



KENOSHA COUNTY BOARD OF SUPERVISORS

Resolution No. _____

Subject:

A Resolution Approving the Bylaws of the Racial and Ethnic Equity Commission of Kenosha County

Original]

Corrected]

2nd Correction]

Resubmitted]

Date Submitted: 11/16/2021

Date Resubmitted:

Submitted by: The Executive Committee

Fiscal Note Attached]

Legal Note Attached] Agreement

Prepared by: Corporation Counsel Joseph M. Cardamone III

Signature: 

WHEREAS, On May 18, 2021 the Kenosha County Board of Supervisors approved the creation of the Racial and Ethnic Equity Commission of Kenosha County (“the Commission”); and


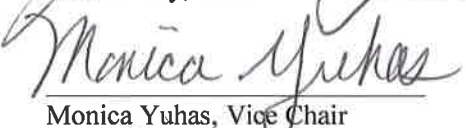
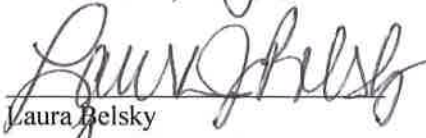
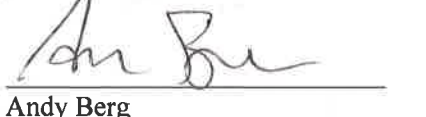
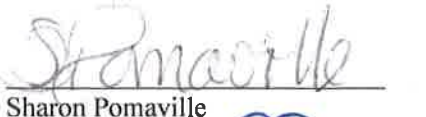

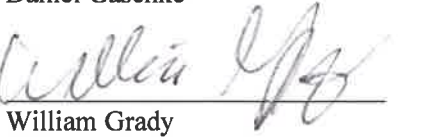

WHEREAS, 2021 Resolution No. 1, which created the Commission, further tasked the Commission with adopting a set of bylaws for itself which were then to be presented to the Kenosha County Board for approval; and

WHEREAS, the Commission has adopted the bylaws which are attached to this resolution.

NOW, THEREFORE BE IT RESOLVED, the Kenosha County Board of Supervisors hereby approves the bylaws of the Commission as adopted by the Commission and as attached.

EXECUTIVE COMMITTEE:

Aye Nay Abstain Excused

 John O'Day, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Monica Yuhas, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Laura Belsky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Andy Berg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sharon Pomaville	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Daniel Gaschke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 William Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeff Gentz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

KENOSHA COUNTY RACIAL AND ETHNIC EQUITY COMMISSION BY LAWS

Article 1. Name

1.1 The name of this commission shall be the Kenosha County Racial and Ethnic Equity Commission, hereinafter referred in these bylaws as the Commission.

Article 2. Authority

2.1 This Commission is established pursuant to Kenosha County 2021 Resolution No.1. The Commission reports to the Kenosha County Board Executive Committee.

2.2 The Commission adopts these bylaws as instructed by the Kenosha County Board in Resolution No. 1.

2.3 This Commission shall be subject to the Wisconsin Public Records Law and the Wisconsin Open Meetings Laws.

Article 3. Mission and Functions

3.1 Mission. The Commission's mission is to realize greater racial and ethnic equity and dismantle racism in Kenosha County through research, education and on-going review of current policies and procedures to implement transformative ideas born of research, collaboration, and community engagement.

3.2 Functions

The goals of the Commission shall be to:

a. Study issues of racial equity in Kenosha County, focusing on ordinances, policies and procedures that perpetuate systemic racism, result in disparate impact on underrepresented populations and contribute to racial inequity in Kenosha County, first focusing on policing and law enforcement then expanding the work to other systemic problems determined by members of the Commission;

b. Perform outreach and hold at minimum, one annual listening session with Kenosha County residents, including community members, local elected officials, law enforcement, state legislators, educators, mental health professionals, social workers, people impacted by systemic racism, and other Kenosha County residents with experience and expertise in various aspects of racial equity;

c. Research and analyze County ordinances, policies and procedures as they relate to racial equity, including the availability of adequate data on the topic;

d. Review research on actions that have been proven effective in increasing racial equity in similar counties;

e. Analyze racial equity in the context of various systems in Kenosha County, including law enforcement, justice, physical and mental health, education, housing and economic opportunity;

f. Make recommendations to the County Board on concrete and immediate steps that can be taken to increase racial equity and alleviate the public health crisis caused by racism in Kenosha County.

