

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

OCTOBER 2, 2007

The **Regular Meeting** was called to order by Chairman Rose at 7:30 p.m., in the County Board Room located in the Administration Building. Roll call was taken.

Present: Supervisors Grady, Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Wisnefski, Jackson, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Clark, Molinaro.

Presentation of the 2008 Budget by County Executive Allan Kehl.

Douglas Baker, Director of Long Range Library Strategic Planning Committee, presented to the County Board a plan that will foster future orderly and coordinated planning by Kenosha County library agencies. The Plan addresses the major issues and concerns that will confront public library service development over the next ten years in Kenosha County.

SUPERVISOR REPORTS

Supervisor Rossow stated that Wednesday and Thursday nights there will be meetings at the Kenosha Achievement Center starting at 7:00 P.M. regarding the Shalom Center.

Supervisor Carbone stated that the budget is now in the hands of the committees. Any questions please fill out the proper form and get it to the Finance Department. The budget hearings will start on Tuesday, October 23rd.

Supervisor Marrelli stated that a report from Tedi Winnett regarding the Farmers Chef Connection was placed on everyone's desk. There are six restaurants in Kenosha that are buying directly from local farmers.

OLD BUSINESS

Ordinance - second reading, two required.

ORDINANCE 22

22. From Highway and Parks Committee to repeal and recreate Ordinance on speed limits on County Trunk Highway "B" from 0.5 miles north of State Trunk Highway 50 southerly to County Trunk Highway "AH" in the Town of Salem and Village of Silver Lake.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby repealed:

Section 7.02 Speed Limits

- (4.1) County Trunk Highway "B", Silver Lake in Salem.
- (a) 35 m.p.h. from a point 0.71 miles south of its intersection with State Trunk Highway "50", southerly 0.3 miles to a point 1.01 miles south of said intersection. (9/15/81)
 - (b) 25 m.p.h. from a point 1.01 miles south of its intersection with State Trunk Highway "50", southerly to its west intersection with County Trunk Highway "F". (9/15/81)
 - (c) 45 m.p.h. from its intersection with County Trunk Highway "AH", northerly to its east intersection with County trunk Highway "F".
 - (d) 25 m.p.h. from its east intersection with County Trunk Highway "F", northerly to its intersection with Larch Street in the Village of Silver Lake.

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

- (4.1) County Trunk Highway "B", Town of Salem and Village of Silver Lake

- (a) 45 m.p.h. from a point 0.5 miles north of its intersection with State Trunk Highway 50 to a point 0.6 miles southerly from its intersection with State Trunk Highway 50.
- (b) 35 m.p.h. from a point 0.6 miles southerly from its intersection with State Trunk Highway 50 to a point 0.9 miles southerly from its intersection with State Trunk Highway 50.
- (c) 25 m.p.h. from a point 0.9 miles southerly from its intersection with State Trunk Highway 50, southerly to its west intersection with County Trunk Highway "F".
- (d) 25 m.p.h. from its east intersection with County Trunk Highway "F", northerly to its intersection with Larch Street.
- (e) 45 m.p.h. from its intersection with County Trunk Highway "AH", northerly to its east intersection with County Trunk Highway "F".

Submitted by:
HIGHWAY & PARKS
Douglas Noble
William Grady
Bob Haas
Richard Kessler
Gordon West

It was moved by Supervisor Noble to adopt Ordinance 22. Seconded by Supervisor Grady.

It was moved by Supervisor Wisnefski to refer Ordinance 22 back to committee. Motion died due to lack of a second.

Motion to adopt carried.

NEW BUSINESS

Ordinance - first reading, two required.

ORDINANCE 34

34. From Supervisor O'Day regarding Creating Section 3.02 of the Municipal Code of Kenosha County Entitled "County Board Supervisory Nomination Papers". Resolution - one reading.

RESOLUTION 70

70. From Finance Committees regarding Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,000,000 for Kenosha Area Business Alliance Project.

WHEREAS, the Kenosha Area Business Alliance ("KABA") is a nonprofit agency organized to engage in activities to provide for the improvement of the industrial climate of Kenosha County (the "County") within the meaning of Section 59.57 of the Wisconsin Statutes; and

WHEREAS, the County has previously contributed money to KABA to finance a revolving loan program which KABA has successfully used to attract industry and jobs to the County; and

WHEREAS, KABA, in conjunction with the State of Wisconsin and the City of Kenosha, has been engaged in efforts to encourage DaimlerChrysler ("Chrysler") to make substantial improvements to the production lines and buildings at its Kenosha Engine Plant (the "Project"); and

WHEREAS, KABA has asked the County to contribute \$1,000,000 to KABA which will be used by KABA to provide a grant to Chrysler to ensure an adequate power supply for the Project, which assurance will serve as inducement to Chrysler to construct and operate the Project; and

WHEREAS, it is the finding of the County Board that the construction and operation of such a facility would create significant new job opportunities in the County, would enhance the County's tax base and would directly and indirectly promote the general welfare of the residents of the County and that the County's contribution of funds to KABA to facilitate that purpose is a public purpose within the meaning of Section 67.04(1)(b) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Kenosha County, Wisconsin that there may be issued, pursuant to Section 67.12(12), Wisconsin Statutes, General Obligation Promissory Notes in an amount not to exceed \$1,000,000 for the public purpose of making a contribution to KABA to be used to assist in providing an adequate power supply for the Project

as an inducement to Chrysler to construct and operate the Project. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such Notes.

Adopted and recorded this 2nd day of October, 2007.

Terry W. Rose
County Board Chairperson

Attest:

Edna R. Highland
County Clerk
(SEAL)

Alan Kehl
County Executive

RESPECTFULLY SUBMITTED:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski, Vice-Chairman

Anita Faraone, Secretary

Joseph D. Clark

It was moved by Supervisor Carbone to adopt Resolution 70. Seconded by Supervisor O'Day.

3/4 vote required.

Motion carried unanimously.

RESOLUTION 71

71. From Finance Committee regarding Providing for the Sale of Not to Exceed \$4,050,000 General Obligation Promissory Notes.

WHEREAS, on June 21, 2005, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Borrowing of Not to Exceed \$20,000,000; Providing for the Issuance and Sale of General Obligation Securities Therefor; and Authorizing the Borrowing of Not to Exceed \$56,300,000; Providing for the Issuance and Sale of General Obligation Refunding Securities Therefor; and Levying a Tax in Connection Therewith" (the "2005 Initial Resolution") authorizing, among other things, the issuance of general obligation promissory notes in an amount not to exceed \$20,000,000 for public purposes, including paying the cost of constructing, extending, repairing and improving streets, roads and bridges; improvement and maintenance projects at various County buildings and sites; constructing and equipping a law enforcement and dispatch center; implementing the survey monumentation program; upgrades to the communications systems; and acquiring vehicles, equipment, furnishings, fixtures and land; and

WHEREAS, on December 21, 2006, the County issued its \$2,150,000 General Obligation Promissory Notes, Series 2006, to finance capital projects authorized by the 2005 Initial Resolution; and

WHEREAS, on October 2, 2007 the County Board, by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,000,000 for Kenosha Area Business Alliance Project" (the "2007 Initial Resolution") for the public purpose of making a contribution to the Kenosha Area Business Alliance ("KABA") to be used to ensure an adequate power supply to the existing Kenosha Engine Plant (the "Plant") operated by DaimlerChrysler ("Chrysler") as an inducement for Chrysler to make substantial improvements to the production lines and buildings at the Plant (the "KABA/Chrysler Project"); and

WHEREAS, the County Board of Supervisors hereby finds and determines that the projects authorized by the 2005 Initial Resolution and the 2007 Initial Resolution are within the County's power to undertake and therefore serve a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such purposes; and,

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in an amount not to exceed \$3,050,000 for purposes authorized in the 2005 Initial Resolution and general

obligation promissory in an amount not to exceed \$1,000,000 for the purpose authorized in the 2007 Initial Resolution should be issued, and it is now necessary and desirable to authorize their sale.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying costs of the projects authorized by the 2005 Initial Resolution and the 2007 Initial Resolution, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal amount not to exceed Four Million Fifty Thousand Dollars (\$4,050,000) from a purchaser to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating a principal amount not to exceed Four Million Fifty Thousand Dollars (\$4,050,000) (the "Notes"). The County shall offer the Notes for public sale at a subsequent meeting of the County Board.

Section 3. Notices of Sale. The County Clerk (in consultation with the County's financial advisor, Ehlers & Associates, Inc.) shall cause a Notice of Sale to be prepared and distributed and may prepare or cause to be prepared an Official Statement or other form of offering circular setting forth the details of the Notes.

Section 4. Award of the Notes. Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes and to award the Notes to the lowest responsible bidder therefor.

Section 5. Further Authorizations. The County Executive and the other officers of the County are authorized to execute any documents or agreements related to or required to carry out the transactions contemplated by the KABA/Chrysler Project.

Section 6. Reimbursement. The County declares its reasonable expectation to reimburse itself from the proceeds of the Notes for expenditures relating to the KABA/Chrysler Project which it pays from the Treasurer's cash account prior to receipt of the proceeds of the Notes no more than 60 days prior to the date this Resolution is adopted. The County may also reimburse itself for preliminary expenditures relating to the KABA/Chrysler Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board.

Section 7. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 2nd day of October, 2007.

Terry R. Rose
County Board Chairperson
Attest:

Edna R. Highland
County Clerk
SUBMITTED By:
FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski

Allan Kehl
County Executive

Anita Faraone
Joseph D. Clark
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 71. Seconded by Supervisor Wisnefski.
Roll call vote.
Motion carried unanimously.

RESOLUTION 72

72. From Finance Committee and Richard Rodenbeck, Director of Business Finance regarding Authorizing the Kenosha Area Business Alliance, Inc (KABA) to Seek Approval from the US Department of Commerce/Economic Development Administration (EDA) to Permanently Increase the Maximum Individual Loan Limit Amount for the EDA Revolving Loan Fund (EDA/RLF) from \$400,000 to \$800,000.

WHEREAS, Federal monies are available under the EDA/RLF Program, administered by KABA on behalf of Kenosha County, for the purpose of economic development within the boundaries of Kenosha County, and

WHEREAS, the existing EDA/RLF requirements limit the maximum loan size to \$400,000 and

WHEREAS, the existing EDA/RLF requirements have not been updated to reflect current economic conditions and realities, and

WHEREAS, economic development opportunities to assist local companies and ultimately Kenosha County are limited by the maximum loan size allowed by the EDA/RLF requirements, and

WHEREAS, KABA administers other Revolving Loan Fund programs, on behalf of Kenosha County, in which the maximum loan limit size ranges from \$740,000 to \$800,000, and

WHEREAS, the proposed resolution does not constitute a Kenosha County budget amendment, and

WHEREAS, the proposed resolution does not require a transfer of funds within the Kenosha County budget, and

WHEREAS, after public meeting and due consideration, the Kenosha County Finance Committee has recommended that KABA seek approval from the EDA to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000, and

WHEREAS, it is necessary for the Kenosha County Board of Supervisors to approve the preparation and submission of a request to the EDA seeking approval to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000, and

WHEREAS, the Kenosha County Board of Supervisors has reviewed the need for the proposed increase and the benefits to be gained therefrom.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors does approve and authorize the preparation and submission of a request to the EDA seeking approval to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000, and

BE IT FURTHER RESOLVED, that the Kenosha County Executive and Kenosha County Clerk are hereby authorized to sign all necessary documents on behalf of Kenosha County to affect such an increase, and

BE IT FURTHER RESOLVED, that authority is here granted to KABA to take the necessary steps to prepare and submit the appropriate application to the EDA seeking approval to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000.

Submitted by:

FINANCE COMMITTEE
Robert Carbone, Chairman
Mark Wisnefski, Vice-Chairman
Anita Faraone, Secretary
Joseph D. Clark
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 72. Seconded by Supervisor Faraone.
Motion carried.

COMMUNICATION

14. From Michael K. Higgins, City Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Communication 14 to Land Use Committee.

CLAIM

13. Thomas Williams - Notice for personal injuries and property damage.

Chairman Rose referred Claim 13 to Corporation Counsel.

It was moved by Supervisor Wisnefski to approve of the September 18th, 2007 minutes. Seconded by Supervisor Faraone.

Motion carried.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor Wisnefski.

Motion carried.

Meeting adjourned at 8:15 P.M.

Prepared by: Pam Young
Chief Deputy
Submitted by: Edna R. Highland
County Clerk