

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
May 15, 2012**

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

Roll call was taken.

Present: Supervisors Grady, Rose, Gentz, Montemurro, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Breunig, Decker, Elverman.

Excused: Supervisor Underhill.

Present: 22. Excused: 1.

At this time there was Recognition of 2011-12 Youth In Governance Members and Appointment of 2012-13 Youth In Governance Members.

County Executive Jim Kreuser gave the State of the County Address.

**CITIZEN COMMENTS**

Dan Champion, 11303 232<sup>nd</sup> Ave. stated his is a Town Board Supervisor in Salem and has been appointed as the liaison from the town to the county board. He congratulated all the re-elected supervisors and thanked the new supervisors. He also stated the Town of Salem has reaffirmed their commitment with the Youth In Governance at the town level.

Edward Sadlowski, 4400 Juniper Dr. Janesville state he is the Staff Representative for AFSCME Council 40 resenting several bargaining units in the county. He spoke regarding Resolutions 6 & 7. The past 15 months the employees have experienced confusion, anxiety, concerns & apprehension. He questioned the word "terminate" which is used in the Resolutions and felt "modify" would be more appropriate. Local 990 and 1392 were formed in 1955, 4 years before the law for collective bargaining was in place. He just wanted to make sure everyone knows the unions are not going anywhere.

Louis Rugani, 4526 29<sup>th</sup> Ave., spoke regarding the Western Transit in Kenosha County. The city and county pays for it but it only comes as far as Green Bay Rd. and runs to downtown Antioch and to Lake Geneva. Taxpayers are paying to take Kenoshans shopping in Illinois and Lake Geneva instead of in Kenosha.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Gentz stated he understands sometimes the meeting packets do not arrive on time before the county board meetings. If any supervisor would like to pick up their packet instead of having it mailed they should let the clerk's office know early on Friday.

**SUPERVISOR REPORTS**

Supervisor Breunig stated Planning, Development, Extension Education took their first tour. Wisconsin Association of Counties Extension Committees will be coming up in June. Anyone interested in attending can contact Chairman Gentz.

Supervisor Esposito stated Judiciary and Law Committee met on May 7<sup>th</sup>. There was a lengthy discussion regarding the jailers holiday pay and work schedule. The committee is planning on obtaining all the facts regarding this issue before proceeding with any recommendation to the board.

**COUNTY EXECUTIVE APPOINTMENTS**

2. John E. Calamari to serve on the Kenosha County Commission on Aging.
3. Sandra Jean Riese to serve on the Kenosha County Commission of Aging.

Chairman Gentz referred County Executive Appointments 2 & 3 to Human Services.

**OLD BUSINESS**

Ordinance – second reading, two required.

**ORDINANCE 2**

2. From the Human Services Committee an Ordinance to repeal and recreate Chapter 16 of the Municipal code of Kenosha County.

It is Hereby Ordained by the Kenosha County board of Supervisors that Chapter Sixteen of the Municipal code, entitled "Environmental Health/Food Ordinance" be and hereby is repealed and recreated as attached and incorporated herein by reference.

SUBMITTED BY:

Human Services Committee

Dayvin Hallmon

Boyd Frederick

Anita Johnson

David Arrington

Erin Decker

Angelina Montemurro

Gabe Nudo

It was moved by Supervisor Hallmon to adopt Ordinance 2. Seconded by Supervisor B. Frederick.

It was moved by Supervisor Molinaro to send Ordinance 2 back to the committee. Seconded by Supervisor Breunig.

Aye: Supervisors Molinaro, A. Johnson, Skalitzky, Breunig, Elverman.

Nay: Supervisors Grady, Rose, Gentz, Montemurro, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, Kohlmeier, B. Frederick, Esposito, Noble, Decker.

Aye: 5. Nay: 17.

Motion failed.

Roll call vote on Ordinance 2.

Aye: Supervisors Grady, Rose, Gentz, Montemurro, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, Kohlmeier, B. Frederick, Esposito, Noble, A. Johnson, Skalitzky, Breunig, Decker, Elverman.

Nay: Supervisor Molinaro.

