

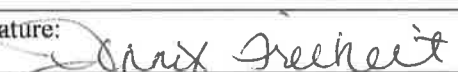
Kenosha



County

BOARD OF SUPERVISORS

RESOLUTION NO. _____

| | | | |
|--|------------------------------------|---|--------------------------------------|
| Subject: Resolution To Amend Resolution No. 92 Which Amended Resolution No. 150 Which Created The Kenosha County Health Department, The Kenosha County Board of Health And The Kenosha County Health Office Pursuant to Wis. Stat. 252 And Certain Agreements Between The City of Kenosha And The County of Kenosha. | | | |
| Original <input type="checkbox"/> | Corrected <input type="checkbox"/> | 2nd Correction <input type="checkbox"/> | Resubmitted <input type="checkbox"/> |
| Date Submitted: | August 18 , 2020 | Date Resubmitted: | January 5, 2021 |
| Submitted By Human Services Committee | | | |
| Fiscal Note Attached <input type="checkbox"/> | | Legal Note Attached <input type="checkbox"/> | |
| Prepared By: Jen Freiheit, Health Director | | Signature:  | |

WHEREAS, Kenosha County has provided public health services to the City and County of Kenosha by agreement of the two municipal corporations since 1992, the date of Resolution No. 150, and

WHEREAS, Kenosha County amended that original resolution in 2008 (Resolution No. 92) pursuant to Chapter 251 of the Wisconsin Statutes, enacted in 1993 and replacing Chapter 140.09 Wisconsin Statutes and

WHEREAS, The County Board of Health shall consist of not more than nine members, appointed by the County Executive, subject to confirmation by the County Board and

WHEREAS, By statute in Sec. 251.03(1) of the Wisconsin Statutes, at least three of these members shall be persons who are not elected officials or employees of the governing body that establishes the local health department and who have demonstrated interest or competence in the field of public health or community health and a good faith effort shall be made to appoint a registered nurse and a physician and

WHEREAS, The optimal makeup for the Kenosha County Board of Health would include two physicians practicing in the County, a registered nurse, a representative from the City of Kenosha, two persons with backgrounds and appropriate education credentials in fields representing the social determinants of health such as law enforcement, housing, transit and commerce, a County Board member, and members of good standing in their profession with backgrounds in science or public health including one local practicing dentist and

WHEREAS, Members of the local board of health shall reflect the diversity of the community and, as such, at least six members would optimally not be elected officials or employees of the governing body establishing the local health department and

WHEREAS By statute, the terms for the Board of Health members shall be for a period of five years with the membership in staggered terms and

WHEREAS The membership on the Board of Health is required by statute meet at least quarterly and assure that measures are taken to provide an environment in which individuals can be healthy but Kenosha County Board of Health intends to meet monthly, require knowledgeable membership through staff education, emphasize accountability and attendance, take care to avoid conflicts of interest, abide by the County Ethics Code and follow the Open Meetings Law,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the amendment of Resolution No. 92 in accordance with Chapter 251 as may be amended from time to time with the best practices as outlined in the attached bylaws are the rule of operation and


FURTHER That the County Executive submit to the County Board the names of those needed to fill Board of Health positions as vacancies occur or as appropriate to fulfill the requirements of this resolution

Approved by:

HUMAN SERVICES
COMMITTEE


Aye No Abstain Excused


Laura Belsky, Chair


Andy Berg, Vice Chair


Sandra Beth


Erin Decker


Jerry Gulley


David Celebre

Lon Wienke

Kenosha County
Administrative Proposal Form

*Defers
to
6/18/20*

1. Proposal Overview

Division: Health Department: Human Services

Proposal Summary (attach explanation and required documents):

This Resolution will update and allow flexibility for the Board of Health Bylaws. Specifically, it allows membership on the Board to be flexible as State Statute allows and will aid in keeping membership at capacity and diverse.

Dept./Division Head Signature: *John T. Jansen* Date: 6/12/2020

2. Corporation Counsel Review

Comments:

These Bylaws have been reviewed and modified with the help of the Board of Health, the Health Director and Corporation Counsel.

Recommendation: Approval Non-Approval

John Moyer Signature: *John F. Moyer* Date: 6/9/20

3. Health Department Review

Comments:

Recommendation: Approval Non-Approval

Health Dept.
Signature: *Grady Treichert* Date: 06/12/2020

4. County Executive Review

Comments:

Action: Approval Non-Approval

Executive Signature: *Tim Kleuser* Date: 6/18/20

Bylaws for Kenosha County Board of Health

Article 1: Name

1.1 The name of this board shall be the Kenosha County Board of Health, hereinafter referred to as the Board.

Article 2: Authority

2.1 The Board is established pursuant to Wis. Stat. §§ 251.04(1) and 251.01(2)(a) and Kenosha County 1992 Resolution No. 150, later amended by 2008 Resolution 92. Under state law, the Board is the advisory and policy-making body for the Kenosha County Division of Health and shall advise the Kenosha County Division of Health.

2.2 The Board adopts these Bylaws pursuant to its authority under Wis. Stat. § 251.04(3) to adopt regulations for its own guidance and for the local health department. The Board's Bylaws may be no less stringent than, and may not conflict with, state statutes and rules of the Wisconsin Department of Health Services ("DHS").

Article 3: Powers and Duties

3.1 The Board's powers and duties are established by state law and set forth in Wis. Stat. § 251.04 as may be amended from time to time.

Article 4: Composition

4.1 The composition of the Board members is prescribed in part by Wis. Stat. § 251.03. A local board of health shall consist of not more than 9 members, at least 3 shall not be elected officials or employees of the governing body. A good faith effort shall be made to appoint a registered nurse and a physician. Members of the local board of health shall reflect the diversity of the community.

4.2 For Kenosha County, in addition to the above, member make up will consist of: one City of Kenosha appointed representative, one Kenosha County Board member, and the balance with efforts to recruit persons with backgrounds and appropriate education credentials in fields representing the social determinants of health, including, but not limited to law enforcement, mental health, housing, transit, and commerce, and persons with backgrounds in science or public health. Board members shall be current members in good standing of the professional associations representing their respective professions.

4.3 The Kenosha County Executive shall appoint members to the Board of Health, subject to confirmation by the county board of supervisors. Upon any vacancy, names can be submitted to the County Executive who will make the final determination. The term of service on the Board of Health shall be for five years and the appointment to the Board shall provide for staggered terms as may be amended from time to time by State Statute.

4.4 Board officers shall be elected by the Board at the Board's Annual Meeting in January of each year, or upon vacancy, and shall include a President and Vice-President. No one Board member can serve in the same officer role for more than three consecutive one-year terms.

4.5 The President shall:

- a. Preside at all meetings of the full Board and enforce the parliamentary rules.
- b. Have the authority to vote on all matters, except as otherwise prohibited by law.

- c. Call special meetings of the Board whenever there is enough business to come before the Board, upon written request of at least three (3) members of the Board, or upon written request of the Health Officer/Director.
- d. Advise the Health Officer/Director, or their designee, on agenda preparation for the meetings.
- e. Sign all papers and documents as required by law or as authorized by action of the Board.
- f. Exercise such other powers as may be delegated by the Board.
- g. The President, in consultation with the Vice-President, will designate a Board member to preside over meetings of the full Board, and enforce the parliamentary rules in the absence of the President and Vice-President.

4.6 The Vice-President shall, in the absence of the President, serve in the capacity and assume the duties of the President, taking actions appropriate to fulfill said responsibilities.

4.7 Committees which include non-Board members may be created by Board action with a simple majority vote. The size, membership, and responsibilities of these committees are determined by the Board. These committees may also be subject to the Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

4.8 No member of the Board can bind the Board by word or action unless the Board has, in its capacity as advising body, designated such member as its agent for some specific purpose and for that purpose only.

4.9 Each Board member shall participate in orientation upon appointment.

- a. Board of Health members are expected to become knowledgeable about the duties, operations, and functions of the Division of Health/Health Department through reading of materials, consultation with the Health Officer/Director, Health Department staff presentations, membership in the Wisconsin Association of Local Health Departments and Boards (WALHDAB), and, when available, participation in State of Wisconsin Department of Health Services training and/or conferences.

Article 5: Meetings

5.1 The Board shall hold its regular meetings as frequently as determined by the Board, but minimally quarterly. All meetings of the Board must abide by Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

5.2 The Health Officer/Director, or their designee, shall prepare the agenda for the Board in consultation with, and at the direction of, the President. The order of business as specified on the Agenda for Board meetings may be changed at the discretion of the President.

5.3 Meetings will follow parliamentary procedure as contained in Robert's Rules of Order.

5.4 Special meetings may be called either by the President, or, in the case of their absence, the Vice-President, by written request of at least three (3) members of the Board of Health or the Health Officer/Director. Special meetings must adhere to Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

5.5 In all cases, public notice of meetings shall be provided at a time and in a manner consistent with the requirements of Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, *et. seq.*

5.6 All questions before the Board shall be decided by a majority vote of all members present; however, no meeting shall be counted as official unless a quorum of the members is present. A quorum shall be a majority of the members, or such a number as defined by the Board.

Article 6: Attendance

6.1 Board members are expected to provide notice to the Board, through the Health Officer/Director or their designee, if they are unable to attend Board meetings in writing at least 24 hours in advance of the meeting. Reasonable efforts will be made to schedule meetings during times that work for all Board members.

6.2 Members of the Board may participate in a meeting by means of conference telephone/videoconference or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this method shall constitute presence in person at such meeting.

6.3 A Board member can send a designee to meetings in the member's place, if designated in writing at least 48 hours before the meeting. The designee is not able to vote on behalf of the Board member.

6.4 Board members who miss four (4) meetings in a row or miss at least half of the meetings in a year may be referred to the County Board with a recommendation that the board member be removed from office under Wis. Stat. § 17.12.

Article 7: Conflicts of Interest

7.1 Board members shall avoid all conflicts of interest or the appearance of such conflicts. Most Board members have outside business and professional interests. Board members may not use their position on the Board to further their outside business or employment. Board members shall not accept any gifts, gratuities, trips, personal property, or other items of value from an outside person or organization as an inducement to do business or provide services. Board members shall not abuse their positions by using any services, staff, equipment or property for their personal or family use, or for the use of any organization they are affiliated with.

a. All Board members must complete the Kenosha County Ethics Code for Officials and Employees (Chapter 20) Statement of Economic Interest and Financial Disclosure annually.

b. A member who knowingly has a conflict of interest or believes they have a potential conflict of interest on any matter before the Board shall declare such conflict of interest prior to any discussion of the matter and shall refrain from any participation in discussion, debate, or voting on such matter.

c. The Board shall make a request for a confidential advisory opinion from the Kenosha County Corporation Counsel regarding whether an actual conflict of interest exists under the Kenosha County Ethics Code.

d. Any member who has reason to believe that another member has a potential conflict of interest shall state the potential conflict of interest to the Board, at which point the Board shall make a request for a confidential advisory opinion from the Kenosha County Corporation Counsel regarding whether an actual conflict of interest exists under the Kenosha County Ethics Code. If the Corporation Counsel determines that an actual conflict of interest exists, the member with the conflict shall refrain from any participation in discussion, debate or voting on the matter at issue.

Article 8: Reimbursement for Expenses of Members of Board of Health

8.1 Board members shall serve without compensation. Board members *may* be reimbursed for actual, necessary expense incurred in the performance of their duties, such as attendance at conferences or other meetings deemed necessary.

Article 9: Review and Amendments

9.1 The Board shall review these Bylaws every two years.

9.2 These Board Bylaws may be amended, when determined by the Board, by affirmative vote of a majority of all members of the Board, provided that a notice of the proposed changes be sent to each member at least two weeks before the meeting at which the bylaws are to be amended.

Article 9: Effective Date

9.1 These Board Bylaws shall become effective and binding upon the Board of Health immediately upon their adoption.