g. On or before September 29, 2022, submit to the Kenosha County Board an initial report detailing findings, assessments, recommendations, and any proposals for the Commission's further work; and present this report and any subsequent report on a page dedicated to racial equity on the County website. A presentation of this report shall be given to the public in an open forum that would allow for discussion and questions.

h. On or before six months from the date of the presentation of the initial report, submit to the County Board a second report detailing findings, assessments, recommendations, and any proposals for the Commission's further work. A presentation of this report shall be given to the public in an open forum that would allow for discussion and questions.

i. Before one year from the date of the presentation of the second report, submit a final comprehensive report to the County Board detailing findings assessments, recommendations and relevant findings of the Racial Equity Commission. A presentation of this report shall be given to the public in an open forum that would allow for discussion and questions.

Article 4. Membership and Compensation

The Commission's composition and membership shall be determined initially and from time to time in accordance with Kenosha County Board Resolution No. 1 which is hereby incorporated by reference. Members shall receive no compensation and shall serve voluntarily. No member of the Commission can bind the Kenosha County Board by word or action unless the Kenosha County Board of Supervisors, as approved such word or action by official vote.

Article 5. Meetings and Attendance

5.1 Chapter 2 of the Municipal Code of Kenosha County, Robert's Rules of Order and Wisconsin's Open Meetings Laws shall apply to all meetings of the Commission and its subcommittees expected as hereinafter set forth and otherwise provided by state statutes.

5.2 The Commission shall select, on a yearly basis, a Chair and Vice-Chair from the Commission's Membership to serve a one-year term.

5.3 The Commission shall hold its regular meetings as frequently determined by Commission, but at a minimum once per month. All meetings must abide by Wisconsin's Open Meetings Law, Wis. Stat. § 19.81, et. seq. The locations, dates and times of the meetings shall be determined by the Commission, in conjunction with Kenosha County Staff.

5.4 The Chair of the Commission shall preside at all meetings of the Commission and shall prepare an agenda for each meeting. The Chair shall ensure the Commission conducts its activities within the stated mission and bylaws. The Chair shall also represent the Commission before other advisory committees and Boards and shall perform such other duties and acts that

customary pertain to that office. If the Chair is unable or unavailable to act, these duties shall be performed by the Vice-Chair.

5.5 All Commission members and others attending meetings may participate in any discussion, but only Commission Members may vote.

5.6 All questions before the Commission 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 on the Commission.

5.7 All records of the Commission members shall be retained by Kenosha County in accordance with Chapter 2 of the Municipal Code of Kenosha County and Wisconsin Law.

5.8 Commission members are expected to attend all meetings of the Commission unless they provide notice to the Chair that they are unable to attend at least twenty-four (24) hours in advance and are excused by the Chair. Any Commission member that misses four (4) meetings in a row without a prior excuse may be referred to the Executive Committee for discussion and possible removal.

5.9 Members of the Commission may participate in any meeting of the Commission or subcommittee 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 and the person appearing through these means shall be entitled to vote and take all actions allowed by the Commission.

Article 6. Subcommittees

6.1 The Commission is authorized to establish such subcommittees as it may deem necessary and desirable to promote effectively the activities of the Commission. In establishing any subcommittees, the Commission shall state the focus of its proposed activities.

6.2 The Chair of the Commission shall determine the membership and chair of each subcommittee.

6.3 Any subcommittee formed shall be directly responsible and report to the Commission about its activities as an agenda item at regular Commission meetings.

6.4. Any subcommittee formed shall follow these bylaws including the election of a Chair and Vice Chair. A subcommittee chair may appoint other representatives from the broader community to the subcommittee, provided that the subcommittee at no time consists of a majority or more of currently appointed Commission members.

6.5 Subcommittee meetings shall be held at a date and time that does not conflict with the Commission's regular and special meetings. Kenosha County staff shall be notified of the date,

time, location and topic of all Subcommittee meetings to ensure compliance with Wisconsin's Open Meetings Laws.

6.6 The Commission may dissolve any subcommittee at such time that the committee has fulfilled its proposed activities.

Article 7. Amendments and Restrictions

7.1 These bylaws and any amendments shall become effective upon approval by the Kenosha County Board.

7.2. Any member of the Commission shall recuse themselves from Commission deliberations in situations where a conflict of interest, a potential conflict of interest or the appearance of impropriety may exist.

DRAFT



KENOSHA COUNTY BOARD OF SUPERVISORS

Resolution No. _____

Subject: A Resolution Creating the Racial Equity Commission of Kenosha County		
Original [<input checked="" type="checkbox"/>] Resubmitted [<input type="checkbox"/>]	Corrected [<input type="checkbox"/>]	2nd Correction [<input type="checkbox"/>]
Date Submitted: 4/27/2021	Date Resubmitted:	
Submitted by: Supervisor Gulley and the Executive Committee		
Fiscal Note Attached [<input type="checkbox"/>]	Legal Note Attached [<input type="checkbox"/>] Agreement	
Prepared by: Supervisor Gulley and the Racial Equity Commission Working Group	Signature:	

WHEREAS, Kenosha County is committed to a shared vision of increased prosperity and improved wellbeing for all Kenosha County Residents; and

WHEREAS, racial inequity and injustice that impacts any resident of Kenosha County is a threat to the well-being of all Kenosha County residents; and

WHEREAS, trust between the residents of Kenosha County and all those elected, appointed and hired to serve in Kenosha County government is essential to our society; and

WHEREAS, citizens expect law enforcement officers to serve the public and conduct themselves with the highest standards of civility, fairness, and honor toward citizens, while maintaining respect for the rule of law; and

WHEREAS, citizens deserve equitable access to county services; and

NOW, THEREFORE BE IT RESOLVED, the Kenosha County Board of Supervisors hereby establishes the Racial Equity Commission of Kenosha County ("Racial Equity Commission"):

The Racial Equity Commission's mission is to realize greater racial equity and dismantle racism in Kenosha County through research, education, and on-going review of current policies and procedures so as to implement transformative ideas born of research, collaboration, and community engagement.

The Racial Equity Commission will be comprised of nine (9) commissioners.

Two (2) must be members of the County Board of Supervisors (County Board). These will be appointed by the County Board Chair with the approval of the County Board.

The other seven (7) will be appointed by the County Executive, with the approval of the County Board. These appointments **must** be made from a pool of applicants/nominees.

Seventy-five (75) days before the end of a commissioner's term, the County shall publicize a notice of the upcoming appointment. This notice shall, at a minimum, be provided to those local media outlets routinely receiving communications from the County and shall be posted on the County's web site, with a link to the notice being placed on the homepage. A legal notice to the paper of record is neither required nor prohibited.

Individuals may apply themselves or may be nominated by individuals or organizations. As part of any application/nomination a statement indicating why the individual would be a valuable addition to the commission must be submitted. This statement should include a description of the individual's attributes as well as identifying what perspective their inclusion would bring to the commission as well as their commitment to solving issues of inequity. This may include, without limitation, history, experience, community participation and/or other aspects that would provide a different/unique/underrepresented perspective. In the event that a person is nominated rather than applying, a statement from the individual expressing willingness to serve must be included with the nomination.

The makeup of the commission should, at a minimum, reflect the diverse racial and ethnic makeup of Kenosha County as determined by the most recent census information with at all times, five (5) of the seven (7) non-County Board commissioners representing racial and ethnic minorities in Kenosha County. This should not be construed to in any way limit the ability of the County Executive and County Board Chair in appointing, nor the County Board in approving appointments, but to encourage new ways to increase and maximize the participation of voices which have been traditionally and historically un- or under-represented. In making and approving appointments the goal of providing opportunities to such voices should be a prioritized consideration.

In the event that there are fewer applications/nominations than open positions, the County Executive and County Board Chair shall jointly find an individual willing to serve and nominate that person. Any such appointment should be guided by the same principles included as part of the nomination process.

The Commission shall report to, and be overseen by, the Kenosha County Board Executive Committee.

The Commissioners shall select, on a yearly basis, a chair and vice-chair, or co-chairs, from the Commission's Membership to serve a one-year term. The Commission may establish rules for the Commission's meetings and conduct of business. In the absence of rules to the contrary, the meetings of the Commission shall be governed by Chapter 2 of the Municipal Code of Kenosha County and by Robert's Rules of Order.

Members shall receive no compensation and shall serve voluntarily for a term of three (3) years. There will be no limit to the number of terms a member may serve. No more than two (2) terms may be served consecutively.

The County Executive and Board of Supervisors shall make reasonable efforts to seat the Racial Equity Commission in full within 90 days of the passage of this resolution.

Of the persons initially appointed, three shall hold office for one (1) year (including one County Supervisor), three for two (2) years, three for three (3) years (including one County Supervisor), from January 1 next following such appointment, and until their successor is appointed and qualifies. By December immediately preceding the expiration of the term of office of any such Commissioner, the County Executive shall appoint, subject to confirmation by the County Board, one (1) member of such Commission to hold office for three (3) years from January 1 next succeeding the appointment and until a successor is appointed and qualifies. The exception to this paragraph involves the two (2) County Board Supervisors whose terms shall be from June 1. The Office of the Commissioner shall become vacant upon the happening of any of the following:

1. The death of the incumbent.
2. The person's resignation, whether oral or written.
3. The person's removal by the County Board.
4. The person's ceasing to be a resident of Kenosha County.
5. In the case of the two (2) Commissioners who are members of the County Board, upon their ceasing to be members of that body.

The County Executive will make every effort to provide an appointment to such vacancy to the County Board at its first meeting thirty (30) days after the vacancy occurs, subject to subsequent committee review and confirmation by a majority of the County Board. Any such appointment shall be for the unfinished portion of the term being filled.

The Racial Equity Commission shall be tasked with adopting a set of bylaws for itself which shall reflect the provisions contained within this resolution. After such adoption, the bylaws will be presented to the County Board for its approval.

The Racial Equity Commission shall be staffed by Kenosha County staff with assistance from other experts or organizations as appropriate.

The Racial Equity Commission shall be subject to the Wisconsin Public Records Law and the Wisconsin Open Meetings Law.

Plans, reports, or recommendations of any nature adopted by the Racial Equity Commission shall be considered advice to the Kenosha County Board of Supervisors, and shall not be construed as official policies, positions, or interpretations of laws, rules, or regulations by any department or agency of County government, nor shall any such department or agency be bound in any manner to consider such advice when conducting their advisory and regulatory affairs.

The Racial Equity Commission may also, at any time, choose to submit a recommendation to the County Board or the County Executive with any information or recommendation that the commission believes requires immediate action or attention.

The goals of the Racial Equity Commission shall be to:

- a. Study issues of racial equity in Kenosha County, focusing on ordinances, policies and procedures that perpetuate systemic racism, result in disparate impact on underrepresented populations and contribute to racial inequity in Kenosha County, first focusing on policing and law enforcement then expanding the work to other systemic problems determined by members of the Racial Equity Commission;
 - b. Perform outreach and hold at minimum, one annual listening session with Kenosha County residents, including community members, local elected officials, law enforcement, state legislators, educators, mental health professionals, social workers, people impacted by systemic racism, and other Kenosha County residents with experience and expertise in various aspects of racial equity;
 - c. Research and analyze County ordinances, policies and procedures as they relate to racial equity, including the availability of adequate data on the topic;
 - d. Review research on actions that have been proven effective in increasing racial equity in similar counties;
 - e. Analyze racial equity in the context of various systems in Kenosha County, including law enforcement, justice, physical and mental health, education, housing and economic opportunity;
 - f. Make recommendations to the County Board on concrete and immediate steps that can be taken to increase racial equity and alleviate the public health crisis caused by racism in Kenosha County.
-
- g. Before one year from the date the Racial Equity Commission holds its first meeting, the Racial Equity Commission shall submit to the Kenosha County Board an initial report detailing assessments, recommendations, and any proposals for the Racial Equity Commission's further work; and present this report and any subsequent report on a page dedicated to racial equity on the County website. A presentation of this report shall be given to the public in an open forum that would allow for discussion and questions.
 - h. Before six months from the date of the presentation of the initial report, the Racial Equity Commission shall submit to the County Board a second report detailing assessments, recommendations, and any proposals for the Racial Equity Commission's further work. A presentation of this report shall be given to the public in an open forum that would allow for discussion and questions.
 - i. Before one year from the date of the presentation of the second report, the Racial Equity Commission shall submit a final comprehensive report to the County Board detailing assessments, recommendations and relevant findings of the Racial Equity Commission. A presentation of this report shall be given to the public in an open forum that would allow for discussion and questions.

EXECUTIVE COMMITTEE:

Aye Nay Abstain Excused

John O'Day, Chair

Monica Yuhas, Vice Chair

Laura Belsky

Andy Berg

Boyd Frederick

Daniel Gaschke

William Grady

Terry Rose