#### **NEW BUSINESS**

Ordinance – first reading, two required

3. From Planning, Development & Extension Education Committee an Ordinance to Amend Chapter 12 of the Municipal Code of Kenosha County, Wisconsin, with Reference to Zoning, regarding Proposed Amendments to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance adopting the 100-year dam failure floodplain

4. From Planning, Development & Extension Education Committee an Ordinance to Amend Chapter 12 of the Municipal Code of Kenosha County, Wisconsin, with Reference to Zoning, regarding Proposed amendments to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance amending: statutory references; department and committee name references; permit future non-substantive text changes; and update the floodplain zoning sections and definitions.

Ordinance – one reading

#### **ORDINANCE 5**

5. From Planning, Development & Extension Education Committee an Ordinance to Amend Chapter 12 of the Municipal Code of Kenosha County, Wisconsin, with Reference to Zoning, regarding St. Lakovos Retreat Center, Inc.

#### **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 12.02-10 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That the following Tax Parcels zoning be changed from:

- A-1 Agricultural Preservation Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist. & PR-1 Park-Recreational Dist. to A-1 Agricultural Preservation Dist. C-1 Lowland Resource Conservancy Dist., C-2 Upland Resource Conservancy Dist. & PR-1 Park-Recreational Dist. on Tax Parcel #30-4-220-123-0200
- A-1 Agricultural Preservation Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., C-1 Lowland Resource Conservancy Dist. & PR-1 Park-Recreational Dist. on Tax Parcel #30-4-220-123-0100
- A-1 Agricultural Preservation Dist. to A-1 Agricultural Preservation Dist. & PR-1 Park-Recreational Dist. on Tax Parcel #30-4-220-123-0700
- PR-1 Park-Recreational Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. to PR-1 Park-Recreational Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-123-0400
- C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist. & PR-1 Park-Recreational District to C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-123-0300

All located in the SW ¼ of Section 12, T2N, R20E, Town of Brighton.

For informational purposes only, this property is located on the southwest corner of 224th Avenue and 9th Street.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Erin Decker

Michael Underhill

Rick Dodge

Mike Skalitzky

It was moved by Supervisor Breunig to adopt Ordinance 5. Seconded by Supervisor Decker.

Motion carried.

#### **ORDINANCE 6**

6. From Planning, Development & Extension Education Committee an Ordinance to Amend Chapter 12 of the Municipal Code of Kenosha County, Wisconsin, with Reference to Zoning, regarding North Beach, LLC.

#### **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 12.02-10 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That the zoning for Tax Parcels #95-4-119-074-0972 and # 60-4-119-181-0432 located in the SE ¼ of Section 7, T1N, R19E, Towns of Wheatland and Randall, be changed as follows:

- From B-2 Community Business Dist. and R-4 Urban Single-Family Residential Dist. to R-4 Urban Single-Family Residential Dist. on Tax Parcel # 95-4-119-074-0972
- From B-2 Community Business Dist. to R-4 Urban Single-Family Residential Dist. on Tax Parcel # 60-4-119-181-0432 located in the SE ¼ of Section 7, T1N, R19E, Towns of Wheatland and Randall.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Erin Decker

Michael Underhill

Rick Dodge

Mike Skalitzky

It was moved by Supervisor Breunig to adopt Ordinance 6. Seconded by Supervisor Decker.

Motion carried.

#### **ORDINANCE 7**

7. From Planning, Development & Extension Education Committee an Ordinance to Amend Chapter 12 of the Municipal Code of Kenosha County, Wisconsin, with Reference to Zoning, regarding Mills Enterprises, LLC.

#### **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 12.02-10 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #65-4-120-142-1235 located in the NW ¼ of Section 14, T1N, R20E, Town of Salem, be changed from R-4 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District & C-1 Lowland Resource Conservancy District For informational purposes only, this property is located on the south side of 84th Street, approximately 0.06 mi. east of 245th Avenue.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Erin Decker

Michael Underhill

Rick Dodge

Mike Skalitzky

It was moved by Supervisor Breunig to adopt Ordinance 7. Seconded by Supervisor Dodge.

Motion carried.

#### **ORDINANCE 8**

8. From Planning, Development & Extension Education Committee an Ordinance to Amend Chapter 11 of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035

#### **AN ORDINANCE TO AMEND CHAPTER 11 OF THE**

#### **MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR KENOSHA COUNTY: 2035**

That part of Tax Parcels #30-4-220-123-0100 & #30-4-220-123-0700 located in the SW ¼ of Section 12, T2N, R20E, Town of Brighton, be changed from Farmland Protection to Park and Recreational in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035.

For informational purposes only, this property is located on the west side of 224th Avenue, approximately 0.02 mi. south of 9th Street.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Erin Decker

Michael Underhill

Rick Dodge

Mike Skalitzky

It was moved by Supervisor Breunig to adopt Ordinance 8. Seconded by Supervisor Skalitzky.

Motion carried.

Resolutions – one reading

#### **RESOLUTION 1**

1. From Chairman Jeffrey Gentz and Judiciary and Law Committee a Resolution to approve the appointment of Anita Johnson to serve on the Joint Services Board.

**WHEREAS**, Kenosha County Board Resolution 26 adopted on June 8, 1990 provides that two persons shall be appointed by the County Board Chairman to the Joint Services Board, and further that such appointees shall be County Board Supervisors serving at the pleasure of the

Chairman and further that such appointments shall be subject to confirmation by the County Board, and

**WHEREAS**, Supervisor Anita Johnson is hereby presented to the Board for confirmation by its Chairman as his appointee to the Joint Services Board.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors does hereby confirm the appointment of Supervisor Anita Johnson to the Joint Services Board and to serve in such position at the pleasure of the Chairman.

SUBMITTED BY:

Judiciary & Law Committee

Daniel Esposito

Ronald Johnson

Boyd Frederick

David Arrington

Anita Johnson

Angelina Montemurro

It was moved by Supervisor Esposito to adopt Resolution 1. Seconded by Supervisor R. Johnson.

Roll call vote.

Aye: Supervisors Grady, Rose, Gentz, Montemurro, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Decker, Elverman.

Nay: Supervisor Breunig.

Aye: 21. Nay: 1.

Motion carried.

## **RESOLUTION 2**

2. From Finance/Administration Committee a Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount of Approximately \$3,350,000 for Refunding Purposes and Providing for the Sale of the Notes.

**WHEREAS**, the County Board of Supervisors of Kenosha County, Wisconsin (the "County") has determined that the County is in need of an amount of approximately \$3,350,000 for the public purpose of refunding obligations of the County, including interest on them, specifically, refunding the County's General Obligation Promissory Notes, Series 2008B, dated December 18, 2008, maturing in the years 2016 through 2018 (hereinafter the refinancing of the County's outstanding obligations shall be referred to as the "Refunding"); and

**WHEREAS**, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to refund outstanding obligations; and

**WHEREAS**, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes should be issued in an amount of approximately \$3,350,000 for the purpose described above, 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 Refunding, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal amount of approximately THREE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$3,350,000) 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 of approximately THREE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$3,350,000), which notes shall be designated "General Obligation Promissory Notes" (the "Notes"). The County shall offer the Notes for public sale at a subsequent meeting of the County Board of Supervisors.

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; to award the Notes to the lowest responsible bidder therefor; and to levy a direct annual irrepealable tax sufficient to pay the principal of and interest on the Notes as the same becomes due as required by law.

Section 5. 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.

SUBMITTED BY:

Finance/Administration Committee  
Terry Rose  
Ronald Frederick  
John O'Day  
Aaron Kohlmeier  
Edward Kubicki  
Mark Molinaro, Jr.

It was moved Supervisor Rose to Adopt Resolution 2. Seconded by Supervisor R. Frederick.  
Roll call passed unanimously.

### **RESOLUTION 3**

3. From Finance/Administration Committee a Resolution Providing for the Sale of Not to Exceed \$2,810,000 General Obligation County Building Bonds.

**WHEREAS**, on November 10, 2010, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-fourths of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Bonds in an Amount Not to Exceed \$5,620,000 for County Building Improvements" (the "Initial Resolution") authorizing the issuance of general obligation bonds for the public purpose of financing restoration, repair and improvement projects at the Molinaro Building and Courthouse and acquiring furnishings, fixtures and equipment (the "Project"); and

**WHEREAS**, counties are authorized by the provisions of Section 67.04 of the Wisconsin Statutes to borrow money and to issue general obligation bonds for such purpose; and

**WHEREAS**, on August 9, 2011, the County issued its \$2,810,000 General Obligation County Building Bonds, Series 2011B, for the purpose authorized in the Initial Resolution; and

**WHEREAS**, the County Board of Supervisors of the County hereby finds and determines that the remaining general obligation bonds authorized by the Initial Resolution in an amount not to exceed \$2,810,000 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 Bonds.** For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes and the Initial Resolution, a principal amount not to exceed TWO MILLION EIGHT HUNDRED TEN THOUSAND DOLLARS (\$2,810,000) from a purchaser to be determined by competitive sale (the "Purchaser").

**Section 2. Sale of the Bonds.** 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, its General Obligation County Building Bonds aggregating a principal amount not to exceed TWO MILLION EIGHT HUNDRED TEN THOUSAND DOLLARS (\$2,810,000) (the "Bonds"). The County shall offer the Bonds 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 Bonds.

**Section 4. Award of the Bonds.** Following receipt of bids for the Bonds, the County Board of Supervisors shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrepealable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

**Section 5. 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.

SUBMITTED BY:

Finance/Administration Committee  
Terry Rose  
Ronald Frederick  
John O'Day  
Aaron Kohlmeier  
Edward Kubicki  
Mark Molinaro, Jr.

It was moved Supervisor Rose to Adopt Resolution 3. Seconded by Supervisor Kohlmeier.  
Roll call passed unanimously.

### **RESOLUTION 4**

4. From Finance/Administration Committee a Resolution Providing for the Sale of Not to Exceed \$12,740,000 General Obligation Promissory Notes.

**WHEREAS**, on November 10, 2010, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-fourths of the members-elect, adopted resolutions entitled: (i) "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$14,100,000 for Road and Highway Improvements" (the "Highway Initial Resolution") authorizing the

issuance of general obligation promissory notes in an amount not to exceed \$14,100,00 for the public purpose of acquiring property or interests in property and constructing, improving and extending roads and highways, and (ii) "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,825,000 for Fiber Optic Communications System" (the "Communications System Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$1,825,000 for the public purpose of acquiring property or interests in property and installing and extending a fiber optic communications system; and

**WHEREAS**, on August 9, 2011, the County issued its \$10,030,000 General Obligation Promissory Notes, Series 2011A, which consisted in part of \$1,350,000 for the purpose authorized in the Highway Initial Resolution and \$915,000 for the purpose authorized in the Communications System Initial Resolution; and

**WHEREAS**, on November 8, 2011, the County Board of Supervisors, by a vote of more than three-fourths of the members-elect, adopted a resolution entitled: "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$8,651,259 for Budgeted Capital Projects and Kenosha Area Business Alliance Grant" (the "Capital Projects Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$8,651,259 for public purposes, consisting of acquisition, demolition, construction, repair and improvement projects included in the County's Capital Improvement Budget and financing a grant to the Kenosha Area Business Alliance revolving loan program; 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 \$3,188,741 for the purpose authorized in the Highway Initial Resolution, in an amount not to exceed \$900,000 for the purposes authorized in the Communications System Initial Resolution, and in an amount not to exceed \$8,651,259 for the purpose authorized in the Capital Projects Initial Resolution (collectively, the "Initial Resolutions") should be issued as a single issue of General Obligation Promissory Notes (the "Notes"), 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 Initial Resolutions, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes and the Initial Resolutions, a principal amount not to exceed TWELVE MILLION SEVEN HUNDRED FORTY THOUSAND DOLLARS (\$12,740,000) 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 the Notes aggregating a principal amount not to exceed TWELVE MILLION SEVEN HUNDRED FORTY THOUSAND DOLLARS (\$12,740,000). 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 therefore.

Section 5. 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.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

It was moved Supervisor Rose to Adopt Resolution 4. Seconded by Supervisor Vice-chair Kubicki. Roll call passed unanimously.

#### **RESOLUTION 5**

5. From Finance/Administration Committee and Judiciary & Law Enforcement Committee a Resolution regarding FY12 Law Enforcement Justice Assistance Grant (JAG)

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$14,420.00 for a Law Enforcement Justice Assistance Grant (JAG), for the period October 1<sup>st</sup>, 2011 through September 30<sup>th</sup>, 2015, and

**WHEREAS**, these funds have been made available to the Kenosha County Sheriff's Department after an agreed upon split of a total award of \$36,050.00 with the City of Kenosha, as part of the 2012 Justice Assistance Grant through the US Dept of Justice, Office of Justice Assistance Programs, and

**WHEREAS**, these funds will be used to purchase law enforcement equipment for the Department that has been so designated by the Sheriff for law enforcement purposes, and

**WHEREAS**, this grant will not require any local match, and

**WHEREAS**, this budget modification will not require any additional tax levy dollars.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the grant and that 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 grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the JAG 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 \$14,420.00 and increases expenditures by \$14,420.00.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

Judiciary & Law Enforcement Committee

Daniel Esposito

Ronald Johnson

Boyd Frederick

David Arrington

Anita Johnson

Angelina Montemurro

It was moved by Supervisor Esposito to adopt Resolution 5. Seconded by Supervisor Rose. Roll call passed unanimously.

#### **RESOLUTION 6**

6. From Finance/Administration Committee a Resolution Authorizing a Notice to be Given of the Desire of Kenosha County to Terminate the Collective Bargaining Agreement between Kenosha County and Local 990 (Courthouse and Social Services Clerical)

**WHEREAS**, Kenosha County has been a party to a 2010 – 2012 Collective Bargaining Agreement along with KENOSHA COUNTY EMPLOYEES, LOCAL 990 (Courthouse and Social Services Clerical), AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, and

**WHEREAS**, Section 24.1 of that Agreement provides:

Term. This Agreement shall become effective January 1, 2010, and shall remain in effect through December 31, 2012, *and shall be automatically renewed for periods of one (1) year thereafter unless either party shall serve upon the other a written notice of its desire to modify or to terminate this Agreement.* Such notice is to be served no later than the July meeting of the County Board [Emphasis added], and

**WHEREAS**, recent changes in State law now address most matters previously agreed to in the above Collective Bargaining Agreement;

**NOW THEREFORE BE IT RESOLVED THAT** the Kenosha County Board of Supervisors authorize and direct that a notice be given to Local 990 Courthouse and Social Services Clerical of its desire to terminate the Collective Bargaining Agreement with AFSCME, AFL-CIO, Kenosha County, Local 990 Courthouse and Social Services Clerical, with said termination to be effective December 31, 2012.

**NOW, THEREFORE BE IT FURTHER RESOLVED THAT** the Kenosha County Board of Supervisors hereby evaporate all prohibited subjects of bargaining and terminate all past practices.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

It was moved by Supervisor Rose to adopt Resolution 6. Seconded by Supervisor Kohlmeier.

It was moved by Supervisor Hallmon to amend Resolution 6 to replace the word "terminate" with "modify". Seconded by Supervisor Dodge.

Roll call vote.

Aye: Supervisors Rose, Montemurro, Dodge, Hallmon.  
Nay: Supervisors Grady, Gentz, Kubicki, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Breunig, Decker, Elverman.

Aye: 4. Nay: 18.

Motion failed.

Roll call vote on Resolution 6.

Aye: Supervisors Grady, Rose, Gentz, Kubicki, Hallmon, R. Johnson, O'Day, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Breunig, Decker, Elverman.

Nay: Supervisors Montemurro, Dodge, Arrington.

Aye: 19. Nay: 3.

Motion carried.

#### **RESOLUTION 7**

7. From Finance/Administration Committee a Resolution Authorizing a Notice to be Given of the Desire of Kenosha County to Terminate the Collective Bargaining Agreement between Kenosha County and Local 1392 Institutions.

**WHEREAS**, Kenosha County has been a party to a 2010 – 2012 Collective Bargaining Agreement along with KENOSHA COUNTY EMPLOYEES, LOCAL 1392 Institutions, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, and

**WHEREAS**, Section 25.1 of that Agreement provides:

*Term.* This Agreement shall become effective January 1, 2010, and shall remain in effect through December 31, 2012, *and shall be automatically renewed for periods of one (1) year thereafter unless either party shall serve upon the other a written notice of its desire to modify or to terminate this Agreement.* Such notice is to be served no later than the July meeting of the County Board [Emphasis added], and

**WHEREAS**, recent changes in State law now address most matters previously agreed to in the above Collective Bargaining Agreement;

**NOW THEREFORE BE IT RESOLVED** THAT the Kenosha County Board of Supervisors authorize and direct that a notice be given to Local 1392 Institutions of its desire to terminate the Collective Bargaining Agreement with AFSCME, AFL-CIO, Kenosha County, Local 1392 Institutions, with said termination to be effective December 31, 2012.

**NOW, THEREFORE BE IT FURTHER RESOLVED THAT** the Kenosha County Board of Supervisors hereby evaporate all prohibited subjects of bargaining and terminate all past practices.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

It was moved Supervisor Rose to adopt Resolution 7. Seconded by Supervisor O'Day.

Roll call vote.

Aye: Supervisors Grady, Rose, Gentz, Kubicki, Hallmon, R. Johnson, O'Day, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Breunig, Decker, Elverman.

Nay: Supervisors Montemurro, Arrington.

Abstain: Supervisor Dodge.

Aye: 19. Nay: 2. Abstain: 1

Motion carried.

#### **RESOLUTION 8**

8. From Finance/Administration Committee a Resolution Authorizing a Notice to be Given of the Desire of Kenosha County to Terminate the Collective Bargaining Agreement between Kenosha County and Local 168 Maintenance and Custodial Workers

**WHEREAS**, Kenosha County has been a party to a 2010 – 2012 Collective Bargaining Agreement along with KENOSHA COUNTY EMPLOYEES, LOCAL 168 Maintenance and Custodial Workers, SERVICE EMPLOYEES INTERNATIONAL UNION, and

**WHEREAS**, Section 24.1 of that Agreement provides:

*Term.* This Agreement shall become effective January 1, 2010, and shall remain in effect through December 31, 2012, *and shall be automatically renewed for periods of one (1) year thereafter unless either party shall serve upon the other a written notice of its desire to modify or to terminate this Agreement.* Such notice is to be served no later than the July meeting of the County Board [Emphasis added], and

**WHEREAS**, recent changes in State law now address most matters previously agreed to in the above Collective Bargaining Agreement;

**NOW THEREFORE BE IT RESOLVED THAT** the Kenosha County Board of Supervisors authorize and direct that a notice be given to Local 168 Maintenance and Custodial Workers of its desire to terminate the Collective



Bargaining Agreement with SERVICE EMPLOYEES INTERNATIONAL UNION, Kenosha County, Local 168 Maintenance and Custodial Workers, with said termination to be effective December 31, 2012.

**NOW, THEREFORE BE IT FURTHER RESOLVED THAT** the Kenosha County Board of Supervisors hereby evaporate all prohibited subjects of bargaining and terminate all past practices.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

It was moved Supervisor Rose to adopt Resolution 8. Seconded by Supervisor Molinaro.

Roll call vote.

Aye: Supervisors Grady, Rose, Gentz, Kubicki, Hallmon, R. Johnson, O'Day, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Breunig, Decker, Elverman.

Nay: Supervisors Montemurro, Dodge, Arrington.

Aye: 19. Nay: 3.

Motion carried.

#### **RESOLUTION 9**

9. From Planning, Development & Extension Education Committee a Resolution regarding Comprehensive Plan Amendment, St. Iakovos Retreat Center, Inc., requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035.

**WHEREAS**, in compliance with Wisconsin's comprehensive planning law set forth in Section 66.1001 of the Wisconsin Statutes, Kenosha County adopted a Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 on April 20, 2010; and,

**WHEREAS**, the Town of Brighton also adopted said comprehensive plan; and,

**WHEREAS**, St. Iakovos Retreat Center, Inc., 40 E. Burton Pl., Chicago, IL 60610-1612 (Owner), John Balourdos, St. Iakovos Retreat Center, 535 N. Michigan Ave., Ste. 200, Chicago, IL 60611 (Agent), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (Map 65 of the comprehensive plan) from Farmland Protection to Park and Recreational on Tax Parcels #30-4-220-123-0100 & #30-4-220-123-0700 located in the SW ¼ of Section 12, T2N, R20E, Town of Brighton; and,

**WHEREAS**, the Department of Planning and Development has published said request in accordance to State Statutes; and

**WHEREAS**, the Town Board of Brighton recommended approval of the request; and,

**WHEREAS**, the Kenosha County Planning, Development and Extension Education Committee held a public hearing on the request on May 9, 2012, and recommended approval of the request.

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to Sections 59.69 and 66.1001(4) of Wisconsin Statutes, the Kenosha County Board of Supervisors hereby amends the comprehensive plan for part of Tax Parcels #30-4-220-123-0100 & #30-4-220-123-0700 # as described above.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors enact an ordinance adopting the comprehensive plan change.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Erin Decker

Michael Underhill

Rick Dodge

Mike Skalitzky

It was moved by Supervisor Breunig to adopt Resolution 9. Seconded by Supervisor Decker.

Motion carried.

#### **RESOLUTION 10**

10. From Public Works/Facilities & Finance Administration Committees a Resolution to Authorize the Purchase of the Exterior Courthouse Lights to be Sole Sourced.

**WHEREAS**, in 1999 the County Board of Supervisors created Ordinance #24 to repeal and recreate Section 3.11 of the Municipal Code of Kenosha County entitled "Purchasing Policy". Section 3.11(4)(d) "Sole Source" authorizes the County Board to approve by resolution the sole source purchases exceeding \$25,000; and

**WHEREAS**, the County Board of Supervisors approved in the 2011 Budget the capital outlay for the Exterior Courthouse Restoration, and

**WHEREAS**, in the interest of reduced energy consumption and reduced maintenance costs, the Facilities staff has worked with a number of lighting consultants to identify and evaluate a number of lighting fixtures for the exterior lighting of the Kenosha County Courthouse, and

**WHEREAS**, the summary of this process resulted in selecting a uniquely designed, low profile LED light product manufactured by Ruud/Beta that minimizes energy consumption and maintenance costs, and

**WHEREAS**, given that Ruud/Beta is a Racine, WI lighting manufacturer, they offer significantly discounted product pricing to Racine and Kenosha municipalities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors do hereby authorize the sole source purchasing of the exterior LED lights as outlined above and that the Purchasing Director negotiate the purchase in the County's best interest.

SUBMITTED BY:

Public Works/Facilities Committee  
Dennis Elverman  
Rick Dodge  
Gabe Nudo  
Mike Skalitzky

Finance/Administration Committee  
Terry Rose  
Ronald Frederick  
John O'Day  
Aaron Kohlmeier  
Edward Kubicki  
Mark Molinaro, Jr.

It was moved by Supervisor Elverman to adopt Resolution 10. Seconded by Supervisor Rose.  
Motion carried.

#### **RESOLUTION 11**

11. From Public Works/Facilities and Finance/Administration Committees a Resolution to Grant a Sewer Line Easement for Access and Maintenance

**WHEREAS**, The Kenosha Water Utility and Kenosha County formerly had a 2001 Letter of Agreement for entry onto County Park land; and

**WHEREAS**, the City of Kenosha provides storm sewer services to the residents and businesses on all sides of the Kemper Center and Anderson Arts Center property located on 3<sup>rd</sup> Avenue; and

**WHEREAS**, a request has been made by the Kenosha Water Utility for an access easement for an existing storm sewer outflow structure for the purpose of access and maintenance, over, under and through parcels 05-123-05-253-003 and 05-123-05-326-001 owned by the County of Kenosha, as is more particularly shown in the attached proposed drawing and layout of easement; and

**WHEREAS**, the proposed easement should not interfere with any plans contemplated for the property by the County of Kenosha, and will be beneficial to the community for storm water management.

**NOW THEREFORE BE IT RESOLVED**, that the County Board of Supervisors approves to grant the attached 99-year nonexclusive access limited easement to the Kenosha Water Utility for the amount of one dollar (\$1.00), and other valuable consideration, for the purposing of construction and maintenance of a 12 ft. wide blacktop access road for repairing and operating a storm sewer main and appurtenances; and the County Clerk and County Executive are authorized to sign all necessary and related documents.

SUBMITTED BY:

Public Works/Facilities Committee  
Dennis Elverman  
Rick Dodge  
Gabe Nudo  
Mike Skalitzky

Finance/Administration Committee  
Terry Rose  
Ronald Frederick  
John O'Day  
Aaron Kohlmeier  
Edward Kubicki  
Mark Molinaro, Jr.

It was moved by Supervisor Elverman to adopt Resolution 11. Seconded by Supervisor R. Frederick.  
Motion carried.

#### **RESOLUTION 12**

12. From Public Works/Facilities, Finance/Administration and Planning, Development & Extension Education Committees a Resolution to Approve Application for Wisconsin Stewardship Grant to Expand KD Park.

**WHEREAS**, The Kenosha County Board of Supervisors has created the KD County Park, a county park located in the Towns of Wheatland and Randall and adjacent to the Village of Twin Lakes in 2001; and

**WHEREAS**, A unique opportunity has arisen to acquire adjacent land to this Park due to a recent foreclosure by Talmer Bank, and the adjacent land is composed of over 100 acres of forested land, ponds, open land, hills and valleys, with farm fields, scenic vistas and a useable large workshop building, all of which is attractive and suitable for park purposes; and

**WHEREAS**, The State of Wisconsin offers a limited number of Stewardship Grants each year to assist in the acquisition of public parkland; Such grants are given in amounts up to 50% of the value of the vacant land to be acquired; Such grants are made on merit of location and quality of land, quality of applicant for management of parks, and many other factors, and are no cost to applicant if awarded; and applications for such grants must be authorized by a county board resolution for the Department of Natural Resources to consider such applications; and

**WHEREAS**, The desired adjacent land would add to the 234 acre KD Park site, which has a 40 acre manmade lake on the premises and is located next to the State of Wisconsin New Munster Wildlife area along CTH "KD" and is the headwaters of the Palmer Creek, a tributary of the Fox River watershed; and such 100+ acres potential site is an ideal location for the multi-season regional county park that could offer

hiking, fishing, outdoor sports, swimming, picnics, wooded pathways, scenic vistas and other county park amenities; and

**WHEREAS**, the County Board passed Resolution 127 on April 17, 2012 which included the proposed land in the SEWRPC Regional Park and Open Space Plan for 2035; and

**WHEREAS**, This property is in an area rapidly developing for residential purposes and the opportunities to obtain land for parks featuring diverse natural beauty are fewer than in the past in Kenosha County due to competition with subdivisions and condominiums; and since this land is available now at distress price from the Talmer Bank, overall this is a rare opportunity; and a separate resolution will be brought to the County Board for authority to purchase of such land, if the State awards Kenosha County a Stewardship Grant; and

**WHEREAS**, it is estimated that the State of Wisconsin may award one or more grants to Kenosha County to assist in the acquisition of such property in the amount of approximately \$275,000 or more.

**NOW THEREFORE BE IT RESOLVED**, That the Board of Supervisors hereby approves of the Kenosha County application for a Wisconsin Stewardship Grant as described above; and

**BE IT FURTHER RESOLVED**, That the County Executive be authorized to sign all documents necessary for the Wisconsin Stewardship Grant application.

SUBMITTED BY:

Public Works/Facilities Committee

Dennis Elverman

Gabe Nudo

Rick Dodge

Mike Skalitzky

It was moved by Supervisor Breunig to adopt Resolution 12. Seconded by Supervisor Rose.

Motion carried with Supervisor Elverman abstaining.

### **COMMUNICATION**

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

Chairman Gentz referred Communication 2 to Planning, Development & Extension Education Committee.

### **SUMMONS & COMPLAINT**

1. Arquincy Lee Carr – civil rights violated

Chairman Gentz referred Summons & Complaint 1 to Corporation Counsel.

It was moved by Supervisor Hallmon to approve the May 1, 2012 minutes. Seconded by Supervisor Esposito.

It was moved by Supervisor Dodge to adjourn. Seconded by Supervisor R Frederick.

Meeting adjourned at 7:50 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk