

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
January 17, 2012**

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

Present: Supervisors, Grady, Zerban, Rose, Goebel, Kubicki, Hallmon, J. Gentz, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick G. Gentz, Esposito, Molinaro, Clark, Noble, Underhill, Breunig, Ekornaas.
Excused: Supervisors Celebre, Grulich, Arrington, Kohlmeier, Decker, Haas, Elverman.
Present: 21. Excused: 7.

CITIZEN COMMENTS

Linda Horton, 4804 39th Ave, stated she read a very disturbing article in the Kenosha News regarding Sheriff Beth and the recall Walker petition gatherers. She believes it was wrong what he did and they have the right to wear what they want in public.

PRESENTATIONS

At this time Tedi Winnett, Director of UW-Extension Education gave a report on the County Board Committee Structure Evaluation followed by an information presentation of the KD Park Master Plan by SMITHGROUP JJR.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Molinaro stated we lost a great member of our community this past week, Patricia Johnson, wife of former County Board Member and Chairman Leonard Johnson. She has contributed a lot to Kenosha County as an educator and volunteer.

Congratulations to the Laura Kaeppler who was named Miss America. She is an exceptional woman who will represent not only the pageant, but also Wisconsin and Kenosha County in a significant way.

SUPERVISOR REPORTS

Supervisor Grady reported the Courthouse and Molinaro Building projects are substantially complete, on budget and on time. Brookside demolition project is also substantially complete for the winter. There will be some parking lot work, seeding and minor landscaping in the spring. Due to the unseasonably mild winter, overtime, fuel and salt cost is at \$188,000 less than projected for the Highway Department. KD Park will be open on February 4th from 7:00 am - noon.

Supervisor Rose stated in the Kenosha News there was an article about a group KMD Associates may be joining with the Menomonee Indian Tribe with respect to the casino. He asked Corporation Counsel to find out some details like who they are and what if any impact their joining project would have on the Intergovernmental Agreement with Kenosha County.

Supervisor Clark stated the supervisors have a copy of the General Fund Report. The year started with roughly 7.7 million, it is expected to end up at about 8.1 million. The biggest hit appears to be a 2.8 million deficit in self funded health insurance. Surplus in the Sheriff's Department and Human Services help to absorb the loss.

COUNTY EXECUTIVE APPOINTMENTS

22. John Calamari to serve on the Kenosha County Commission on Aging.

23. Sandra Jean Riese to serve on the Kenosha County Commission on Aging.

Chairman Molinaro referred County Executive Appointments 22 & 23 to Human Services.

OLD BUSINESS

Ordinance - second reading

ORDINANCE 15

15. From Planning, Development & Extension Education Committee regarding Somers USA LLC, (Owner), Excel Engineering, Inc., (Agent) requesting approval of a FPO Floodplain Overlay District Boundary Adjustment located 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:

WHEREAS, on October 31, 2011 Excel Engineering (Agent) for Somers USA LLC petitioned the Planning Development and Extension Education Committee for an approval for a floodplain map amendment for Tax Parcel #80-4-222-193-0202 located in the SW ¼ of Section 19, T2N, R22E, Town of Somers. For informational purposes only, this property is located on the northwest corner of the I-94 Frontage Road and County Trunk Highway "S".

WHEREAS, the Kenosha County Land and Water Conservation Engineer reviewed the subject corresponding calculations for compensatory floodplain storage to ensure compliance with

the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance requirements of floodplain boundary adjustments that require equal volume and equal area for compensatory storage and so noted compliance in a memo dated December 6, 2011, and,

WHEREAS, the Kenosha County Planning and Development and Extension Education Committee held a public hearing on December 14, 2011, regarding the floodplain boundary adjustment request and recommended approval of the request to the Kenosha County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors does approve the floodplain boundary adjustment requested by Somers USA LLC.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Daniel Esposito

Aaron Kohlmeier

Michael Underhill

Erin Decker

Dayvin Hallmon

Michael Goebel

It was moved by Supervisor Breunig to adopt Ordinance 15. Seconded by Supervisor Esposito.

Motion carried.

NEW BUSINESS

Resolutions - one reading

RESOLUTION 83

83. From Finance/Administration Committee regarding a Resolution to Approve the Appointment of Sharon Acerbi to serve on the Kenosha County Library System Board.

WHEREAS, pursuant to County Executive Appointment #2011/12-17 the County Executive has appointed Sharon Acerbi to serve on the Kenosha County Library System Board and;

WHEREAS, the Finance/Administration Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve in this position and is recommending to the County Board the approval of this appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the appointment of Sharon Acerbi to serve on the Kenosha County Library System Board immediately upon passage of this resolution and continuing until the 31st day of December 2014 or until a successor is appointed and confirmed by the County Board of Supervisors. Ms. Acerbi will serve without pay. Ms. Acerbi will be succeeding herself and has attended 12 out of 13 meetings during her last term.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

Terry Rose

David Singer

William Grady

It was moved by Supervisor Clark to adopt Resolution 83. Seconded by Supervisor O'Day.

Motion carried

RESOLUTION 84

84. From Finance/Administration Committee regarding a Resolution to Approve the Successor Labor Agreement Between Kenosha County and the Kenosha County Deputy Sheriff's Association.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and the Kenosha County Deputy Sheriff's Association were recently concluded,

WHEREAS, the negotiations have culminated in a two-year labor agreement ending of December 31, 2013, which agreement has since been ratified by the union, and

WHEREAS, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with the Kenosha County Deputy Sheriff's Association, and

WHEREAS the Finance/Administration Committee of the County Board has reviewed said labor agreement,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve and adopt said labor agreement, the original of which is herewith attached and on file in the County Clerk's Office.

BE IT FURTHER RESOLVED that the County Executive be directed and empowered for and on behalf of this body to make, sign, and execute all documents necessary to implement this directive.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

Terry Rose

David Singer

William Grady

It was moved by Supervisor Clark to adopt Resolution 84. Seconded by Vice-chair Ekornaas.

Motion carried.

RESOLUTION 85

85. From Judiciary & Law Enforcement Committee a Resolution to Approve the Appointment of Cathryn Bothe to Serve on the Civil Service Commission.

WHEREAS, pursuant to County Executive Appointment #2011/12-18 the County Executive has appointed Cathryn Bothe to serve on the Civil Service Commission.

WHEREAS, the Judiciary & Law Enforcement Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve on this committee and are recommending to the County Board the approval of this appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve the appointment of Cathryn Bothe to the Civil Service Commission effective immediately upon confirmation by the County Board and continuing until the 31st day of December, 2016 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Bothe will serve without pay but will receive a per diem as defined under Resolution 65 (1982-83). Ms. Bothe will be succeeding herself.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

Bob Haas

Ronald Johnson

David Singer

Ronald Frederick

Rob Zerban

It was moved by Supervisor Michel to adopt Resolution 85. Seconded by Supervisor Johnson.

Motion carried.

RESOLUTION 86

86. From Judiciary & Law Enforcement and Finance/Administration Committees a Resolution regarding Retired Deputy Firearm Purchase Program.

WHEREAS, retired Deputy Sheriffs by Federal Statue as designated in H.R. 218, are authorized to carry firearms after they have retired in good standing from their respective agency, and

WHEREAS, the Kenosha County Board desires to recognize Deputy Sheriff's upon their retirement for their Service and Dedication to the residents of Kenosha County, and

WHEREAS, in recognition of that service the Kenosha Board of Supervisors allow retiring Deputy Sheriffs, in good standing with the Kenosha County Sheriff's Department, to purchase their Duty Firearm upon retirement of the price of \$1.00.

SUBMITTED BY:

Judiciary & Law Committee

Finance/Administration Committee

William Michel, II
Bob Haas
Ronald Johnson
David Singer
Ronald Frederick
Rob Zerban

Joseph Clark
John O'Day
Jeff Gentz
Fred Ekornaas
Terry Rose
David Singer
William Grady

It was moved by Supervisor Michel to adopt Resolution 86. Seconded by Supervisor Vice-chair Ekornaas.
Motion carried.

RESOLUTION 87

87. From Judiciary & Law Enforcement and Finance/Administration Committees a Resolution regarding Organized Crime Drug Enforcement Task Forces - Overtime Funds Offer

WHEREAS, the federal Organized Crime Drug Enforcement Task Forces (OCDETF) office has allocated \$4,000 to the Sheriff's drug unit, K-DOG, to cover overtime costs incurred while assisting in an OCDETF drug trafficking investigation, and

WHEREAS, the effective date of this round of funding is Oct. 1, 2011 and terminates September 30, 2012, however, there was no overtime worked in the 4th qtr of 2011 on this case, and

WHEREAS, the Sheriff will submit reimbursement claims monthly to OCDETF Executive Office for the overtime worked in 2012, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the \$4,000 and approve the Revenue and Expenditure line item modifications to the Sheriff's 2012 budget as per the attached budget modification form, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining at year end be hereby authorized for carryover to the subsequent year until such time as the funds are expended in accord with the OCDETF requirements, and that Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

SUBMITTED BY:

Judiciary & Law Committee
William Michel, II
Bob Haas
Ronald Johnson
David Singer
Ronald Frederick
Rob Zerban

Finance/Administration Committee
Joseph Clark
John O'Day
Jeff Gentz
Fred Ekornaas
Terry Rose
David Singer
William Grady

It was moved by Supervisor Michel to adopt Resolution 87. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 88

88. From Judiciary & Law Enforcement and Finance/Administration Committees a Resolution regarding WI D.O.T. I94 North-South Freeway Traffic Mitigation Contract for 2011-2013

WHEREAS, the Wisconsin Department of Transportation has entered into an agreement with the Sheriff's Department to provide funding for patrol on I94 in the Construction zone for the period Sept 2011 through December 2013, and

WHEREAS, the contract allowance for year 2011 is \$35,658 and will be used to fund the straighttime hours for 1 Deputy for eight hours per day through December 31, 2011 as well as fund expenses, such as, fuel and motor vehicle maintenance, and

WHEREAS, the contract runs through December 2013 and the funding allowances for budget years 2012 and 2013, as identified in the Contract, will be included in the Sheriff's operating budget through the annual budget preparation process, and

WHEREAS, the Sheriff's Department will invoice the WI DOT monthly representing the actual hours worked at a rate of \$42.00 which assumes costs incurred for labor and vehicle usage, and

WHEREAS, the contract will not require any local match, and

WHEREAS, the contract activity will not require any additional levy dollars, but the proceeds from the contract will result in a reduction in levy regarding the labor costs of this project as the Deputy working the assigned will be on straight time in the construction zone.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the Contract and approve the revenue and expenditure modifications as per the attached budget modification document; which is incorporated herein by reference.

Note: This resolution requires NO additional funds from the general fund. It increases 2011 revenues by (\$35,658) and increases expenditures by \$2,930. Resulting in a 2011 levy reduction of (\$32,728).

SUBMITTED BY:

Judiciary & Law Committee
William Michel, II
Bob Haas
Ronald Johnson
David Singer
Ronald Frederick
Rob Zerban

Finance/Administration Committee
Joseph Clark
John O'Day
Jeff Gentz
Fred Ekornaas
Terry Rose
David Singer
William Grady

It was moved by Supervisor Michel to adopt Resolution 88. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 89

89. From Judiciary & Law Enforcement and Finance/Administration Committees a Resolution regarding WI D.O.T. BOTS - Traffic Enforcement Grants 2011-2012

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$80,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between October 1st, 2011 and September 30, 2012 to enforce high-risk driver behaviors, and

WHEREAS, the grant funds offered must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers, speeders and seatbelt enforcement in targeted areas and to purchase law enforcement equipment used during these patrol efforts, and

WHEREAS, the 25% local match required is met with soft dollars within the current budget and will not require any additional tax levy dollars.

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

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end 2011 be hereby authorized for carryover to 2012 until such time as the approved grant funds are expended in accord with grant requirements, and that the Administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$80,000 and increases expenditures by \$80,000.

SUBMITTED BY:

Judiciary & Law Committee

Finance/Administration Committee

William Michel, II
Bob Haas
Ronald Johnson
David Singer
Ronald Frederick
Rob Zerban

Joseph Clark
John O'Day
Jeff Gentz
Fred Ekornaas
Terry Rose
David Singer
William Grady

It was moved by Supervisor Michel to adopt Resolution 89. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 90

90. From Judiciary & Law Enforcement and Finance/Administration Committees a Resolution regarding WI D.O.T. Kenosha County Pre-Trial Intensive Supervision Program XV Grant

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$80,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between October 1st, 2011 and September 30, 2012 to enforce high-risk driver behaviors, and

WHEREAS, the grant funds offered must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers, speeders and seatbelt enforcement in targeted areas and to purchase law enforcement equipment used during these patrol efforts, and

WHEREAS, the 25% local match required is met with soft dollars within the current budget and will not require any additional tax levy dollars.

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

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end 2011 be hereby authorized for carryover to 2012 until such time as the approved grant funds are expended in accord with grant requirements, and that the Administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$80,000 and increases expenditures by \$80,000.

SUBMITTED BY:

Judiciary & Law Committee
William Michel, II
Bob Haas
Ronald Johnson
David Singer
Ronald Frederick
Rob Zerban

Finance/Administration Committee
Joseph Clark
John O'Day
Jeff Gentz
Fred Ekornaas
Terry Rose
David Singer
William Grady

It was moved by Supervisor Michel to adopt Resolution 90. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

COMMUNICATION

5. Communication from George E. Melcher regarding future items scheduled before the Planning, Development & Extension Education Committee.

Chairman Molinaro referred Communication 5 to Planning, Development & Extension Education Committee.

It was moved by Supervisor Breunig to approve the January 3, 2012 minutes. Seconded by Supervisor Hallman.

Motion carried

It was moved by Supervisor Michel to adjourn. Seconded by Supervisor Breunig.
Motion carried.

Meeting adjourned at 9:40 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk