be by the county board chairperson, duration shall not exceed the board year of formation, and all reports and recommendations shall be made to the standing committee which recommended its formation.

*Standing committee* means a committee which consists entirely of county board members, which is established by the county board with prescribed duties, which is automatically reestablished upon adoption of the rules of the county board at the organizational meeting, and which presents recommendations to the county board on all legislation which is to come before it.

*Statutory committee* means a committee whose duties and powers are prescribed by the state legislature. Statutory committees may have all, some, or no county board members, as specified by statute, and are subject to appointment of the county board. Where a standing committee does not act as a statutory committee as established by rules of the county board, the statutory committee shall make all reports and recommendations to the appropriate standing committee of the county board.

*Subcommittee* means a part of a standing committee that is performing delegated work on behalf of the whole committee for a period of time expected to be less than two (2) months. A subcommittee is responsible to and reports to the standing committee from which it was created.

**Sec. 4-96 Appointment.**

(a) The county board chairperson shall fill all vacancies in county offices where the power to appoint is vested by law in the county board of supervisors.

(b) The county board chairperson shall be an *ex officio* member of all committees of the county board and may meet and deliberate in their meetings. The chairperson shall have the power to vote in such committee only when present in order to form a quorum and only until such time as a quorum of the committee members is present.

(c) Unless the county board determines otherwise and except as provided for by rule of the county board, the county board chairperson shall appoint all committees of the county board.

1. Each county board supervisor shall be appointed to and shall serve on two (2) standing committees.
2. No county board supervisor shall serve on more than two (2) standing committees, with the exception of temporary appointments.
  - a. If a member of a committee is unable to perform the duties of appointment due to illness or disability, the county board chairperson may declare such position temporarily vacant and appoint another member to fill the vacancy until the incumbent member is able to return and perform the duties.
  - b. Temporary appointments to standing committees shall not exceed ninety (90) days.
3. County board supervisors appointed to committees shall serve for the duration of their terms of office and, if reelected, until successors are appointed which in no case shall exceed thirty (30) days after the organizational meeting.

(d) The term of a county board supervisor appointed to a board or commission by the county executive while serving as a county board member shall end when the supervisor's membership on the county board terminates, unless thereafter reappointed to the board or commission. Any county board supervisor nominated for appointment to a board or commission by the county executive shall accept at least one appointment and shall serve as a member of the board or commission.

(e) A supervisor appointed to a county board established committee, or a statutorily required or county board established board or commission, shall be paid expenses as provided by statute or by ordinance of the county board.

(f) A supervisor who accepts appointment to a committee, board, commission, or any other organization which has not been established by county board action shall not be paid expenses unless such expenses are authorized by the county board.

**Sec. 4-97 Organization.**

(a) All matters pertaining to committee organization, membership, and duties shall be construed in favor of the declared will of the county board in its rules, in accordance with its home rule authority and consistent with the intent of sections 59.03(1) and 59.04, Wisconsin Statutes.

1. Rules provisions as are contained in Article III of this chapter are incorporated herein as if fully set forth.
2. Standing committees of the county board shall have seven (7) members.
3. A majority of members entitled to a seat on a committee shall constitute a quorum. All questions shall be decided by a majority of members present, unless otherwise provided for by the rules of the county board.
4. The duties of standing committees shall be to have charge of the several matters hereinafter designated, but such enumeration shall not be exclusive.
5. Standing committees shall act on requests of their members for permission to attend conferences, conventions, or meetings, and such action shall be by motion recorded in the committee's minutes.
6. All supervisors shall be prepared to make a written or oral report to the standing committee and/or the county board on sessions, conferences, or workshops attended.

(b) At the first committee meeting after standing committee appointments have been made, committee members shall elect a committee vice-chairperson and a committee secretary. The results of the election shall be reported promptly to the executive committee.

1. In order for an individual member of a committee to claim expenses for acting on behalf of a committee, pre-approval (preferred) or post-approval for each occurrence shall be by separate motion recorded in the committee's minutes.
2. Each committee vice chairperson shall act as committee chairperson in the absence of the chairperson, and each committee secretary shall act as committee chairperson in the absence of both committee chairperson and vice chairperson.
3. Each committee secretary shall sign and cause to be forwarded approved minutes to the office of county clerk. A copy of approved minutes shall be kept in the office of the county board.

(c) Each committee chairperson is responsible for establishing the committee's meeting place, date and time, and agenda, in accordance with the provisions of section 19.84, Wisconsin Statutes, and other applicable laws concerning meetings of governmental bodies.

1. A committee meeting shall be called upon the written request to the committee chairperson by a majority of committee members.
2. An item shall be placed on the agenda upon the written request to the committee chairperson by a majority of committee members.

(d) The county board chairperson shall arrange for joint committee meetings when such a meeting is deemed necessary, and shall set the time and location of the meeting. The county board chairperson, or in the chairperson's absence the first vice chairperson, or in the first vice chairperson's absence the second vice chairperson, shall preside except that the finance committee chairperson shall preside over any joint committee meeting when reviewing the budget, or the standing committee chairperson in finance committee chairperson's absence.

1. No business shall be conducted at a joint meeting unless there is a quorum from each committee present. Committee members present and serving as members of more than one (1) of the committees meeting jointly are to be considered present in determining whether there is a quorum of each committee.
2. Committee members serving on more than one (1) of the committees meeting jointly shall be entitled to cast separate votes as a member of each committee on which the member serves.

(Ord. No. 145-180, § 1, 3-19-91; Ord. No. 146-32, § 1, 7-16-91; Ord. 152-153, §2, 3-24-98; Ord. No. 157-122, 3/11/03)

(Section 4-97(d) was amended by Enrolled Ordinance 177-12, effective 06/07/2022.)

#### **Sec. 4-98 Actions and procedures.**

(a) Except as herein provided and to the extent that they are applicable, the rules of order of the county board shall apply to committee meetings.

(b) The county board chairperson shall receive and refer ordinances, resolutions, orders, and other matters requiring county legislation to the appropriate standing committees (and boards or commissions, if relevant). Referrals occurring at a county board session shall be made without motion.

1. Referrals made while the county board was adjourned shall be reported to the county board by the county board chairperson at the next session of the county board.
2. A matter which has been acted on by the appropriate standing committee or committees, with or without referral having been made by the county board chairperson, may be considered on the day presented, provided that it has been included on the agenda of the county board.
3. Boards or commissions requesting county board consideration on any issue which requires legislation shall submit the matter to the county board chairperson for referral, or may refer the matter directly to the standing committee which has policy oversight.

(c) A matter referred to a standing committee or committees shall, within sixty (60) days of the referral, be placed on the county board's agenda for its next regularly scheduled meeting by motion adopted by a vote of two-thirds of the members present. After sixty (60) days, a matter referred to a standing committee or committees shall be placed on the county board's agenda for its next regularly scheduled meeting by motion adopted by a majority of the members present.

(d) No action shall be taken on any proposed ordinance or resolution unless it be in written form before the standing committee.

1. Ordinances and resolutions shall be signed by supervisors only, except that nonsupervisors

appointed by the county board chairperson to statutory committees shall sign ordinances and resolutions.

2. Ordinances and resolutions shall be signed by all standing committee members present at the time the committee acts on same. In the event a committee member is opposed, the member shall sign it and indicate opposition by the word "no" after the member's name. In the event the member is absent at the time of committee action, the chairperson or acting chairperson shall indicate that member's absence by writing the word "absent" in the space designated for the member's signature.

(e) Ordinances or resolutions reported to the county board by standing committees shall be by recommendation to adopt or to reject.

(f) Reports, studies, or other informational reports commissioned by the county board or county executive shall automatically be forwarded to the appropriate standing committee, and shall not be considered to be referrals.

(Ord. No. 145-180, § 1, 3-19-91)

#### **Sec. 4-99 Committee duties generally.**

(a) The duties and responsibilities of the standing committees shall be established by the county board.

(b) A standing committee acting as the committee of budget and policy oversight for any department, office, board, or commission shall:

1. Review budget requests and make recommendations to the finance committee and county board during the budget process.
2. Review position requests and make recommendations to the personnel committee and county board on classification and compensation of new positions, and on increases or decreases in authorized positions.
3. Evaluate programs under its oversight to determine program definition, short and long term goals and objectives, costs, efficiency and effectiveness, and report findings to the executive committee.
4. Review and acknowledge any application for a new federal or state grant prior to its submission.
5. Schedule at least one full committee meeting to consider the budget of the departments, offices, boards, or commissions which it oversees, with the public invited to attend.

(c) A standing committee of budget and policy oversight for a department whose policy is established by the county board shall:

1. Continually monitor the expenditure of county funds committed to the department in terms of its stated goals and objectives.
2. Monitor compliance with county policies and practices.



(d) A standing committee of budget and policy oversight for a department whose policy is made by an elected official, board, or commission shall:

1. At least annually, review the expenditure of county funds committed to the department (and the budget of the board or commission) in terms of the stated goals and objectives sought to be accomplished.
2. Evaluate the policies and practices established for the department for conformance with policies and practices of the county, and make recommendations to the elected official, board, or commission for changes in policies and practices.

(Ord. No. 145-180, § 1, 3-19-91; Ord. No. 157-122, 3/11/03)

**Secs. 4-100 - 4-104 Reserved.**

**Editor's note** - Section 1 of Ord. No. 145-80, adopted Mar. 19, 1991, and effective April 15, 1991, repealed former §§ 2-86 and 2-87 which pertained to the composition and duties of committees and to special committees, and derived from a motion of April 17, 1984, as amended, Rules 11 and 37(A); Ord. No. 141-1, §§ 2, 3, adopted April 15, 1988; Ord. No. 145-151, §8, adopted Dec. 18, 1990; and Ord. No. 145-166, § 2, adopted Feb. 19, 1991.

Division 2. Standing Committees

**Sec. 4-105 Executive committee.**

(a) There is established an executive committee.

(b) The executive committee shall consist of the county board chairperson, first vice chairperson, second vice chairperson, two (2) at-large members elected by the county board of supervisors at the organizational meeting in even-numbered years, and two (2) members appointed by the county board chairperson.

(c) Committee members shall serve for the two year period of their elected terms as members of the county board. Should a committee vacancy occur, it shall be filled in the same manner as the original election or appointment for the balance of the former member's term.

(d) The county board chairperson shall be chairperson of the executive committee. The county board chairperson shall not be a member of any other standing committee, except as may be provided by rules of the county board.

(e) The county board chairperson, as chair of the executive committee, shall appoint each other member of the executive committee as chair of a county board standing committee. In the event any member of the Executive Committee is unable to serve as a member of the Executive Committee, that member shall be replaced in the same manner as originally selected.

(f) The duties of the executive committee shall be as follows:

1. To act as the committee of budget and policy oversight for the federated library system board, the community development block grant board and the department of UW-Extension education.
2. To formulate long-range capital and strategic plans; to review such plans as are submitted to it by other standing committees, the county executive, departments, boards, commissions, or other source; and to make policy recommendations concerning such plans to the county

board. The five-year capital plan will be formulated with special attention given to proposals:

- a. To add a project to the first year of the capital plan.
  - b. To delete a project from the first year of the capital plan.
  - c. To make a significant change in the scope of a specific project scheduled in the first year of the capital plan which also appeared in the corresponding year in the last capital plan adopted by the county board.
3. To make recommendations to the county board on county executive appointments of department heads and on county executive appointments to boards and commissions which are subject to county board confirmation. A report recommending either that the appointment be confirmed or that it be rejected shall be submitted to the county board no later than the second regular meeting of the county board following the date of referral to the committee by the county board chairperson.
  4. To recommend to the county board all proposed additions, deletions, or revisions to the rules of the county board.
  5. To develop and advance policy initiatives for county board approval which exceed the functional oversight of a single standing committee and which are intended to improve and strengthen county government.
  6. To oversee the county board's internal audit function by directing county board audit staff, by providing policy oversight of financial, operational, and performance audits for all county departments and programs, by determining which county departments, programs, operations, activities, or functions shall be audited, and by seeking the advisement of the standing committee which has policy oversight of the department, office, board, commission, or agency which was audited.
  7. To act as the budget and policy oversight committee for all matters which are not delegated duties of another standing committee and which are referred to it by the county board chairperson.
  8. To resolve disputes arising from the rejection by the office of county clerk of a county board supervisor's expense reimbursement claim.
  9. To serve as the legislative body to work with the Wisconsin Counties Association and state and federal governments as they relate to county issues. County elected officials, boards, commissions and departments may submit legislative proposals in writing or through a personal appearance before the committee.
  10. To study and recommend to the county board plans, projects and programs for fostering community and economic development through the county, which includes recommendation to the county board on community development block grant proposals and job training partnership act proposals.
  11. To make studies and recommendations relative to intergovernmental relations, pending and proposed legislation and to perform such other duties as the county board may from time to time direct. Intergovernmental matters may include work with municipalities and other governmental bodies within the county on legislative matters which would affect the county.

12. To recommend new state legislation and to appear in support of or in opposition to pending state legislation as directed by the county board. Such recommendation, until altered by the County board, shall guide the executive committee in its work before legislative bodies. The committee may appear before Congress, the Wisconsin Legislature and the governmental bodies of other municipalities, as may be necessary, on pending legislation to support policies advocated by the county board.
13. To review and periodically make recommendations to the county board on automated information management systems.

(g) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 145-188, § 1, 3-19-91; Ord. No. 146-32, § 2, 7-16-91; Ord. No. 152-153, § 5, 3-24-98; Ord. No. 152-154, 3/30/98; Ord. No. 157-122, 3/11/03; Ord. No. 158-3, §13, 04/22/03; Ord. No. 161-77, 2-13-07, effective 04-15-08.)

(Section 4-105(b) was amended by Enrolled Ordinance 177-92, effective 03/09/2023.)

(Section 4-105(b) was amended by Enrolled Ordinance 178-49, effective 10/07/2023.)

**Editor's note** - Section 1 of Ord. No. 145-188, adopted Mar. 19, 1991, deleted former § 2-161 and enacted a new § 2-161 in lieu thereof. The deleted provisions pertained to the administrative committee and derived from a motion of April 17, 1984, as amended, Rule 12; a motion of Mar. 18, 1986; Ord. No. 143-27, § 1, adopted June 21, 1988; Ord. No. 144-143, § 1 adopted Oct. 17, 1989; and Ord. No. 145-151, § 8, adopted Dec. 18, 1990.

#### **Sec. 4-110 Health and human services committee.**

- (a) There is established a health and human services committee.
- (b) The health and human services committee shall consist of seven (7) members of the county board of supervisors.
- (c) The duties of the health and human services committee shall be as follows:
  1. To act as the committee of budget and policy oversight for the aging and disability resource center, the department of health and human services, the department of veterans' services, the health and human services board, the aging and disability resource center resource advisory board, the veterans' service commission and the Waukesha County Housing Authority.
  2. To coordinate and recommend to the county board all matters requiring legislation relating to aging, community human services, housing, public health, and veterans' policies and programs which are referred to it by the committees, boards, commissions, and agencies for which it has budget and policy oversight. This committee may request studies, recommendations, and investigations, and will perform such other duties as the county board may from time to time direct. The committee shall meet as necessary with the appropriate boards, commissions, and departments.
  3. To make recommendations to the county board, upon the recommendation of the human services board, based on the following activities: To review and recommend the quantity and quality of care and treatment services; to review the need for the county to establish, finance, or undertake new purchased programs or to review substantial revisions in existing purchased programs; and, to seek evaluation of the adequacy and effectiveness of the purchased programs.

(d) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 146-92, § 1, 4-9-91; Ord. No. 146-109, § 4, 01/21/92; Ord. No. 163-77, 02-04-09; Ord. No. 164-7, 04/28/19.)

**Editor's note** - Section 1 of Ord. No. 145-192, adopted April 9, 1991, amended Ch. 2 by adding a section thereto, but did not specify a section number. Inclusion of the provisions as §2-90 was at the discretion of the editor.

Reference to veterans' services department removed from 4-110(c)(1) pursuant to Enrolled Resolution 164-4.

**Cross references** - Compensation for committee, board or commission meetings, § 7-94; health and human services, Ch. 12.

Secs. 4-108 - 4-119 Reserved.

Secs. 4-121 - 4-129 Reserved.

**Sec. 4-130 Public works committee.**

(a) There is established a public works committee.

(b) The public works committee shall consist of seven (7) members of the county board of supervisors.

(c) The duties of the public works committee shall be as follows:

1. To act as the committee of budget and policy oversight for the department of public works, the Waukesha County Airport Commission, the Wisconsin River Rail Transit Commission, and the Southeastern Wisconsin Regional Planning Commission (with respect to transportation matters).
2. To make recommendations to the county board on all matters requiring legislation relating to county facilities, public works, and transportation, which includes without limitation because of enumeration: highways; roads and bridges; rail and mass transit systems; airports; public buildings and policy issues relative to their maintenance and usage; and county lands and their development (exclusive of parkland development).
3. To act as the county highway committee pursuant to section 83.015, Wisconsin Statutes, which is hereby established by the county board to have the number of members and committee chairperson, manner of appointment, terms, and method of filling vacancies identical to that of the public works committee.
4. To obtain any necessary professional services, within funds budgeted to the office of county board and with the approval of the executive committee, to verify or produce cost estimates for major capital improvements and public works which may come before the county board for an appropriation decision.
5. To make recommendations to the county board concerning policy issues associated with public works projects.
6. Reserved.

7. To make, at a minimum, an annual inspection of buildings so that policies related to facilities and fixed assets can be established.

(d) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 145-191, § 1, 4-9-91; Ord. No. 146-137, §2, 3-17-92; Ord. No. 157-122, §20, 3/11/03)

**Editor's note** - Section 1 of Ord. No.145-191, adopted April 9, 1991, repealed former §§ 2-181 and 2-221 and enacted provisions in lieu thereof designated as § 2-181 by the editor. The provisions of former § 2-181 pertained to the building and grounds committee and derived from a motion of April 17, 1984, as amended, Rule 14; Ord. No. 142-73, adopted Oct. 20, 1987; Ord. No. 143-134, §§ 3, 4, adopted Jan. 6, 1989; Ord. No. 143-152, § 1, adopted Feb. 21, 1989; Ord. No. 143-157, §§ 3-5, adopted Mar. 21, 1989; Ord. No. 145-68, § 1, adopted Aug. 30, 1990; and Ord. No. 145-151, § 8, adopted Dec. 18, 1990. Subsequently, Ord. No. 146-137, adopted Mar. 17, 1992, amended § 2-181(c)(1), effective Jan. 1, 1993.

Secs. 4-131 - 4-149 Reserved.

**Sec. 4-150 Finance committee.**

- (a) There is established a finance committee.
- (b) The finance committee shall consist of seven (7) members of the county board of supervisors.
- (c) The duties of the finance committee shall be as follows:
  1. To act as the committee of budget and policy oversight for the department of administration and the office of county treasurer.
  2. To review the proposed county budget prepared by the county executive as submitted to the county board, to receive proposed budget amendments as submitted by standing committees, and to propose budget amendments to the county board during deliberations on the annual budget.
  3. To make budget transfers between expenditure accounts in different appropriation units and to supplement appropriations by transfers from the contingency fund in accordance with the procedures set forth in section 65.90(6)(a) and (b), Wisconsin Statutes.
    - a. A detailed report of all such transactions and appropriations shall be included in the minutes of the finance committee.
    - b. Transfer requests that have not been received from nor acted on by the county executive shall be forwarded to the county executive before action on them by the finance committee. The county executive shall promptly consider the request and make a recommendation to the finance committee. If the county executive fails to make a recommendation within ten (10) days after the submission of the request for transfer, the finance committee may act upon such request without county executive recommendation.
  4. To review all matters requiring legislation relating to purchasing, finances, taxes, budgets, assessments, audits, and sale, lease, purchase or disposition of any county lands or buildings (except highway right of way), or any other legislation with fiscal implications which is to come before the county board.
  5. To act on all liability claims filed against the county and to authorize settlements of up to ten

thousand dollars (\$10,000.00).

6. To review policy matters relating to banks, bonds, the collection of delinquent taxes and the acquisition and sale of tax deeded properties and to make reports to the county board.
7. Reserved.
8. To make recommendations to the county board on the financial implications of all requests for additional personnel, new positions, or reclassifications.
9. To exercise general oversight over all matters relating to the care, inventory, and disposition of the county's movable property and fixed assets.

(d) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 145-189, § 1, 3-19-91; Ord. No. 149-74, 11-1-94; Ord. No. 157-122, 3/11/03; Ord. No. 161-77, 2-13-07, effective 04-15-08.)

**Editor's note** - Section 1 of Ord. No. 145-189, adopted Mar. 19, 1991, deleted the provisions of former § 2-211 and enacted provisions in lieu thereof designated as § 2-211 by the editor. The deleted provisions pertained to similar subject matter and derived from a motion of April 17, 1984, as amended, Rule 17, and Ord. No. 145-85, § 1, adopted Oct. 2, 1990.

Secs. 4-151 - 4-169 Reserved.

#### **Sec. 4-170 Judiciary and law enforcement committee.**

(a) There is established a judiciary and law enforcement committee.

(b) The judiciary and law enforcement committee shall consist of seven (7) members of the county board of supervisors.

(c) The duties of the judiciary and law enforcement committee shall be as follows:

1. To act as the committee of budget and policy oversight for the circuit courts, the department of emergency preparedness, the juvenile courts, the register in probate, the office of clerk of courts, the office of district attorney, the office of medical examiner, the office of sheriff, the highway safety commission, and the local emergency planning committee.
2. To act as the county emergency management committee in accordance with section 323.14(a)(3), Wisconsin Statutes.
3. To coordinate and recommend to the county board all matters requiring legislation relating to the court system, emergency government, public safety, the legal system, law enforcement, and corrections policies and programs which are referred to it by the committees, commissions, agencies, and offices for which it has budget and policy oversight. This committee may request studies, recommendations, and investigations, and will perform such other duties as the county board may from time to time direct. The committee shall meet as necessary with the appropriate departments and officials.

(d) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 145-193, § 1, 4-9-91; Ord. No. 159-80, 12-17-04; Ord. No. 164-69, 01-26-10)

**Editor's note** - Section 1 of Ord. No. 145-193, adopted April 9, 1991, deleted former § 2-231 and enacted provisions in lieu thereof designated by the editor as § 2-231. The deleted provisions pertained to the justice and enforcement committee and derived from a motion of April 17, 1984, as amended, Rule 19; a motion of Mar. 18, 1986; Res. No. 277-3/86, adopted Mar. 8, 1986; Ord. No. 145-2, §§ 1, 2, adopted April 17, 1990; and Ord. No. 145-151, § 8, adopted Dec. 18, 1990.

Secs. 4-171 - 4-179 Reserved.

Secs. 4-180 - 4-189 Reserved.

**Sec. 4-190 Human Resources committee.**

(a) There is established a human resources committee.

(b) The human resources committee shall consist of seven (7) members of the county board of supervisors.

(c) The duties of the human resources committee shall be as follows:

1. To act as the committee of budget and policy oversight for the office of county board, the office of county executive, the office of corporation counsel, the office of county clerk, and the sheriff grievance committee.
2. To develop and recommend to the county board human resources policies on a county wide basis, and to propose revisions to human resources policies as adopted and amended by the county board.
3. During the current budget year, to act on all personnel requests submitted to it by standing committees or the county executive relating to the creation of new positions, requests for additional positions, and requests to abolish positions. Such requests shall also be referred by the county board chairperson to the finance committee, and shall be transmitted to the department of administration. The department of administration shall submit to the human resources committee its recommendations regarding classification and compensation for new positions as soon as reasonably possible. Personnel requests shall be acted on by the county board upon the dual recommendations of the human resources and finance committees.
4. During the budgeting process for the ensuing year, to make recommendations to the finance committee regarding the classification and compensation of new positions recommended for creation in the county executive's budget, as well as making a recommendation on increases and decreases in the number of authorized positions in the county executive's budget.
5. To establish parameters for the negotiation of wages, salaries, and working conditions with employee representatives.
6. To propose changes in compensation and benefits for all nonrepresented employees and elected officials, and to recommend to the county board all other actions which a county board is empowered to exercise pursuant to chapter 59, Wisconsin Statutes.

7. To review and approve changes in classification specifications and to propose reclassifications and salary adjustments as a result of classification and compensation studies or organizational studies made during the budget year or proposed through the budget process.

(d) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 145-195, § 1, 4-9-91; Ord. No. 149-74, 11-1-94; Ord. No. 152-153, § 6, 3/30/98; Ord. No. 157-122, §23-24, 3/11/03; Ord. 167-93, 03/26/13.)

**Editor's note** - Section 1 of Ord. No. 145-195, adopted April 9, 1991, deleted the provisions of § 2-251 and enacted new provisions in lieu thereof designated as § 2-251 by the editor. The deleted provisions pertained to similar subject matter and derived from a motion of April 17, 1984, as mended, Rule 21, and Ord. No. 143-184, §§ 1, 2, adopted Jan. 6, 1989.

(Section 4-190(c)1 was amended by Enrolled Ordinance 171-41, effective 10/04/16 to eliminate the reference to the Sheriff Civil Service Commission.)

Sec. 4-191 - 4-194 Reserved.

#### **Sec. 4-195 Land use, parks, and environment committee.**

- (a) There is established a land use, parks, and environment committee.
- (b) The land use, parks, and environment committee shall consist of seven (7) members of the county board of supervisors.
- (c) The duties of the land use, parks, and environment committee shall be as follows:
  1. To act as the committee of budget and policy oversight for the office of the county surveyor, the office of register of deeds, the department of parks and land use, the park and planning commission, the Southeastern Wisconsin Regional Planning Commission (with regard to budget and land use matters), and the board of adjustment.
  2. To make recommendations to the county board on all matters requiring legislation relating to land use planning, land records, geographic information systems, parks, golf courses, nature centers, ice arenas, exposition centers, zoning, shoreland and floodland protection, subdivision control, farmland preservation, sanitation and private sewage systems, waste and treatment facilities, and interim reapportionment which are referred to it by the commissions, offices, and departments for which has budget and policy oversight. This committee may request studies, recommendations, and investigations, and will perform such other duties as the county board may from time to time direct. The committee shall meet as necessary with the appropriate commissions, departments, and officials.
  3. To make recommendations to the county board on all matters requiring legislation relating to soil and water conservation (in cooperation with federal, state, and municipal agencies), and to recommend action on the protection of the environment including, but not limited to, water pollution, insecticide control, lakeshore erosion, and other environmental control oriented programs over which the county has authority to exercise control or in relation to which the county has an interest requiring the expression of policy.
  4. To act as the land conservation committee which shall consist of one additional member appointed by the county board chairperson who is the chairperson (or designated member) of the county agricultural stabilization and conservation committee. When acting as the land



conservation committee, the committee shall exercise the duties, powers and obligations set forth in chapter 92, Wisconsin Statutes.

5. To report to the county board regarding all proposed cemetery maps or plats in accordance with section 157.07, Wisconsin Statutes.
6. To authorize reimbursement of expenses of county delegates to the annual convention and other activities of the Wisconsin Conservation Congress.
7. To act as the committee on agriculture and extension education in accordance with section 59.56(3), Wisconsin Statutes.
8. To review any dog damage claims under chapter 174, Wisconsin Statutes, and to approve, approve in part, or deny such claims, except that claims over two thousand five hundred dollars (\$2,500.00) recommended for approval shall be brought to the county board for action.

(d) The provisions of section 7-94 shall apply to members of this committee.

(Ord. No. 145-90, § 1, 4-9-91; Ord. No. 146-7, § 1,5-21-91; Ord. No. 148-149, 3-22-94; Ord. No. 150-74, § 3, 11-28-95;Ord. No. 152-153, §§7-9, 3/30/98)

**Editor's note** - Section 1 of Ord. No. 145-90, adopted April 9, 1991, added provisions to Ch. 2 designated as § 2-271 by the editor.

Sec. 4-195(c)1 edited on 06/15/11 by removal of inclusion of solid waste management board, abolished by EO 159-34.

### Division 3. Commissions and Panels

Secs. 4-196 - 199 Reserved.

#### **Sec. 4-200 Park and Planning Commission.**

(a) There is a Waukesha County Park and Planning Commission, formerly known as the Waukesha County Park Commission.

**Editor's note** - A park commission existed as early as 1933; the 1954 resolution renamed it the park and planning commission. Authority to combine planning commission with an established board or commission pursuant to Wis. Stats. §59.69(2).

(b) The county park and planning commission shall consist of seven (7) members, three (3) of whom are members of the county board. The members shall be appointed by the county executive for terms of seven (7) years. In addition, two (2) alternate members shall be appointed in accordance with Wisconsin Statute 59.69.

**State law reference** - Membership generally, Wis. Stat. §§ 27.02 and 59.69(2).

(c) The provisions of section 7-94 shall apply to members of the park and planning commission.

**State law reference** - Authority to so limit compensation, Wis. Stat. § 59.52(21).

(d) The county park and planning commission shall possess such powers, administer such functions

and assume such responsibilities as are delegated to a park commission, rural planning committee, or county planning commission by the Wisconsin Statutes.

(e) In addition, the park and planning commission shall have the duties enumerated in chapter 27 of the Wisconsin Statutes and shall act as liaison committee for the park and planning department. The commission shall also have the powers and duties specified in Chapter 14.

(Res. No. 7, 4-27-54; Res. No. 9, 4-27-54; Mo. of 4-17-84, as amended Rule 22; Res. No. 78-6/85, 6-18-85; Ord. No. 145-68, § 2, 8-30-91; Ord. No. 157-122, §25, 3/11/03; Ord. No. 158-3, §14, 04/22/03)

**State law reference** - General powers, Wis. Stats. §§ 27.04, 27.05 and 59.69.

Secs. 4-201 - 4-211. Reserved.

**Editor's Note:** Former Sec. 4-211 regarding the Information Management Committee was repealed by Ord. 161-77, 02/22/07, effective 04-15-08.)

### **Sec. 4-212 Criminal Justice Collaborating Council**

(a) There is established a Criminal Justice Collaborating Council.

(b) The Criminal Justice Collaborating Council shall consist of the following members:

1. Chief Judge or Presiding Judge for Waukesha County
2. County Executive
3. County Board Chair
4. Sheriff
5. District Attorney
6. Clerk of Circuit Court
7. Mayor of City of Waukesha
8. First Assistant Public Defender - Waukesha County
9. Waukesha County Police Chief Association Representative
10. Director of Health & Human Services
11. Parole and Probation Manager responsible for Waukesha
12. University of Wisconsin Extension Representative
13. Waukesha County Citizen

(c) The duties of the Criminal Justice Collaborating Council shall be as follows:

1. To provide a mechanism for improving communication, cooperation and coordination among the offices of sheriff, district attorney, courts, jail, law enforcement agencies and other justice related agencies.
2. To provide a framework for resource allocation decisions to achieve justice goals and objectives, and to promote the most effective use of available jail space.
3. To provide a clearer understanding of problems and needs, and produce the data and analyses required by elected officials and justice administrators to improve the management, operations, and programs of the Waukesha County justice system.

(Ord. No 157-68, 10-11-02; Ord. No. 161-60, 11/28/06.)

**Cross references** - Judiciary and law enforcement committee, § 4-170; law enforcement, Ch. 13.

**Sec. 4-213 Local emergency planning committee.**

(a) There is established a local emergency planning committee.

(b) The local emergency planning committee shall consist of at least thirteen (13) but not more than twenty-two (22) members. Members shall be appointed by the chairperson of the county board of supervisors for terms of two (2) years. The committee shall, following appointment, elect from its members a chair, vice-chair, and secretary. The composition of the committee shall be as follows:

1. At least one (1) but not more than two (2) elected officials, one (1) of whom shall be a county board supervisor.
2. At least eight (8) but not more than ten (10) representatives from emergency responder professions and organizations of law enforcement, civil defense, first aid, firefighting, health service, hospital, transportation, and local environmental.
3. At least one (1) but not more than two (2) representatives from broadcast or print media.
4. At least one (1) but not more than two (2) representatives from community groups.
5. At least two (2) but not more than six (6) representatives from owners or operators of facilities subject to the federal Superfund Amendments and Reauthorization Act of 1986, Title III, requirements.

(c) The duties of the local emergency planning committee shall be as follows:

1. To have the powers and duties of a committee established under 42 U.S.C. 11000 to 11050 and under sections 323.60 and 323.61, Wisconsin Statutes.
2. To take all actions necessary to ensure the implementation of the local emergency response plan.
3. To consult and coordinate with the county's emergency management coordinator and the judiciary and law enforcement committee, the county's designated emergency management committee, in the execution of the local emergency planning committee's duties under this section.

(d) The provisions of section 7-94 pertaining to per diem payments shall not apply to members of this committee. Members of the committee may claim reimbursement of travel expenses in accordance with the provisions of section 7-95.

(e) The committee shall be bound by all pertinent federal and state laws, administrative rules and regulations, and the Waukesha County Code of Ordinances.

(Ord. No. 147-10, 5-26-92)

**Cross references** - Judiciary and law enforcement committee, § 4-170.

Sec. 4-214 Reserved.

## **ARTICLE VI. BUDGET AND CAPITAL PLAN**

### **Sec. 4-215 County board of supervisors annual operating budget review process.**

(a) There is established a county board annual operating budget review process which shall be commenced each year with the submission of the annual county operating budget for the succeeding year by the county executive to the county board.

(b) Consistent with the timetable established in chapter 59, Wisconsin Statutes, for counties exceeding five hundred thousand (500,000) population, the county executive shall submit the annual operating budget, inclusive of all proposed expenditures and revenues for the succeeding year, on or before October 1 to the county board.

(c) The county board chairperson shall designate distribution of the annual operating budget to the appropriate standing committees to conduct county board policy review and public hearings.

(d) Standing committees shall convey proposed budget amendments and budget issues to the finance committee on or before November 1.

(e) The finance committee shall prepare any budget amendments for consideration by the full county board of supervisors no later than seven (7) days prior to the scheduled county board meeting on the annual budget.

(f) County board deliberation on the annual budget shall be conducted at a designated date or dates in November with first consideration of any budget amendments proposed by the finance committee, followed by any amendments proposed by standing committees, and followed by any amendments proposed by individual supervisors.

(g) A meeting shall be scheduled not earlier than seven (7) days after adoption of the annual budget for review of any county executive vetoes.

(Ord. No. 141-1, § 1, 4-15-86; Ord. No. 145-166, § 1, 2-19-91; Ord. No. 157-122, §22, 3/11/03)

**State law reference** - Publication of annual budget, Wis. Stat. § 59.65.

### **Sec. 4-216 County board of supervisors annual capital plan review process.**

(a) There is established a county board annual capital plan review process which shall be commenced each year with the submission of the five-year capital plan, as defined in section 7-16, by the county executive to the county board on or before September 1.

(b) The county board chairperson shall distribute the five-year capital plan to the appropriate county board standing committees for review and recommendations to the executive committee.

(c) In October, the executive committee shall present a resolution to the county board to adopt the five-year capital plan. The county board may add or delete projects or make changes to projects and their scheduling by majority vote.

(d) Capital budget appropriations shall be made in conjunction with the adoption of the annual operating budget.

(Ord. No. 145-167, § 2, 2-19-91; Ord. No. 146-153, 3-31-92; Ord. No. 158-3, §15, 04/22/03)

**Sec. 4-217 Systems development methodology.**

(a) The development, procurement and implementation of all capital plan computer information systems projects to be considered by the county board shall be governed by a general methodology which ensures the following:

1. Project scope, requirements and specifications (including costs and benefits, risk assessments and project timing) are clearly defined.
2. Responsible individuals are clearly identified and projects are conducted using a phased approach.

(b) Capital plan computer information systems projects shall be requested in distinct, recognizable phases.

1. Requests for funding for the initial planning or formation phase and for the implementation phases shall, at a minimum, be in separate calendar years.
2. If a request is for funding of both the initial planning or formation phase and for the implementation phases in the same calendar year, then a statement shall be included in the capital project description that implementation phase funding shall be released only upon approval of the county board standing committee of jurisdiction or by ordinance adopted by the county board authorizing release of funding.

(Ord. No. 160-127, 4-9-96)

Secs. 4-218 - 4-219 Reserved.

**ARTICLE VII. INTERNAL AUDITS**

**Sec. 4-220 Auditor access to information and records.**

(a) All officers of the county, employees of the county, and parties contracting with the county shall provide access to and furnish the county auditors with requested information, records and reports regarding powers, duties, activities, organization property, financial transactions, methods of operation, or any and all other records, reports or information in their custody. In addition, they shall provide access for the auditors to inspect all property, equipment and facilities within their custody.

(b) Any information provided to the auditors which is deemed confidential by federal, state or local laws shall be held as confidential and not disclosed to the public.

(c) The auditors shall have access to reasonable staff time of agency officers and employees as may be required for the performance of their duties.

(Ord. No. 145-116, § 1, 10-16-90)

**Editor's note** - Ordinance No. 145-116, adopted Oct. 16, 1990, did not specifically amend this Code; hence, inclusion of §1 as §2-508 was at the discretion of the editor.