

Resolution No. 21-19

To Repeal and Recreate Article 3. 1. of the Polk County Board of Supervisors Rules of Order Ordinance - Concerning the Processing of Proposed Resolutions and Ordinances

To the Honorable Supervisors of the Polk County Board of Supervisors,

Ladies and Gentlemen:

WHEREAS, the Polk County Board of Supervisors Rules of Order Ordinance currently reads, in relevant part:

Article 3. Ordinances and Resolutions

1. The county board shall consider only resolutions and ordinances that meet all of the following:
 - a. A resolution or ordinance must be endorsed by either one or more sponsoring board members or the chairperson of the committee that recommends consideration by the full county board or by the county administrator pursuant to §59.18(5). All resolutions and ordinances shall be filed with the clerk and be referred to a committee for review and recommendation before being referred to the county board. If the county board receives a resolution or ordinance that has not been considered by a committee, such resolution or ordinance shall be referred to an appropriate committee for recommendation prior to final action by the county board, unless the county board moves, by two-thirds majority of the supervisors present, such resolution or ordinance to the floor for purposes of adoption.
 - b. Resolutions and ordinances must be approved as to form by corporation counsel. The form of the resolution or ordinance shall conform to Wisconsin Statute Section 59.02 and substantially comply with the form contained in Appendix A, attached to these rules. Consideration for approval will only be given to properly endorsed documents and no unlawful resolution or ordinance will be approved. The county administrator and corporation counsel shall review all resolutions and ordinances prior to introduction to the county board and shall initial each resolution or ordinance as recommended, not recommended or reviewed only.
 - c. Any resolution that proposes an appropriation or expenditure must be reviewed by the General Government Committee before the matter will be considered by the county board. The county administrator is directed to append a fiscal impact statement to any resolution or ordinance that requires funding that has not been authorized for appropriation or expenditure in the current year. The corporation counsel is directed to append a legal impact statement on any and all proposed resolutions or ordinances. Notwithstanding the omission of such recommendation or said impact statements, the county board may adopt any resolution or ordinance as it may determine in its discretion.

47
48 WHEREAS, there is a desire to provide plain language summaries of all resolutions and
49 ordinances and information and input from the county administrator to assist county board
50 supervisors in making policy decisions; and,
51

52 WHEREAS, the finance director and finance staff are in the best position to provide input into
53 the financial impact of ordinances and resolutions; and,
54

55 WHEREAS, there are times when it would be advisable to not provide information regarding the
56 legal impact of resolutions and ordinances, considering protected attorney-client privileged
57 information.

58 NOW, THEREFORE, the Polk County Board of Supervisors ordains that Article 3. 1. A, as
59 amended by Ordinance No. 83-18, is repealed and recreated to read, as follows:
60

61 **Article 3. Ordinances and Resolutions**
62

63 1. The county board shall consider only resolutions and ordinances that meet all of the
64 following:
65

66 a. A resolution or ordinance must be endorsed by either one or more sponsoring
67 board members or the chairperson of the committee that recommends
68 consideration by the full county board or by the county administrator pursuant to
69 §59.18(5). The sponsor of a resolution or ordinance shall provide an executive
70 summary of the resolution's or ordinance's intent. All resolutions and ordinances
71 shall be filed with the clerk and be referred to a committee for review and
72 recommendation before being referred to the county board. If the county board
73 receives a resolution or ordinance that has not been considered by a committee,
74 such resolution or ordinance shall be referred to an appropriate committee for
75 recommendation prior to final action by the county board, unless the county board
76 moves, by two-thirds majority of the supervisors present, such resolution or
77 ordinance to the floor for purposes of adoption.
78

79 b. Resolutions and ordinances must be approved as to form by corporation counsel.
80 The form of the resolution or ordinance shall conform to Wisconsin Statute
81 Section 59.02 and substantially comply with the form contained in Appendix A,
82 attached to these rules. Consideration for approval will only be given to properly
83 endorsed documents and no unlawful resolution or ordinance will be approved.
84 The county administrator and corporation counsel shall review all resolutions and
85 ordinances prior to introduction to the county board. The county administrator
86 will supply commentary regarding the resolution and the corporation counsel will
87 provide legal comment, if necessary. Any resolution or ordinance that has a fiscal
88 impact shall be reviewed by the finance director or his or her designee. The
89 finance director will provide information on the fiscal impact of the proposed
90 resolution or ordinance.
91

Offered this _____ day of _____, 2019.

BY:

Brad Olson, Supervisor, District #1

Doug Route, Supervisor, District #2

Dean Johansen

Dean Johansen, Chair,
Supervisor, District #3,

Chris Nelson, Supervisor, District #4

Tracy LaBlanc, Supervisor, District #5

Brian Masters, Supervisor, District #6

Michael Prichard, Supervisor, District #7

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

Jay Luke, 1st Vice Chair,
Supervisor, District #11

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

John Bonneprise, 2nd Vice Chair,
Supervisor, District #14

Joe DeMulling, Supervisor, District #15

Reviewed By County Administrator:

Nick Osborne

Nick Osborne

Fiscal Impact Note: The proposed amendment to the County Board Rules of Order presents no fiscal impact to county operations.

Reviewed and Approved as to Form and Execution:

Malia T. Malone

Malia T. Malone, Corporation Counsel

Passage of the proposed amendment alters the manner in which the county staff processes proposed resolutions and ordinances. The proposed amendment presents no legal impact to county operations.

Excerpt of Minutes

At its regular business meeting on the 16 day of April, 2019, the Polk County Board of Supervisors acted Resolution No. 21-19: To Repeal and Recreate Article 3. 1. of the Polk County Board of Supervisors Rules of Order Ordinance - Concerning the Processing of Proposed Resolutions and Ordinances, as follows:

- Enacted by majority voice vote
- Enacted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Defeated:
- Other: Enacted by Roll Call Vote - 14 for (1 absent)

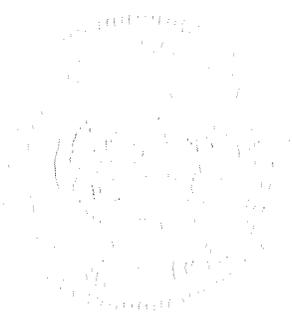
SIGNED BY: Dean Johansen ATTEST: Sharon Jorgenson
Dean Johansen, County Board Chairperson Sharon Jorgenson, County Clerk

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 21-19: To Repeal and Recreate Article 3.1. of the Polk County Board of Supervisors Rules of Order Ordinance – Concerning the Processing of Proposed Resolutions and Ordinances adopted by the Polk County Board of Supervisors at its regular business meeting held on April 16, 2019.



Sharon E. Jorgenson 4/16/19

Sharon E. Jorgenson, Polk County Clerk

Date