



SECTION: LEG
TOPIC: RESOL 01
OVERVIEW
OCTOBER, 2002

ADMINISTRATIVE PRACTICES MANUAL

SUBJECT: RESOLUTIONS AND ORDINANCE AMENDMENTS - OVERVIEW

1. The purpose of this chapter is to:
 - A. Provide standards for the development of Resolutions and Ordinance Amendments.
 - B. Familiarize the drafter of the Resolution or Ordinance Amendment with the procedure followed for Resolutions and Ordinance Amendments.
2. For further information on Resolutions and Ordinance Amendments, see the current County Code of Ordinances, Chapter 7.
3. Questions concerning the development and/or procedure for drafting Resolutions should be directed to the County Clerk or County Board Office. Questions concerning the development and/or procedure of Ordinance Amendments should be directed to the Corporation Counsel.

DEFINITIONS

Resolution: A document that establishes or amends Dane County policies, procedures, expenditures or revenues.

Ordinance Amendment: A document that adds to, deletes, or otherwise changes the existing Dane County Ordinance.

END OF NARRATIVE



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It shall be the policy of Dane County to require that a Resolution or Ordinance Amendment be drafted and submitted in the proper format to the County Clerk for introduction to the County Board and that any required attachments (e.g., policy and fiscal notes, contracts) accompany the resolution with necessary staff approvals and signatures. Resolutions and ordinance amendments proposed by department heads appointed by the County Executive must be submitted to the County Executive for approval at least five days prior to introduction to the County Board or any Committee, Board or Commission.

The County Board Chair shall refer the Resolution or Ordinance Amendment to the proper standing committee, board or commission for study and consideration. After meeting to address the issues of said Resolution or Ordinance Amendment and producing any necessary substitutes or amendments, the committees may make recommendations to the County Board. The County Board shall consider the recommendations of the committees. After action by the County Board, the County Executive approves or vetoes the Resolution or Ordinance Amendment and an approved Ordinance Amendment shall be published within ten days after said approval. In the event of a veto by the County Executive, the County Board may consider the veto of the Resolution or Ordinance Amendment and may override the veto by a 2/3 vote.

To accept a donation of a non-cash item, a letter to the Personnel & Finance Committee stating the item, fair market value of item and donor's name is required. A resolution is not necessary.

END OF POLICY



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Forms Needed:

Policy & Fiscal Note 014-34

RESPONSIBILITY

ACTION

Drafter

1. Prepares the Ordinance Amendment, with participation of the Corporation Counsel's Office (See "Ordinance Amendments – Format of") or Resolution ("See Resolutions-Format of") for introduction to the County Board. **THE DRAFTER OF THE RESOLUTION IS RESPONSIBLE FOR SUBMITTING THE RESOLUTION TO THE COUNTY CLERK'S OFFICE.**

2. Department Heads appointed by the County Executive must submit proposed Resolution or Ordinance Amendment to the County Executive for approval at least five (5) days prior to introduction to the County Board or any Committee, Board or Commission.

3. Prepares a Policy & Fiscal Note Form for all Resolutions or Ordinance Amendments involving the expenditure or receipt of funds. (See "Policy and Fiscal Note" section of the Administrative Practices Manual for information on how to develop a fiscal note.) The drafter may obtain assistance from the County Controller.

4. For all resolutions dealing with a contract, forwards the following to Purchasing: contract coversheet, memo to County Executive, copy of resolution and signed contract (original with an additional 3 copies.)

Purchasing

5. Assigns a number to the contract. Enters in electronic log book. One copy of submitted contract is filed.

6. Forwards the contract to Corporation Counsel, Risk Management, Controller, ADA Coordinator and Purchasing Coordinator for review.



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RESPONSIBILITY

ACTION

Corporation Counsel

7. Reviews the contract.
8. Enters in a notebook the number of the contract and the date the action is completed.
9. Reviews all Ordinance Amendments.

Risk Management

10. Reviews the contract.
11. Enters in a notebook the number of the contract and the date the action is completed.

Purchasing

12. Forwards the contract to Purchasing.
13. Matches contract to Personnel & Finance Committee agenda.
14. Forwards contract(s) to Controller.

Controller

15. Forwards contract to Personnel & Finance Committee for action.
16. Returns contract to Purchasing to await County Board action.

Drafter

17. Forwards the Resolution or Ordinance Amendment and all attachments to the sponsoring County Board Supervisor.

County Board Supervisor

18. Signs the Resolution or Ordinance Amendment. (The first Supervisor to sign the Resolution or Ordinance Amendment is considered the sponsor.)
19. Forwards the Resolution or Ordinance Amendment to the County Clerk for introduction to the County Board either before or during the County Board meeting.

County Clerk

20. Forwards the Resolution or Ordinance Amendment to the County Board Chairperson for referral.



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County Board Chairperson

21. Refers the Resolution or Ordinance Amendment to the proper standing committee(s), other relevant boards and commissions for study and recommendation back to the County Board. All Ordinance Amendments will be referred to the Public Protection & Judiciary (PPJ) Committee to review and make recommendations.

If the Resolution is referred to the Personnel & Finance Committee, they usually act last after all other committees have made their recommendation.

If a Resolution has been approved by any committee, board, or commission prior to its introduction to the County Board, and such approval is recorded in the minutes of the committee, commission or board and is noted on the face of the resolution itself along with the dates, the Chairperson need not refer such a resolution to the committee, commission or board which has already approved it. Directs completion of Policy & Fiscal Note Form, when missing.

County Clerk

22. Sends a referral letter with a copy of the resolution and a report on pending items to the committee(s) signified by the County Board Chairperson by the Monday following the Board meeting.
23. Sends a referral packet of all resolutions introduced, to various County individuals (department heads and staff managers) and puts one into each County Board Supervisor's mailbox (Room 118) by the Wednesday following their introduction.



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ACTION

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| Drafter | 24. When time is limited, contacts each committee staff person that the Resolution or Ordinance Amendment has been referred to, in order to get that Resolution or Ordinance Amendment on that committee's agenda. |
| Committee Staff Person | 25. Creates the draft agenda for the next committee meeting. (See instructions regarding "Format of Committee Agenda.") |
| Committee Chairperson | 26. Approves agenda for posting.

27. Either personally, or through staff, invites the sponsor and/or developer of any Resolution or Ordinance Amendment to discuss the Resolution or Ordinance Amendment when the sponsor's Resolution or Ordinance Amendment is to be considered. |
| Committee Staff Person | 28. Forwards approved agenda to County Clerk's Office to be posted. Posting must meet the Open Meeting Laws (Sec. 19.84, Stats., re: Open Meeting Law). All meetings of committees shall be conducted in strict accord with the Open Meeting Laws of the State of Wisconsin.

All agendas received in the County Clerk's office by 10:00 a.m. Friday will be published in the newspaper's governmental meeting listing. |
| Committee | 29. Addresses or produces any number of substitutes (changes are extensive and/or throughout) and/or amendments (one or two sentences or less are changed) to accomplish their objective.

30. Makes a recommendation to the County Board. |



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Committee Staff Person

ACTION

31. Drafts any substitutes directed by committee, identifying them by assigning them a number but retaining their original resolution number and title. Add a paragraph at the bottom entitled, "Explanation of Substitute."
32. If substitute is reported out and has a policy or fiscal impact different from the original, prepares an updated policy & fiscal note, reviewing same with Department of Administration and/or Board Office as necessary.
33. Forwards substitutes that are reported out, together with updated policy & fiscal note, complying with time requirements outlined in the County Board Rules to the Board Office.
34. Records the recommendation of the committee in the minutes of the committee meeting, referring to the Resolution or Ordinance Amendment by exact number and title.
35. Records the vote of the committee in the minutes of the committee meeting, acknowledging any "no" votes that ask to be recorded.
36. Forwards the original of the minutes of the meeting to the County Clerk. In order to ensure placement on the County Board calendar, the committee minutes need to be filed with the County Clerk within five (5) days after the meeting. Exception is that minutes from meetings held on Mondays, Tuesdays or Wednesdays of a week in which the County Board calendar is prepared shall be given to the Clerk by 9:00 a.m. on the day which is seven (7) days before the next Board meeting.



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RESPONSIBILITY

ACTION

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| County Board Staff | 37. Prepares the County Board calendar according to procedural Rules of the County Board. |
| Purchasing | 38. Forwards all copies of contracts that are to be awarded to the County Clerk Office.
39. Copies of all contracts to be awarded must be in the County Board chambers and in the possession of the County Clerk by the time they are considered. |
| County Board | 40. Approves or disapproves the Resolution or Ordinance Amendment. (See the procedural rules of the County Board as to the different actions available to the County Board and for information on the life of Resolutions and Ordinance Amendments). |
| County Executive | 41. Approves or vetoes the Resolution or Ordinance Amendment. The County Executive has until the next regularly scheduled County Board meeting to take action (not less than six days excepting Sundays) after it has been presented to the County Executive. |
| County Clerk | 42. Publishes all approved Ordinance Amendments within ten days after approval by the County Executive. (Contact the County Clerk's office for a specific date.) The Ordinance Amendment becomes effective the day after publication.
43. Distributes all approved contracts to the developers of the resolutions or parties of the contracts.
44. Arranges for vetoed Resolutions and Ordinance Amendments to be placed on the Board calendar for consideration by the County Board. |



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RESPONSIBILITY

ACTION

Appropriate Department/Staff

45. Implements all approved resolutions/
contracts.

County Board

46. Considers vetoed Resolutions or Ordinance
Amendments (veto override requires a 2/3
vote.)

County Clerk

47. Publishes all overridden vetoed Ordinance
Amendments.

48. Distributes all contracts approved after
reconsideration by the County Board.

Appropriate Department/Staff

49. Implements all overridden vetoed Resolutions
and contracts approved by the County Board
after reconsideration.

END OF PROCEDURE