

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
January 15, 2013**

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, Arrington, R. Frederick, Nudo, Kohlmeier, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Underhill, Breunig, Elverman.

Excused: Supervisors O'Day, B. Frederick, Decker.

Present: 20. Excused: 3.

There were no Citizen Comments

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Gentz stated he will be asking Supervisor Hallmon, Nudo and B. Frederick to form a small work group and get information on the State Budget and report to the Executive Committee. At the February 20th County Board Meeting there will be a presentation at 6:30 by WCA on the State Budget as it pertains to Kenosha County. He asks the Supervisors to mark their calendars.

There were no Supervisor Reports

NEW BUSINESS

Resolutions - one reading

7:35*

RESOLUTION 75

75. From Supervisor Mark Molinaro regarding reviewing and strengthening Wisconsin's OWI Laws.

WHEREAS, Wisconsin continues to be the only state in the nation which does not treat a first offense of Operating While Under the Influence ("drunk driving") as a criminal matter; and whereas Kenosha County opposes unfunded mandates from the State of Wisconsin; and

WHEREAS, Wisconsin also consistently has the highest rate of drunk driving in the nation; and

WHEREAS, The Wisconsin Department of Transportation has noted that in 2009 alone nearly half of all fatal automobile accidents involved drunk driving; and

WHEREAS, It appears clear that while it would be very difficult to define a "safe" blood alcohol content (BAC), that the level of impairment is related to the height of the BAC; and

WHEREAS, Based on the above stated facts it seems clear that while the members of the Wisconsin State Legislature have consistently stated their commitment to toughness and zero tolerance for drunk driving, the current approach is not enough to curtail the significant of the problem in our state and has not adequately addressed or resolved the issue of intoxicated motorists endangering the law abiding citizens of our great state;

THEREFORE BE IT RESOLVED that the Kenosha County Board of Supervisors believes that a comprehensive review of the State of Wisconsin's laws on Operating While Under the Influence needs to be undertaken with an eye toward strengthening them, including a reconsideration of the non-criminal nature of the first offense; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors agrees with the current legislation being discussed by and believes that the Wisconsin State Legislature should give serious consideration to making the First Offense of Operating While Under the Influence a criminal offense rather than a civil offense under certain circumstances, specifically when the registered BAC is 0.15 or above; and that the cost of the implementation of the proposed resolution be born exclusively by the State of Wisconsin and not the counties of this state.

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors urges the Wisconsin State Legislature to draft and pass legislation that would effectuate said change in state statute, and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors advises the Wisconsin State Legislature that the Kenosha County District Attorney Robert Zapf and Kenosha County Sheriff David Beth concur in and fully support this resolution; and

BE IT FURTHER RESOLVED that the Clerk is hereby directed to send a copy of this resolution to Kenosha County's representatives in the State Assembly and State Senate, the Office of the Governor, and the Wisconsin Counties Association.

SUBMITTED BY:

Mark Molinaro, Jr.

It was moved by Supervisor Molinaro to suspend the rules and act on Resolution 75 immediately.

Seconded by Supervisor Breunig.

Roll call vote.

Aye: Supervisors Grady, Gentz, Montemurro, Kubicki, Hallmon, R. Johnson, Arrington, R. Frederick, Nudo, Kohlmeier, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Underhill, Breunig, Elverman.

Nay: Supervisors Rose, Dodge.

Motion carried.

It was moved by Supervisor Rose to send Resolution 75 to committee. Seconded by Supervisor A. Johnson.

Roll call vote.

Aye: Supervisors Grady, Rose, Montemurro, Dodge, Kubicki, Noble, A. Johnson, Skalitzky, Underhill, Elverman.

Nay: Supervisors Gentz, Hallmon, R. Johnson, Arrington, R. Frederick, Nudo, Kohlmeier, Molinaro, Esposito, Breunig.

Motion failed.

It was moved by Supervisor Rose to amend to Resolution 75 to add to the first whereas clause and the second resolution clause. "Whereas Kenosha County opposes unfunded mandates from the state of Wisconsin." And "Be it further resolved that the cost of the implementation of the proposed resolution be born exclusively by the State of Wisconsin and not the counties of this state." Seconded by Supervisor Underhill.

Supervisors Molinaro and Underhill agreed to make it a friendly amendment.

Roll call vote on Resolution 75 as amended.

Aye: Supervisors Grady, Rose, Gentz, Montemurro, Kubicki, Hallmon, R. Johnson, Arrington, R. Frederick, Nudo, Kohlmeier, Molinaro, Esposito, Skalitzky, Underhill, Breunig, Elverman.

Nay: Supervisors Dodge, Noble, A. Johnson.

Aye: 17. Nay: 3.

Motion carried.

RESOLUTION 76

76. From Finance/Administration Committee regarding leave of absence for JoEllyn Storz to hold the Office of Register of Deeds.

WHEREAS, JoEllyn Storz has been elected Register of Deeds of Kenosha County, and takes office effective January 7, 2013; and

WHEREAS, JoEllyn Storz has been with Kenosha County for more than seventeen years and she was formerly the Chief Deputy Registrar with the Kenosha County Register of Deeds' Office; and

WHEREAS, she is entitled to seek a leave of absence to hold the Office of Register of Deeds as has been done in the past by other elected officials in Kenosha County; and

WHEREAS, JoEllyn Storz has requested such leave of absence be granted for the period of time she holds the Office of Register of Deeds for Kenosha County. It is Ms. Storz's understanding that she will not be returning to her present position of Chief Deputy Registrar of Deeds, but rather will be placed in the first vacancy in the Register of Deeds' Office or other Kenosha County department for which she is otherwise qualified.

NOW, THEREFORE BE IT RESOLVED, that JoEllyn Storz be granted a leave of absence from the Register of Deeds' Office to assume the Office of Register of Deeds, Kenosha County effective January 7, 2013, and:

BE IT FURTHER RESOLVED, that should her tenure as Register of Deeds end, JoEllyn Storz will be placed in a vacancy within the Register of Deeds' Office or other Kenosha County Department for which she is otherwise qualified.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

William Grady

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

It was moved by Supervisor Rose to adopt Resolution 76. Seconded by Supervisor R. Frederick.

Motion carried.

RESOLUTION 77

77. From Finance/Administration Committee a Resolution to approve the Appointment of D. Noël Sheer to serve on the Kenosha County Library System Board.

WHEREAS, pursuant to County Executive Appointment #2012/13-22 the County Executive has appointed D. Noël Sheer 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, and;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the appointment of D. Noël Sheer to serve on the Kenosha County Library System Board immediately upon passage of this resolution and continuing until the 31st day of December 2015 or until a successor is appointed and confirmed by the County Board of Supervisors. Ms. Sheer will serve without pay. Ms. Sheer will be succeeding herself and has attended 16 out of 18 meetings during her last term. The 2 meetings she missed were excused.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

William Grady

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr

It was moved by Supervisor Rose to adopt Resolution 77. Seconded by Vice-chair Kubicki.

Motion carried.

RESOLUTION 78

78. From Finance/Administration Committee a Resolution to approve the Appointment of Carolyn Budwick to serve on the Kenosha County Library System Board.

WHEREAS, pursuant to County Executive Appointment #2012/13-23 the County Executive has appointed Carolyn Budwick 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, and;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the appointment of Carolyn Budwick to serve on the Kenosha County Library System Board immediately upon passage of this resolution and continuing until the 31st day of December 2015 or until a successor is appointed and confirmed by the County Board of Supervisors. Ms. Budwick will serve without pay. Ms. Budwick will be succeeding herself and has attended 8 out of 10 meetings during her last term. The 2 meetings she missed were excused.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

William Grady

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr

It was moved by Supervisor Rose to adopt Resolution 78. Seconded by Supervisor Grady.

Motion carried.

RESOLUTION 79

79. From Administration/Finance and Judiciary & Law Committees a Resolution to approve the Appointment of Paul Trombino to serve on the Civil Service Commission.

WHEREAS, pursuant to County Executive Appointment #2012/13-26 the County Executive has appointed Paul Trombino to serve on the Civil Service Commission and;

WHEREAS, the Finance/Administration and Judiciary & Law Committees have 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, and;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the appointment of Paul Trombino to serve on the Civil Service Commission effective immediately upon confirmation by the County Board and continuing until the 31st day of December 2017 or until a successor is appointed County Executive and confirmed by the County Board. Mr. Trombino will serve without pay but will receive per diem as defined under Resolution 65 (1982-83). Mr. Trombino will be succeeding himself and has attended 23 out of 23 meetings during her last term.

SUBMITTED BY:

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

William Grady

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr

Judiciary & Law Committee

Daniel Esposito

Ronald Johnson

Boyd Frederick

David Arrington

Angelina Montemurro

Douglas Noble

It was moved by Supervisor Rose to adopt Resolution 79. Seconded by Supervisor Esposito.

Motion carried

RESOLUTION 80

80. From Public Works/Facilities and Judiciary & Law Committees a Resolution to approve the Appointment of Lieutenant Daniel Reilly to the Kenosha County Traffic Safety Commission.

WHEREAS, pursuant to County Executive Appointment #2012/12-15 the County Executive has appointed Lieutenant Daniel Reilly to serve on the Kenosha County Traffic Safety Commission, and;

WHEREAS, the Public Works/Facilities Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Traffic Safety Commission and is recommending to the County Board the approval of this appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors confirms the appointment of Lieutenant Daniel Reilly to the Kenosha County Traffic Safety Commission. Lieutenant Daniel Reilly's appointment shall be effective immediately and continuing until the 1st day of September 2015 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Lieutenant Daniel Reilly will serve without pay.

SUBMITTED BY:

Public Works/Facilities Committee

Dennis Elverman

Rick Dodge

Gabe Nudo

Mick Skalitzky

Judiciary & Law Committee

Daniel Esposito

Ronald Johnson

Boyd Frederick

David Arrington

Angelia Montemurro
Doug Noble

It was moved by Supervisor Elverman to adopt Resolution 80. Seconded by Supervisor Noble.
Motion carried

RESOLUTION 81

81. From Public Works/Facilities and Finance/Administration Committees a Resolution to apply for grant funding for the purpose of development a management plan to deal with the emerald ash borer situation at Kenosha County Parks.

WHEREAS, Kenosha County Parks Division requests approval to apply for an Urban Forestry grant, and **WHEREAS**, the Wisconsin Department of Natural Resources Urban Forestry Department requires that an EAB Management Plan be in place before Kenosha County would be eligible for further funding ; and **WHEREAS**, this EAB Plan will include an inventory of ash trees, plan for removal and site specific reforestation and make Kenosha County eligible for further funding in removing and reforestation of two County Parks; and

WHEREAS, the total estimated cost of the Emerald Ash Bore Management Plan is \$25,000.00, of which \$12,500.00 will be the Kenosha County match, and

WHEREAS, if Kenosha County receives the grant the source of the County match will be determined at the time of acceptance of the grant, and

THEREFORE, BE IT RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf to submit an application to the Department of Natural Resources for financial assistance.

SUBMITTED BY:

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

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

It was moved by Supervisor Elverman to adopt Resolution 81. Seconded by Supervisor Rose.
Motion carried.

RESOLUTION 82

82. From Public Works/Facilities and Finance/Administration Committees a Resolution authorizing a continued contract for services between Kenosha County and the Pringle Nature Center Inc.

WHEREAS, Kenosha County and the Pringle Nature Center located at 9800 160th Ave, Bristol in the County of Kenosha have worked together to provide a Nature Center to benefit the citizens since 2008, and

WHEREAS, there is a need to contract terms and conditions for use of the site which had been done on a biennial basis for the last four years, and

WHEREAS, many benefits are derived for the public from this mutual cooperation agreement including numerous and varied activities such as organized nature hikes, teacher and naturalist training, photographic scavenger hunts, story times, animal and nature appreciation, fun runs, geocaching, education about invasive species, year-round seasonal programs, concerts, astrology, and

WHEREAS, a wide range of groups and ages of people enjoy the programming including boy scouts, girl scouts, educators, families, elderly, and these services are provided at no cost to taxpayers and at low, reasonable cost to users, and

WHEREAS, the prior agreement is to expire at the end of the calendar year, 2012.

NOW THEREFORE BE IT RESOLVED that the Kenosha County Board of Supervisors hereby agrees to contract with the Pringle Nature Center, Inc. commencing on December 31, 2012 and lasting two years with a renewal option for a further two years, a copy of which is attached hereto as Exhibit "A"; and

BE IT FURTHER RESOLVED that the Kenosha County Executive and County Clerk are hereby authorized to execute the appropriate documents in order to execute this transaction in accordance with State law.

SUBMITTED BY:

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

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

It was moved by Supervisor Elverman to adopt Resolution 82. Seconded by Supervisor Molinaro.
Motion carried.

RESOLUTION 83

83. From Public Works/Facilities and Finance Administration Committees a Resolution to repurpose Golf Division funds to be used to refurbish a furnace in the Brighton Dale Clubhouse.

WHEREAS, one of the two furnace in the Brighton Dale Clubhouse broke down recently and is non-operational, placing the building and contents at some limited risk, and

WHEREAS, repair, refurbish and replacement options were explored to determine the most cost effective method of getting the furnace operational, and

WHEREAS, it appears the most cost effecting solution is to refurbish the furnace by replacing a number of major component subsystems at an estimated cost of \$13,000, and

WHEREAS, there were no funds specifically allocated in the 2013 Budget to replace this furnace (funds were tentatively included in the Capital Improvement Plan in future years), and

WHEREAS, there are surplus funds remaining with the golf Division's capital projects budget to fund this project, and

WHEREAS, bonded funds can only be used for capital projects and no levy dollars will be used to fund this project.

NOW THEREFORE BE IT RESOLVED that the Kenosha County Board of Supervisors does hereby authorize the reallocation and expenditure of existing Golf Division capital project funds as detailed in the attached budget modification form and the attached spreadsheet (which shows the sources of funds for the project) to facilitate the refurbishment of this furnace.

SUBMITTED BY:

Public Works/Facilities Committee

Dennis Elverman

Rick Dodge

Gabe Nudo

Mick Skalitzky

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

William Grady

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr

It was moved by Supervisor Elverman to adopt resolution 83. Seconded by Supervisor Skalitzky.

Roll call vote passed unanimously.

COMMUNICATION

8. Communication from Andy Buehler regarding future items scheduled before the Planning, Development & Extension Education Committee.

Chairman Gentz received and filed Communication 8.

It was moved by Supervisor Esposito to approve the minutes from the January 8, 2013 meeting. Seconded by Vice-chair Kubicki.

Motion carried.

It was moved by Supervisor Underhill adjourn. Seconded by Supervisor Breunig.

Meeting adjourned at 8:18 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk