

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
August 19, 2008**

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

Present: Supervisors Grady, Kessler, Rose, Huff, Kubicki, Hallmon, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Excused: Supervisors Zerban, Marks, Haas.

Present: 25. Absent: 3.

At this time there was a presentation on "Access to Health Care" by Jack Waters, Executive Director of Kenosha Community Health Center.

Chairman Clark asked the Human Services Committee to look at the issue on Access to Health Care and to have some dialog with the Kenosha Community Health Center to see if there is anything we can do regarding this matter.

**There were no citizen comments.**

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Clark stated there is a binder on the desks of those supervisors who have health insurance. Any questions can be directed to Donna Esposito in Personnel.

**SUPERVISOR REPORTS**

Supervisor Faraone stated the Finance Committee adopted 8 resolutions at their last meeting which are on tonight's agenda. The Finance Committee has been working on for the past few months the Resolution to Improve the Capital Financing Plan and will be before the full Board at the September 2<sup>nd</sup> meeting. One of the issues on the Capital Financing Plan is the issuance of 2.6 million dollars for notes for the purpose of replenishing general funds. This will allow us to borrow for certain capital projects. There has been significant deficits in the sales tax revenues, workers compensation and golf operations, and our tax delinquencies has cost us around \$400,000. Another Resolution that will be coming before the Board is regarding Gordon Foods. Gordon Foods is important to the community not only because of the jobs it will bring, but also because it will mean 3.7 million dollars to the County. She also reminded the supervisors of the Brookside Picnic on August 20<sup>th</sup>.

Supervisor Moore updated the Board on the Courthouse Security arbitration, the grievance has been dismissed in its entirety. The county was found to have not violated the collective bargaining agreement when they subcontracted with a private security firm to provide courthouse security screeners rather than using bargaining unit employees.

**NEW BUSINESS**

Ordinances - first reading, two required

7. From Highway and Parks Committee an to Repeal and recreate Ordinance's on speed limits for CTH "E: from CTH "EA to 1,300 feet East of CTH "EA".

8. From Highway and Parks Committee to Repeal and recreate Ordinance's on speed limits for CTH "O" from STH 50 to 1.3 miles south of STH 50.

Ordinance - one reading

**ORDINANCE 9**

9. From Land Use Committee regarding Land Use Committee (Sponsor), Jon T. and Kathleen D. Christensen (Owners) requesting rezoning from C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District to C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District in the Town of Somers.

**AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING**

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #80-4-222-022-0401 located in the northwest quarter of Section 2, Township 2 North, Range 22 East, Town of Somers be changed from C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District to C-1 Lowland Resource Conservancy District and R-2 Suburban Single-

Family Residential District. This rezoning is considered a zoning map amendment to reflect actual field conditions. For informational purposes only, this property is located on the east side of State Highway "31" approximately 0.32 miles south of the intersection of County Trunk Highway "KR" (1<sup>st</sup> Street).

**Jon T. and Kathleen D. Christensen - Owners**

**Description:** Presented in Exhibit #1.

This description is intended to extend to the center of all roads.

SUBMITTED BY:

Land Use Committee:

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 9. Seconded by Supervisor Nudo.

Motion carried.

Resolutions - one reading

**RESOLUTION 42**

42. From Building & Grounds, Judiciary & Law and Finance Committees a Resolution to Approve Acceptance of FEMA and State of Wisconsin Funds for Presidential Declared Snow Declaration.

**WHEREAS**, in April of 2008, Kenosha County became eligible for FEMA Snow Declaration monies based upon the extreme amount of snow from February 5<sup>th</sup> through 7<sup>th</sup> 2008 for actual cost of overtime labor and machinery usage and the replacement cost for material, and

**WHEREAS**, the Kenosha County Public Works Facilities Division incurred total costs in the amount of \$14,880.07 for overtime labor, machinery usage, and material for the removal of snow, and

**WHEREAS**, the Kenosha County Public Works Parks/Golf Division incurred total costs in the amount of \$5,160.56 for machinery usage and material for the removal of snow, and

**WHEREAS**, the Kenosha County Public Works Highway Division incurred total costs in the amount of \$67,730.69 for overtime labor, machinery usage, and material for the removal of snow, and

**WHEREAS**, the Kenosha County Sheriff's Department incurred total costs in the amount of \$2,368.86 for overtime labor, and

**NOW THEREFORE BE IT RESOLVED** that the County Board of Supervisors approves the acceptance of any and all FEMA and State of Wisconsin Snow Declaration monies estimated to be 87.5% of the total incurred costs by the Department of Public Works for work performed, and

**BE IT FURTHER RESOLVED** that the County Board of Supervisors approves the acceptance of any and all funds from FEMA and the State of Wisconsin to Kenosha County for the repair and replacement of snow removal equipment, for the replenishing of materials and for the recovery of overtime costs in the personnel appropriations for Highway Division, Facilities Division, Golf/Parks Division and Sheriff's Department (detail attached), and

**BE IT FURTHER RESOLVED** that the appropriation in the 2008 Budget be modified per the attached budget modification incorporated herein by attached reference.

SUBMITTED BY:

**Highway & Parks**

Dennis Elverman

John O'Day

William Grady

Douglas Noble

**Building & Grounds**

Douglas Noble

Mark Molinaro, Jr.

Gabe Nudo

Roger Johnson

Rob Zerban

**Judiciary & Law**

William Michel

James Huff

Roger Johnson

Ron Johnson

**Finance Committee**

Anita Faraone

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Noble to adopt Resolution 42. Seconded by Supervisor Elverman.

Roll call vote passed unanimously.

**RESOLUTION 43**

43. From Finance Committee a resolution Accepting Federal Emergency Management Agency Hazard Mitigation Grant Program Supplement Nos. 1 and 2: FEMA-1526-DR-WI

**WHEREAS**, the Kenosha County Board of Supervisors adopted Resolution No. 55 on November 15, 2005, accepting a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) award FEMA-1526-DR-WI in the amount of \$642,983.50 for the purpose of continuing the buyout of floodprone properties in the 100-year recurrence interval floodplain of the Fox River in the Towns of Wheatland and Salem and the Village of Silver Lake; and

**WHEREAS**, the Kenosha County Board of Supervisors adopted Resolution No. 71 on January 17, 2006, accepting Amendment No. 1 for the HMGP award in the amount of \$34,354.00; and

**WHEREAS**, Kenosha County was notified on July 23, 2008, that FEMA and the Wisconsin Division of Emergency Management have offered Amendment No. 2 for the HMGP award in the amount of \$38,293.00; and

**WHEREAS**, Kenosha County was notified on July 23, 2008, that FEMA and the Wisconsin Division of Emergency Management have offered Amendment No. 3 for the HMGP award in the amount of \$14,674.50; and

**WHEREAS**, Kenosha County will be providing funds for operating expenses, with FEMA reimbursing the County with HMGP funds as County funds are expended; and

**WHEREAS**, no property tax levy dollars will be used or budgeted for this grant program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors does hereby accept Amendment Nos. 2 and 3 for HMGP award FEMA-1526-DR-WI in the total amount of \$52,967.50 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into contractual agreements with the Wisconsin Division of Emergency Management for the purpose of securing these funds; and

**BE IT FURTHER RESOLVED**, that the Kenosha County Housing Authority, with the contracted services of the Southeastern Wisconsin Regional Planning Commission, is designated as the County's administrative agent for the HMGP grant amendments; and

**BE IT FURTHER RESOLVED**, that the County Director of Finance is authorized to amend the following revenue and expense accounts on the County books for the HMGP program:

240.76999.442326	FEMA-1526-DR-WI Revenue
\$52,967.50	
240.76999.582130	Floodplain Acq/Relo/Demo
\$51,784.50	
240.76999.529590	HMGP Administration
\$1,183.00	

**BE IT FURTHER RESOLVED**, that the authorization to spend grant funds authorized by this resolution be carried over into future years to complete this project, with the grant funds to be disbursed in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles; and

**BE IT FURTHER RESOLVED**, that the accounts and balances for said Housing Authority accounts will continue to be maintained on Kenosha County's books.

Note: This resolution uses \$0 from the General Fund.

SUBMITTED BY:

Finance Committee

Anita Faraone

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-Chair Faraone to adopt Resolution 43. Seconded by Supervisor Molinaro.

Roll call vote passed unanimously.

**RESOLUTION 44**

44. From the Human Services and Finance Committees a Resolution to Modify the Department of Human Services, Division of Workforce Development 2008 Budget for the Southeastern Wisconsin Emerging Industries Skills Partnership Grant.

**WHEREAS**, the Kenosha County Department of Human Services, Division of Workforce Development was awarded by the Department of Workforce Development/Division of Employment and Training a Southeastern Wisconsin Emerging Industries Skills Partnership Grant, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Workforce Development is receiving \$100,000 to assist Workforce Investment Act (WIA) Adult program participants in Kenosha, Racine and Walworth Counties in being trained in targeted manufacturing occupations and placed into employment, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Workforce Development will result in up to fifty-nine Workforce Investment Act (WIA) Adult program participants being trained and placed over the twelve month grant, and

**WHEREAS**, this budget modification poses no additional levy-funded costs to the County,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Department of Human Services 2008 budget be modified as follows:  
Authorize increase of expenditures of \$100,000 and increase revenues by \$100,000, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2008 will be carried over into the 2009 budget.

SUBMITTED BY:

Human Services Committee	Finance Committee
Edward Kubicki	Anita Faraone
Terry Rose	Terry Rose
Richard Kessler	Mark Molinaro, Jr.
Jennifer Jackson	David Singer
Jeffrey Gentz	

It was moved by Vice-Chair Faraone to adopt Resolution 44. Seconded by Supervisor Kubicki.

Roll call vote passed unanimously.

#### **RESOLUTION 45**

45. From Judiciary and Law Committee regarding rejection of Resolution on the application for a Regular Cabaret License for El Fracazo Tavern.

**WHEREAS**, the application of Salomon Hernandez for a probationary cabaret license for the El Fracazo Tavern, 1778 - Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of July, was turned over to this office on July 24<sup>th</sup>, 2007, and

**WHEREAS**, the establishment known as the El Fracazo Tavern was granted a Probationary Cabaret License per County Board Resolution on November 20<sup>th</sup>, 2007, and

**WHEREAS**, the establishment known as the El Fracazo Tavern was found to be in conformity with County Ordinance # 8.02, and

**WHEREAS**, the Kenosha Sheriff's Department has maintained a list of all reported incidents at this property, and

**WHEREAS**, a number of certain violent incidents inside this establishment and parking lot during the past nine month probationary period has failed to decrease, and

**WHEREAS**, as a result, the Sheriff's Department has had to respond to this tavern more than any other tavern in the county and strongly recommends that increased security be implemented.

**NOW, THEREFORE BE IT RESOLVED**, that the request for a regular cabaret license be denied due to the serious incidents occurring at the tavern over the past nine months.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
James Huff  
Roger Johnson  
Ron Johnson

It was moved by Supervisor Rose to amend Resolution 45 as follows: Strike the last paragraph and to remove the words "but grant the license holder, Salomon Hernandez, to operate under another probationary period of six months in order

to improve security and decrease the serious incidents" from the second to last paragraph. Seconded by Supervisor Gentz.  
Motion carried.

It was moved by Supervisor Michel to adopt Resolution 45 as amended. Seconded by Supervisor Ron Johnson.  
Roll call vote passed unanimously.

**RESOLUTION 46**

46. From Judiciary and Law Committee regarding establishing the month of September as Juror Appreciation Month.

**WHEREAS**, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin Constitutions; and,

**WHEREAS**, service as a juror in the Kenosha County Circuit Court is, along with voting, one of the most important responsibilities of citizenship; and,

**WHEREAS**, the Wisconsin State Court System, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to publicly recognize the contribution of those who are summoned and serve.

**THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors hereby supports the goals of Juror Appreciation Month:

- Educate the public about jury duty and the importance of jury service, and
- Applaud the efforts of jurors who fulfill their civic duty, and
- Ensure that all jurors are treated with respect and that their service is not unduly burdensome.

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors extends its sincere thanks and appreciation to all employers who pay employees their normal wages while allowing them to serve as jurors, preventing financial hardship and fostering community strength.

**BE IT FINALLY RESOLVED** that the Kenosha County Board of Supervisors honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process aid those elected to serve the citizens of Kenosha County by preserving the rule of law, the basis for a free society.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
James Huff  
Roger Johnson  
Ron Johnson

It was moved by Supervisor Michel to adopt Resolution 46. Seconded by Supervisor Huff.  
Motion carried.

**RESOLUTION 47**

47. From Judiciary and Law and Finance Committees a Resolution to Modify Circuit Court's 2008 Budget.

**WHEREAS**, the 2008 Circuit Court budget did not include costs associated with extraordinary trials; and

**WHEREAS**, the cost of the trials of Mark Jensen and Ezequiel Quintero-Lopez are significant; and

**WHEREAS**, the 2008 Circuit Court budget included a capital project for a file storage system; and

**WHEREAS**, the costs for said storage system has increased since the initial quote; and

**WHEREAS**, Circuit Court is not able to absorb these costs in the 2008 budget; and

**WHEREAS**, \$100,000 will be requested from the General Fund for the additional trial costs; and

**WHEREAS**, \$10,000 of additional bonded money is needed to complete the capital project.

**NOW THEREFORE BE IT RESOLVED**, that the 2008 Circuit Court budget be modified as put forth in the budget modification attached and incorporated by reference.

SUBMITTED BY:

Judiciary & Law Committee                      Finance Committee

William Michel, II  
James Huff  
Roger Johnson  
Ron Johnson

Anita Faraone  
Terry Rose  
Mark Molinaro, Jr.  
David Singer

It was moved by Supervisor Michel to adopt Resolution 47. Seconded by Supervisor Rose.  
Roll call vote passed unanimously.

**RESOLUTION 48**

48. From Judiciary & Law and Finance Committee regarding Homeland Security/Wis. OJA EOD Wireless Robotic Upgrade.

**WHEREAS**, The Kenosha County Sheriff's Department has been awarded \$59,883.00 by the United States Department of Homeland Security, through the State of Wisconsin Office of Justice Assistance, for a Homeland Security EOD Wireless Upgrade Project, and

**WHEREAS**, the equipment being purchased will be used by the Kenosha County Sheriff's Department Hazardous Device Unit to upgrade the EOD Bomb Robot from wired to wireless operation, and

**WHEREAS**, the Kenosha County Sheriff's Department will purchase this equipment utilizing the Kenosha County Purchasing Department, and

**WHEREAS**, Homeland Security and the Wisconsin Office of Justice Assistance do not require a match for this award, therefore no additional tax levy dollars are requested to implement this grant award.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept this grant and approve the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that any unobligated funds remaining available at the end of the year be hereby authorized for carryover to subsequent year until the grant finds are expended in accord with the grant requirements and the administration shall be authorized to modify the grant fund appropriation among various budget and appropriation expenditure units with the Sheriff's Department in accordance with all Federal and State regulations of funding in compliance with the generally accepted accounting principles.

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors express its thanks and gratitude to the Rotary Club for this Equipment Grant.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$59,883.00 and increases expenditures by \$59,883.00.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
James Huff  
Roger Johnson  
Ron Johnson

Finance Committee  
Anita Faraone  
Terry Rose  
Mark Molinaro, Jr.  
David Singer

It was moved by Supervisor Michel to adopt Resolution 48. Seconded by Vice-Chair Faraone.  
Roll call vote passed unanimously.

**RESOLUTION 49**

49. From Judiciary & Law and Finance Committees regarding Public/Private partnership Grant.

**WHEREAS**, Kenosha County Division of Emergency Management is being offered a WI Office of Justice Assistance (OJA) Public/Private Partnership Grant Totaling \$25,000, and

**WHEREAS**, the cost of this grant is 100% funded by Wisconsin Office of Justice Assistance (OJA), requiring no tax levy, and

**WHEREAS**, this grant will be used to partner with the Kenosha Area Business Alliance, Kenosha Area Chamber of Commerce and the Twin Lakes Chamber of

Commerce to educate and help prepare businesses on emergency preparedness and Business Continuity Planning, and

**WHEREAS**, this grant will identify areas where the public and private sectors can work together with regard to emergency preparedness & response and will encourage cooperation and partnering to mitigate and/or respond to emergencies within our community, and

**WHEREAS**, the Kenosha County Emergency Management Budget will require a FY08 Budget Modification of \$25,000,

**NOW, THEREFORE BE IT RESOLVED** that the Kenosha County Board of Supervisors approve that the FY08 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

**BE IT FURTHER RESOLVED**, that the Administration be authorized to modify these Budget Expenditures for purposes of expending all of the grant dollars in accordance with Grant criteria.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Roger Johnson

Ron Johnson

Finance Committee

Anita Faraone

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 49. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

#### **RESOLUTION 50**

50. From Judiciary & Law and Finance Committees regarding Additional FY08 EMPG Grant Dollars.

**WHEREAS**, Kenosha County Division of Emergency Management is being given an additional \$23,466.83 in Emergency Management Performance Grant (EMPG) funding from WI Emergency Management based upon existing FY08 expenses, and

**WHEREAS**, the EMPG Grant is used to offset local Emergency Management Operational costs, and

**WHEREAS** Kenosha County Emergency Management is in need of additional funding in FY08, to fulfill its current funding obligations and improve its operations, and

**WHEREAS**, these additional grant dollars will be used to increase the operational performance and visibility of Kenosha County Emergency Management by providing cellular service in the Kenosha County Emergency Operations Center, fulfilling a Budget obligation for the current Kenosha County HazMat Team, purchasing a new copier and providing magnetized name signs for the County Emergency Management vehicle, and

**WHEREAS**, the Kenosha County Emergency Management Budget will require a FY08 Budget Modification of \$15,825, with the remainder of the Grant, \$7,641.83 going back to the General Fund,

**NOW, THEREFORE BE IT RESOLVED** that the Kenosha County board of Supervisors approve that the FY08 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

Jim Huff

Roger Johnson

Ron Johnson

It was moved by Supervisor Michel to adopt Resolution 50. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

#### **RESOLUTION 51**

51. From Judiciary & Law and Finance Committees regarding Kenosha County Pre-Trial Intensive Supervision Program XI-2<sup>nd</sup> half award announcement.

**WHEREAS**, the Kenosha County Sheriff's Department had submitted a grant application to the WI Dept. of Transportation (DOT) requesting \$44,912 of funding to support the expenditures for the "2008 Kenosha County Sheriff's Department DUI Intensive Supervision Program" now in its 11<sup>th</sup> year, and

**WHEREAS**, the State DOT office split the authorization for funding in two increments, and

**WHEREAS**, the State DOT has awarded the second half of the funding for \$22,458 plus a supplemental award of \$2,625.00 for supplies totaling \$25,083 to continue the program July 1<sup>st</sup> through December 31, 2008, and

**WHEREAS**, the project is facilitated by the Wisconsin Community Services, Inc. of Milwaukee, WI (WCS, Inc.) for which a contract for services has been processed through Administration, and

**WHEREAS**, repeat DWI offenders are screened by WCS, Inc. to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses, and

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the award for \$25,083 and approve the Revenue and Expenditure line item modifications as per the attached budget modification form, which are incorporated herein by reference.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
James Huff  
Roger Johnson  
Ron Johnson

Finance Committee  
Anita Faraone  
Terry Rose  
Mark Molinaro, Jr.  
David Singer

It was moved by Supervisor Michel to adopt Resolution 51. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

**COMMUNICATIONS**

6. From George E. Melcher, Director of Planning and Development regarding future rezonings.

Chairman Clark referred Communication 6 to Land Use Committee.

**CLAIMS**

21. Diane R. Kempf - vehicle damage.
22. Verison - cable damage.
23. Carol Cooney - vehicle damage.
24. James Archibald - violation of Constitutional Due Process.
25. Joshua A Yoder - damage to property

Chairman Clark referred Claims 21 thru 25 to Corporation Counsel.

**SUPERVISOR COMMENTS**

Supervisor Hallmon stated on Saturday, September 6<sup>th</sup> from noon to 4:00, in Veterans Memorial Park, Kenosha Unified School District will be having their 1<sup>st</sup> Annual Back to School Celebration. KUSD has care of 22,000 of our young people and he feels it would be great for all of the supervisors to attend and make the commitment to talking to 5 young people and ask them what they want to do with their life, how they intend to get there, what they see as the biggest problem in the world, and what they think they can do to change it.

It was moved by Supervisor Moore to approve the August 5, 2008 minutes. Seconded by Supervisor Kubicki.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:36 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk