Kenosha County

COUNTY BOARD OF SUPERVISORS

NOTICE OF MEETING

NOTE: UNDER THE KENOSHA COUNTY BOARD OF RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SEC. 210(2) OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY ITEM SCHEDULED FOR THE FIRST OF TWO READINGS IS SUBJECT TO A MOTION TO SUSPEND THE RULES IN ORDER TO PROCEED DIRECTLY TO DEBATE AND VOTE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN.

NOTICE IS HEREBY GIVEN the **Regular County Board Meeting** of the Kenosha County Board of Supervisors will be held on **Tuesday, the 17th of May, at 7:30 p.m.,** in the County Board Room located in the Administration Building. The following will be the agenda for said meeting:

A. Call To Order By Chairman Nudo

B. Pledge Of Allegiance

C. Roll Call Of Supervisors

D. Recognition Of The 2021-2022 Youth In Governance Members

E. Appointments Of The 2022-2023 Youth In Governance Members

F. Citizen Comments

G. Announcements Of The Chairman

H. Supervisor Reports

I. COUNTY EXECUTIVE APPOINTMENTS

1. Chairman Nudo To Serve On The Brookside Board Of Trustees

   Documents:

   1_NUDO BROOKSIDE .PDF

2. Supervisor Bashaw To Serve On The Pringle Nature Center Board

   Documents:

   2_BASHAW PRINGLE.PDF

3. Brooks Litz To Serve On The Local Emergency Planning Committee

Documents:

3_LITZ LEPC.PDF

J. NEW BUSINESS

Resolution - One Reading

1. From Chairman Nudo And The Judiciary & Law Enforcement Committee - A Resolution To Approve The Appointment Of Mark Nordigian To Serve On The Joint Services Board

Documents:

MNORIDIGIAN_RESOLUTION_JOINTSERVICES.PDF

2. From The Judiciary & Law Enforcement And Finance & Administration Committees - A Resolution - 2022 FY21 Grant Award From Homeland Security Wisconsin Emergency Management HS ALERT BOMB Explosive Breaching Training

Documents:

RESOLUTION 2022 FY21 GRANT AWARD FROM WEM HS ALERT BOMB EXPLOSIVE BREACH TRAINING.PDF

3. From The Judiciary & Law Enforcement And Finance & Administration Committees - A Resolution - 2022 District Attorneys Office Proposal For Allocation Of Federal ARPA Funds

Documents:

RESOLUTION 2022 DISTRICT ATTORNEYS OFFICE PROPOSAL FOR ALLOCATION OF FEDERAL ARPA FUNDS.PDF

Ordinance - One Reading, Two Required

1. From The Judiciary & Law Enforcement And Finance & Administration Committees - An Ordinance For The Amendment Of MCKC 401, The Civil Service Ordinance

Documents:

RESOLUTION THE AMENDMENT OF MCKC 401 THE CIVIL SERVICE ORDINANCE.PDF

Ordinance - One Reading

2. From The Planning, Development & Extension Education Committee - An Ordinance Regarding Michael W. Nielsen & Erin N. Nielsen (Owner), Michael Nielsen (Agent) Requesting A Rezoning From , R-1 Rural Residential Dist. To R-2 Suburban Single-Family Residential Dist., Town Of Wheatland

Documents:

ORD NIELSEN REZO.PDF

K. COMMUNICATIONS

2. Communication From Supervisors Decker And Poole - A Resolution Declaring Kenosha County A Second Amendment Sanctuary County

Documents:

SECAMENDSANCTCO.PDF

3. Communication From Supervisors Decker And Poole - A Resolution To Conduct Countywide Advisory Referendum On Making The State Of Wisconsin A 2nd Amendment Sanctuary State

Documents:

RESCOREF2ND AMENDSANCTSTATE.PDF

4. Communication From Supervisors Decker And Rose - A Resolution To Repeal 1996 Policy Resolution 12 And Adopt A Policy Regarding Kenosha County Department And Division Heads

Documents:

RESREPEAL1996POLICYRES12.PDF

5. Communication From Supervisor Decker - A Resolution To Amend 2011 Resolution 63

Documents:

ARESAMEND2011RES63.PDF

6. Communication From Andy M. Buehler Regarding Future Items Scheduled Before The Planning, Development & Extension Education Committee

Documents:

06-15-2022 COMMUNICATIONS SIGNED.PDF

L. Approval Of The May 3, 2022 Minutes By Supervisor Yuhas

M. Adjourn

COUNTY OF KENOSHA

OFFICE OF THE COUNTY EXECUTIVE
Samantha Kerkman, County Executive

1010 – 56th Street, Third Floor
Kenosha, Wisconsin 53140
(262) 653-2600

ADMINISTRATIVE PROPOSAL

COUNTY EXECUTIVE APPOINTMENT 2022/23-1

RE: BROOKSIDE BOARD OF TRUSTEES

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Chairman Gabe Nudo
Kenosha, WI 53142

to serve on the Brookside Board of Trustees beginning immediately upon confirmation of the County Board and continuing until the 2nd day of January, 2023 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Chairman Nudo will serve without pay.

Chairman Nudo will be succeeding former Supervisor David Celebre.

Respectfully submitted this 12th day of May 2022.

Samantha Kerkman
Kenosha County Executive

COUNTY OF KENOSHA
OFFICE OF THE COUNTY EXECUTIVE
SAMANTHA KERKMAN

APPOINTMENT PROFILE
KENOSHA COUNTY COMMISSIONS, COMMITTEES & BOARDS

(Please type or print)
Information marked with an * will be redacted before this form is publicly posted.

Name: GABRIELE NUDO
First Middle Initial (optional) Last

*Residence Address: _____ _____

Occupation: _____ _____
Company Title

*Business Address: _____

*Telephone Number: Residence *Business _____

*Daytime Telephone Number:

*Email Address:

Name of the Commission, Committee or Board for which you are applying:

BROOKSIDE BOARD OF TRUSTEES

Personal Statement: Please indicate why you believe you would be a valuable addition to the Commission, Committee or Board for which you are applying. If more space is needed, please attach a separate sheet.

Previously served on this committee and very familiar with duties and procedures with regard to this committee

Additional Information:

Nominee's Supervisory District: _____

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No (✓) If yes, please attach a detailed explanation.

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Governmental Services: List services with any governmental unit.
ON MY 6th term as County Board Supervisor and served on many committees including Chairman of Legislative committee - presently serving as Board Chairman

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

Signature of Nominee

5-11-22
Date

Please Return To: Kenosha County Executive
1010 – 56th Street
Kenosha, WI 53140
Email: County.Executive@kenoshacounty.org

COUNTY OF KENOSHA

OFFICE OF THE COUNTY EXECUTIVE
Samantha Kerkman, County Executive

1010 – 56th Street, Third Floor
Kenosha, Wisconsin 53140
(262) 653-2600

ADMINISTRATIVE PROPOSAL

COUNTY EXECUTIVE APPOINTMENT 2022/23-2

RE: PRINGLE NATURE CENTER BOARD

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Supervisor Brian Bashaw
Brighton, WI 53168

to serve a three-year term, as the Kenosha County liaison, on the Pringle Nature Center Board beginning immediately upon confirmation of the County Board and continuing until the 31st day of July, 2025 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Supervisor Bashaw will serve without pay.

Supervisor Bashaw will be succeeding Monica Yuhas.

Respectfully submitted this 12th day of May 2022.

Samantha Kerkman
Kenosha County Executive

COUNTY OF KENOSHA
OFFICE OF THE COUNTY EXECUTIVE
SAMANTHA KERKMAN

APPOINTMENT PROFILE
KENOSHA COUNTY COMMISSIONS, COMMITTEES & BOARDS

(Please type or print)
Information marked with an * will be redacted before this form is publicly posted.

Name: Brian S. Bashaw
First Middle Initial (optional) Last

*Residence Address:

Occupation:
Company Title

*Business Address:

*Telephone Number: Residence *Business

*Daytime Telephone Number:

*Email Address:

Name of the Commission, Committee or Board for which you are applying:

Pringle Nature Center Board

Personal Statement: Please indicate why you believe you would be a valuable addition to the Commission, Committee or Board for which you are applying. If more space is needed, please attach a separate sheet.

As an avid outdoor sportsman who enjoys every aspect of our natural environment, I support and promote the preservation of natural areas. That which we do not preserve today will not be available for our children or future generations to enjoy. I believe that we all have a responsibility to protect our natural areas and environment, making it vitally important to educate and engage our youth and adults through active relationship with our environment. If we do not have a personal experience with nature, it is difficult to then understand the importance of nature and the complex interaction it represents in our lives.

Through development, we see much of our greenspaces disappear to be replaced by homes or business and the supporting infrastructure required for modern life. If we lose our greenspaces, we lose our relationship with the environment that provides immeasurable benefit to our lives.

As a landowner with both small agriculture and timber land, it is critically important to me to preserve, protect and to actively engage with our environment.

Additional Information:

Nominee's Supervisory District: _District 19. Includes Bristol, Brighton, Paris and a portion of Somers.

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.
___Scouts__As a young man I had many outdooor adventures through scouts

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes (x) No ( ) If yes, please attach a detailed explanation.

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Governmental Services: List services with any governmental unit.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

Signature of Nominee

5/11/2022
Date

Please Return To: Kenosha County Executive
1010 – 56th Street
Kenosha, WI 53140

COUNTY OF KENOSHA

OFFICE OF THE COUNTY EXECUTIVE
Samantha Kerkman, County Executive

1010 – 56th Street, Third Floor
Kenosha, Wisconsin 53140
(262) 653-2600

ADMINISTRATIVE PROPOSAL

COUNTY EXECUTIVE APPOINTMENT 2022/23-3

RE: LOCAL EMERGENCY PLANNING COMMITTEE

TO THE HONORABLE KENOSHA COUNTY BOARD OF SUPERVISORS:

Placing special trust in his judgment and based upon his qualifications, I hereby submit to the Honorable Kenosha County Board of Supervisors for its review and approval the name of

Mr. Brooks Litz
Pleasant Prairie, WI 53158

to serve a three-year term on the Kenosha County Local Emergency Planning Committee beginning on July 1, 2022 after confirmation by the County Board and continuing until the 30th day of June 2025 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Mr. Litz will serve without pay.

Mr. Litz will be succeeding Mr. Rick Dodge.

Respectfully submitted this 12th day of May 2022.

Samantha Kerkman
Kenosha County Executive

COUNTY OF KENOSHA
OFFICE OF THE COUNTY EXECUTIVE
SAMANTHA KERKMAN

APPOINTMENT PROFILE
KENOSHA COUNTY COMMISSIONS, COMMITTEES & BOARDS

(Please type or print)
Information marked with an * will be redacted before this form is publicly posted.

Name: Brooks (First) T (Middle Initial (optional)) Litz (Last)

*Residence Address: _____

Occupation: Retired (Company) _____ (Title)

*Business Address: N/A

*Telephone Number: Residence _____ *Business _____

*Daytime Telephone Number: _____

*Email Address: _____

Name of the Commission, Committee or Board for which you are applying:

Local Emergency Planning Committee, Civil Service Commission, Joint Services Board

Personal Statement: Please indicate why you believe you would be a valuable addition to the Commission, Committee or Board for which you are applying. If more space is needed, please attach a separate sheet.

I served as a Firefighter/ Paramedic for 17.5 years. In that time, I have recieved many certifications in emergency response and emergency preparedness, including but not limited to, NIMS (National Incident Managemeent Systems) certifications, Hazmat Ops, Illinois FF3, EMT-P, ACLS, BTLS, PALS, Rescue DIver (open water and ice), Wildland Firefighting and Urban Interface, Fire Service Instructor, Tactics and Strategy. For the last years of my career I was the acting Liuetenant for my shift and in the training division for Zion Fire Department. During that time, I organized, developed, and implimented trainings, not just for our department but for surrounding area deparments. I have participated in many trainings, including mass casualty, Hazmat, active shooter drills, and other large scale events. I have worked on pre-plans and spent time on our department's MABAS (Mutual Aid Box Alarm System) committee. In my career, I have responded to many incidents, both small and large scale. In 2017, due to an on the job injury, I was forced to retire. I think my unique experiences and knowledge would be an advantage to any one of these positions.

Additional Information:

Nominee's Supervisory District: District 17

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.

N/A

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ☐ No ☑ If yes, please attach a detailed explanation.

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

Zion L1999 (retired) - member

Governmental Services: List services with any governmental unit.

Zion Fire Department (sworn personnel, retired 2017)
Gurnee Fire Department (contractual, retired 2005)
Beach Park Fire Department (POP/POC, retired 2005)

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

Brooks Litz
Signature of Nominee

05/12/2022
Date

Please Return To: Kenosha County Executive
1010 – 56th Street
Kenosha, WI 53140

County of Kenosha

Board of Supervisors

Resolution No. 1

Subject: RESOLUTION TO APPROVE THE APPOINTMENT OF MARK NORDIGIAN TO SERVE ON THE JOINT SERVICES BOARD
Original _X_ Corrected __ 2nd Correction __ Resubmitted __
Date Submitted: Date resubmitted:
Submitted by: Chair Gabe Nudo and the Judiciary and Law Committee
Fiscal Note Attached:__ Legal Note Attached: _
Prepared By: Corporation Counsel Joseph M. Cardamone III

WHEREAS, Kenosha County Board Resolution 109 adopted on March 2, 2010, provides that two persons shall be appointed by the County Board Chair to the Joint Services Board, and further that such appointees shall be County Board Supervisors serving at the pleasure of the Chair; and

WHEREAS, Supervisor Mark Nordigian is hereby presented to the Board for confirmation by its Chair as his appointee to the Joint Services Board;

NOW THEREFORE BE IT RESOLVED, That the County Board of Supervisors hereby confirms the appointment of Supervisor Mark Nordigian to the Joint Services Board to serve in such position at the pleasure of the Chair, or until the end of the existing term, August 23, 2023.

Respectfully submitted by:

Gabe Nudo
Chair, Kenosha County Board of Supervisors

Approved by:

Judiciary and Law Committee:

	Aye	Nay	Abstain	Excused
Zaeh Rodriguez, Chair	☑	☐	☐	☐
Brian Bashaw, Vice-Chair	☒	☐	☐	☐
Erin Decker	☒	☐	☐	☐
Mark Nordigian	☐	☐	☒	☐
Laura Belsky	☐	☐	☐	☑
John Franco	☑	☐	☐	☐
Jeff Wamboldt	☐	☐	☐	☐

COUNTY OF KENOSHA
OFFICE OF THE COUNTY BOARD CHAIRMAN

RECEIVED
APR 27 2022
REGI BACHOCHIN
COUNTY CLERK

APPOINTMENT PROFILE
KENOSHA COUNTY COMMISSIONS, COMMITTEES & BOARDS

(Please type or print)
Information marked with an * will be redacted before this form is publicly posted.

Name: Mark (First) Nordigian (Middle Initial (optional)) (Last)

*Residence Address: 11817-334th Ave, Twin Lakes, WI 53181

Occupation: Norstan, Inc (Company) Quality Manager (Title)

*Business Address: 10333-80nd Ave, Pleasant Prairie, WI 53158

*Telephone Number: Residence 262-705-2347 *Business 262-947-0707

*Daytime Telephone Number: 262-705-2347

*Email Address: mnordigian@gmail.com

Name of the Commission, Committee or Board for which you are applying:

Joint Services

Personal Statement: Please indicate why you believe you would be a valuable addition to the Commission, Committee or Board for which you are applying. If more space is needed, please attach a separate sheet.

I am someone who likes to be part of organizations & groups that benefit others. I have been active with some of the fire chiefs in the county & want to become more involved in the way our emergency services are organized & run. I feel my years on Both Randall & Kenosha County boards help me with more insight with Joint services.

Revised 7-1-2021

Additional Information:

Nominee's Supervisory District: (21)

Special Interests: Indicate organizations or activities in which you have a special interest but may not have been actively involved.

None

Do you or have you done business with any part of Kenosha County Government in the past 5 years? Yes ( ) No (X) If yes, please attach a detailed explanation.

Affiliations: List affiliations in all service groups, public service organizations, social or charitable groups, labor, business or professional organization, and indicate if it was a board or staff affiliation.

2016-Present - Kenosha County Board Supervisor - District 21
1994-2004 - Town Board of Randall Supervisor
2021-Present - Trustee of ST. John The Evangelist church, Twin Lakes, WI

Governmental Services: List services with any governmental unit.

Conflict Of Interest: It would be inappropriate for you, as a current or prospective appointee, to have a member of your immediate family directly involved with any action that may come under the inquiry or advice of the appointed board, commission, or committee. A committee member declared in conflict would be prohibited from voting on any motion where "direct involvement" had been declared and may result in embarrassment to you and/or Kenosha County.

Signature of Nominee

4/27/2022
Date

Please Return To: County Clerk
1010 – 56th Street
Kenosha, WI 53140

(For Office Use Only)

Appointed To: _____
Commission/Committee/Board

Term: Beginning _____ Ending _____

Confirmed by the Kenosha County Board on: _____

New Appointment _____ Reappointment _____

Previous Terms: _____
_____

KENOSHA COUNTY
BOARD OF SUPERVISORS
RESOLUTION NO. _____

Subject: **2022 Grant Award (FY'21)– Homeland Security – Wisconsin Emergency Management/ HS ALERT BOMB Explosive Breaching Training**			
Original ☒	Corrected ☐	2nd Correction ☐	Resubmitted ☐
Date Submitted:		Date Resubmitted	
Submitted By:**Judiciary & Law Enforcement Committee & Finance/Administration Committee**			
Fiscal Note Attached X		Legal Note Attached ☐	
Prepared By: **Lt. Steven T. Beranis, Lieutenant of Detentions**		Signature: Capt. #352 for Lt. Beranis	

WHEREAS, the Kenosha County Sheriff's Department, as the Agency in charge of the Kenosha County Sheriff's Bomb Squad, has been awarded $4,000 from the State of Wisconsin Emergency Management through the Homeland Security-WEM/HS Alert Bomb Explosive Breaching Training 2022 program covers registration and travel costs for Tactical Explosive Breacher Certification in Will county, IL, and

WHEREAS, the Kenosha County Sheriff's Department Bomb Squad is a regional response team that responds to and processes Hazardous Device Incidents in Kenosha County and the Southeast Wisconsin Region, and

WHEREAS, the training will cover charge calculation, charge construction, target analysis, proper deployment, tactical considerations, and issues pertaining to liability, and

WHEREAS, the awarding agency is not requiring a hard match for this award, therefore, no additional tax levy dollars are requested to implement this grant award, and

WHEREAS, the project funding period for this grant begins April 5, 2022 and expires August 31, 2022.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept this grant and approve the revenue and expenditure budget modifications, to the 2022 budget, as per the budget modification form, which is incorporated herein by reference, and

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 grant requirements.

Note: This resolution requires no funds from the general fund. It increases revenues by $4,000 and increases expenditures by $4,000.

Subject: **2022 Grant Award (FY'21)– Homeland Security – Wisconsin Emergency Management/ HS ALERT BOMB Explosive Breaching Training**			
Original ☒	Corrected ☐	2nd Correction ☐	Resubmitted ☐
Date Submitted:		Date Resubmitted	
Submitted By:**Judiciary & Law Enforcement Committee & Finance/Administration Committee**			

Respectfully Submitted,

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

	Aye	No	Abstain	Excused
Supervisor Zach Rodriguez, Chair	☒	☐	☐	☐
Supervisor Brian Bashaw, Vice Chair	☒	☐	☐	☐
Supervisor Erin Decker	☒	☐	☐	☐
Supervisor Mark Nordigian	☒	☐	☐	☐
Supervisor Laura Belsky	☐	☐	☐	☒
Supervisor John Franco	☒	☐	☐	☐
Supervisor Jeff Wamboldt	☐	☐	☐	☐

FINANCE/ADMINISTRATION COMMITTEE

	Aye	No	Abstain	Excused
Supervisor Terry Rose, Chair	☒	☐	☐	☐
Supervisor Dave Geertsen, Vice Chair	☒	☐	☐	☐
Supervisor John Poole	☒	☐	☐	☐
Supervisor Erin Decker	☒	☐	☐	☐

Supervisor Tim Stocker	☑	☐	☐	☐
Supervisor Brian Bashaw	☒	☐	☐	☐
Supervisor Bill Grady	☑	☐	☐	☐

Kenosha County
Administrative Proposal Form

1. Proposal Overview

Division: Law Enforcement Department: SHERIFF

Proposal Summary (attach explanation and required documents):

Resolution: To accept $4,000 of grant funds from the Wisconsin Emergency Management (Fed 97.067) - Homeland Security ALERT Bomb Explosive Breaching Training Program. The awarding agency is not requiring a hard match for this award, therefore, no additional tax levy dollars are requested to implement this grant award.

Dept./Division Head Signature: Capt. L. Hoff #252 for D. Beth Date: 4/25/22

2. Department Head Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: [signature] Date: 4-25-22

3. Finance Division Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: [signature] Patricia Merrill Date: 4/25/22

4. County Executive Review

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: [signature] Date: 4/25/22

Revised 01/11/2001 (5/10/01)

DISTRIBUTION

- Original Returned to Requesting Dept.
- Department attaches the Original to the Resolution to County Board
- Copy to Secretary of Oversight Committee to distribute in packets with Resolution
- Copy to Requesting Department File

KENOSHA COUNTY EXPENSE/REVENUE BUDGET MODIFICATION FORM

DOCUMENT #	G/L DATE
BATCH #	ENTRY DATE

DEPT/DIVISION: **SHERIFF** **2022**

PURPOSE OF BUDGET MODIFICATION (REQUIRED): To modify 2022 budget to recognize grant funding from Wisconsin Emergency Management DMA HLS for the Bomb Explosive Breaching Training Grant

(1) MAIN ACCOUNT DESCRIPTION **EXPENSES**	(2) FUND	DIVISION	SUB-DIVISION	MAIN ACCT	PROJECT	SUB-PROJECT	**BUDGET CHANGE REQUESTED** (3) EXPENSE INCREASE (+)	(4) EXPENSE DECREASE (-)	(5) ADOPTED BUDGET	(6) CURRENT BUDGET	(7) ACTUAL EXPENSES	**AFTER TRANSFER** (8) REVISED BUDGET	(9) EXPENSE BAL AVAIL
Grant Program Payment	100	210	2130	571580			4,000		0	0	0	4,000	4,000
					EXPENSE TOTALS		4,000	0	0	0	0	4,000	4,000

REVENUES	FUND	DIVISION	SUB-DIVISION	MAIN ACCT	PROJECT	SUB-PROJECT	REVENUE DECREASE (+)	REVENUE INCREASE (-)	ADOPTED BUDGET	CURRENT BUDGET	REVISED BUDGET
WI DMA-HS Program	100	210	2130	442605				4,000	0	0	4,000
					REVENUE TOTALS		0	4,000	0	0	4,000
COLUMN TOTALS (EXP TOTAL + REV TOTAL)							4,000	4,000			

PREPARED BY: Angela Thatcher 4/25/22 DIVISION HEAD: Capt. J. Beth #252 DATE: 4/25/22

DEPARTMENT HEAD: [signature] DATE: 4-25-22

FINANCE DIRECTOR: [signature] DATE: 4/25/22
(required)

COUNTY EXECUTIVE: [signature] DATE: 4-25-22

SEE BACK OF FORM FOR REQUIRED LEVELS OF APPROVAL FOR BUDGET MODIFICATION.

Please fill in all columns:
(1) & (2) Main Account information as required
(3) & (4) Budget change requested
(5) Original budget as adopted by the board
(6) Current budget (original budget w/past mods.)
(7) Actual expenses to date
(8) Budget after requested modifications
(9) Balance available after transfer (col 8 - col 7).

State of Wisconsin
Tony Evers, Governor

Department of Military Affairs
Paul E. Knapp, Adjutant General

Office of the Adjutant General
2400 Wright Street · P.O. Box 14587 · Madison, WI 53708-0587

FY'21 HOMELAND SECURITY PROGRAM GRANT AWARD
Homeland Security - WEM/HS ALERT Bomb Explosive Breaching Training
2021-HSW-02B-12797

The Department of Military Affairs (DMA), hereby awards to **Kenosha County**, (hereinafter referred to as the **Recipient**), the amount of **$4,000** for programs or projects pursuant to the federal Homeland Security Grant Program.

This grant may be used until **October 31, 2022** for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachments B and/or C, if included.

The Recipient shall administer the programs or projects for which this grant is awarded in accordance with the applicable rules, regulations, and conditions of the Department of Military Affairs. The submitted application is hereby incorporated as reference into this award.

This grant shall become effective, and funds may be obligated (unless otherwise specified in Attachments A and/or B) when the Recipient signs and returns one copy of this grant award to the Department of Military Affairs.

PAUL E. KNAPP
Major General
Wisconsin National Guard
The Adjutant General

BY: _____

GREG ENGLE
Acting Administrator
Wisconsin Emergency Management

4/5/2022
Date

The Recipient, **Kenosha County**, hereby signifies its acceptance of the above-described grant on the terms and conditions set forth above or incorporated by reference therein.

RECIPIENT: **Kenosha County**

BY: _____

NAME: **David G. Beth**

TITLE: **Sheriff**

4-21-2022
Date

DEPARTMENT OF MILITARY AFFAIRS

ATTACHMENT A

APPROVED FY'21 HOMELAND SECURITY GRANT PROGRAM BUDGET

Recipient: **Kenosha County**

Project Title: **Homeland Security - WEM/HS ALERT Bomb Explosive Breaching Training** CFDA #97.067

Grant Period: From **April 13, 2022** To **October 31, 2022**

Grant Number: **2021-HSW-02B-12797**

APPROVED BUDGET

		Federal & Match
Personnel		
Employee Benefits		
Travel (Including Training)		$4,000.00
Equipment		
Supplies & Operating Expenses		
Consultants		
Other		
Indirect		
FEDERAL TOTAL	$4,000.00	
LOCAL CASH MATCH		
TOTAL APPROVED BUDGET	**$4,000.00**	**$4,000.00**

AWARD GENERAL CONDITIONS

1. Federal funds cannot be used to supplant local funds; they must increase the amount of funds that would otherwise be available from local resources.
2. To be allowable under a grant program, costs must be paid or obligated (purchase order issued) for services provided during the grant period. If obligated by the end of the grant period, payment must be made within 30 days of the grant period ending date.
3. Grant funds will be disbursed upon DMA receipt of copies of detailed receipts/invoices, proof of payment and a Reimbursement Request Form. The Reimbursement Request form may be found at: https://dma.wi.gov/DMA/wem/grants/admin-tools
4. Recipients and subrecipients shall use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in the Procurement Standards Sections of 2 C.F.R. §§ 200.318-326.
5. Reimbursement for travel (i.e. mileage, meals, and lodging) must represent actual costs incurred and is limited to applicable state rates and timeframes. DMA Grants staff are available to answer questions before costs are incurred.
6. All income generated as a direct result of a grant-funded project shall be deemed program income. Program income must be used for the purpose and under the conditions applicable to the award. Program income should be used as earned and must be expended within the grant performance period. All program income must be reported to DMA in the Fiscal Report submitted in Egrants with supporting documentation attached.
7. The recipient agrees that all publications created with funding under this grant shall prominently contain the following statement: "This document was prepared under a grant from the U.S. Department of Homeland Security."
8. The recipient agrees that when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."
9. To be eligible to receive Federal preparedness funding assistance, applicants must meet NIMS compliance requirements. Information on achieving compliance is available through Wisconsin Emergency Management at https://dma.wi.gov/DMA/wem
10. The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Federal Fiscal Year (FY) 2020 Homeland Security Grant Program (HSGP) Notice of Funding Opportunity.
11. The recipient and any sub-recipients must comply with the Grant Announcement used to announce the funding opportunity.
12. The recipient and any sub-recipients must comply with the Grant Award Documents.
13. The recipient and any sub-recipients must cooperate with the Homeland Security Compliance Monitors. DB **INITIAL HERE**

DEPARTMENT OF MILITARY AFFAIRS

ATTACHMENT B

Award Special Conditions

1. Reimbursement for Travel and Training expenses must represent actual costs and contingent upon submission of an agenda and receipts to support each expense including fuel, meals, registration and hotels. Hotel receipts/folios must include the name of the person(s) occupying that room. Travel costs are reimbursed within current state rates and uniform travel guidelines as listed in the Notice of Funding Opportunity. The Grants Specialist is available to answer questions before costs are incurred.

2. Grant modification must be approved by Wisconsin Emergency Management (WEM) in order to be considered. The applicant must be current with WEM Fiscal and Program Reports in Egrants for modification to be consideration. Grant modifications will not be granted unless applicant provides a compelling reason.

3. Verification Required Reimbursement of costs will be contingent on submission of a certificate, email or other document demonstrating completion of the course. Upload the correct roster into Egrants in the program report. Each roster must only contain one course.

4. Agencies are required to register all personnel from their agency attending the course.

5. SAM.gov Requirement – Pursuant to 2 CFR Part 25.200, the applicant must be registered in the System for Award Management (SAM.gov) prior to applying for federal funds and they must certify that they will maintain an active SAM registration at all times during which it has an active federal award.

DB INITIAL HERE

WISCONSIN DEPARTMENT OF MILITARY AFFAIRS
ATTACHMENT C

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F)

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application;

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis- Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333), regarding labor standards for federally-assisted construction subagreements

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in

floodplains in accordance with EO 11988; (c) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93- 205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	Sheriff
APPLICANT ORGANIZATION	DATE SUBMITTED
Kenosha County	4-21-2022

ACKNOWLEDGEMENT NOTICE

Date: **March 2022**

Recipient: **Kenosha County** Grant No. **2021-HSW-02B-12797**

Project Title: **Homeland Security - WEM/HS ALERT Bomb Explosive Breaching Training**

The following regulations and obligations (referenced below) apply to your grant award.

☒ **PROGRESS REPORTS** must be submitted on a scheduled basis into the Egrants system. Narrative reports on the status of your project are due on:

Quarterly	Quarterly	Final
7/12/2022	10/12/2022	11/30/2022

PROGRESS REPORTS NOTE:
Quarterly Reports due 04/12 include January, February and March program activity.
Quarterly Reports due 07/12 include April, May and June program activity.
Quarterly Reports due 10/12 include July, August and September program activity.
Quarterly Reports due 01/12 include October, November and December program activity

Reimbursements and grant modifications will be held if there are late program reports.

☒ **FINANCIAL REPORTS** must be submitted on a scheduled basis into the Egrants system. The Egrants job aid "Submitting a Fiscal Report" may be found at https://dma.wi.gov/DMA/wem/grants/admin-tools. Financial reports on the status of your project are due in Egrants on:

Final
11/30/2022

☒ **INVENTORY REPORT** should reflect final inventory in your records. All equipment purchases must be received, paid for, installed, and deployed before submitting report. Report is due in Egrants on or before:

☐ Complete and return a W-9 *Taxpayer Identification Number Verification Form* (enclosed).

☐ OTHER:

ACKNOWLEDGEMENT

The materials referenced above were received and reviewed by the appropriate members of this organization. I also acknowledge receipt of the Grant Award and any attached Special Conditions. I understand that this grant is awarded subject to our compliance with all Conditions, Regulations, and Obligations described in the above materials.

4/21/22 LT. , Project Director
Date Steven Beranis

Agreement Articles for Federal Fiscal Year 2022 Homeland Security Awards

Article I - Summary Description of Award
The purpose of the FY 2021 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community. This HSGP award consists of State Homeland Security Program (SHSP) funding in the amount of $4,602,500. This grant program funds a range of activities, including planning, organization, equipment purchase, training, exercises, and management and administration across all core capabilities and mission areas.

Article II - Limited English Proficiency (Civil Rights Act of 1964, Title VI)
Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance- published-help-department- supported-organizations-provide-meaningful-access-peoplelimited and additional resources on http://www.lep.gov.

Article III - Universal Identifier and System of Award Management
Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article IV - Americans with Disabilities Act of 1990
Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101- 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article V - SAFECOM
Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article VI - Rehabilitation Act of 1973
Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. section 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article VII - National Environmental Policy Act
Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article VIII - Acknowledgement of Federal Funding from DHS
Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article IX - USA PATRIOT Act of 2001
Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. sections 175-175c.

Article X - Age Discrimination Act of 1975
Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article XI - Civil Rights Act of 1964 - Title VI
Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article XII - Applicability of DHS Standard Terms and Conditions to Tribes
The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

Article XIII - Notice of Funding Opportunity Requirements
All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article XIV - Trafficking Victims Protection Act of 2000 (TVPA)
Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

Article XV - Acceptance of Post Award Changes
In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.

Article XVI - Non-Supplanting Requirement
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XVII - Drug-Free Workplace Regulations
Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

Article XVIII - Federal Leadership on Reducing Text Messaging while Driving
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XIX - Environmental Planning and Historic Preservation (EHP) Review
DHS/FEMA funded activities that may require an EHP review are subject to the FEMA Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/ FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website at: https://www.fema.gov/media-library/assets/documents/90195. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article XX - DHS Specific Acknowledgements and Assurances
All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.
1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administrative Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. After the initial submission for the first award under which this term applies, recipients are required to provide this information once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article XXI - Best Practices for Collection and Use of Personally Identifiable Information
Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments:

Privacy Guidance at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and Privacy Template at https://www.dhs.gov/sites/default/files/publications/privacy_pia_template 2017.pdf as useful resources respectively.

Article XXIII - Debarment and Suspension
Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XXIV - Activities Conducted Abroad
Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article XXV - Energy Policy and Conservation Act
Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XXVI - Procurement of Recovered Materials
States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXVII - Homeland Security Grant Program Performance Goal
In addition to the Biannual Strategy Implementation Report (BSIR) submission requirements outlined in the Preparedness Grants Manual, recipients must demonstrate how the grant-funded project addressed the core capability gap associated with this project and identified in the Threat and Hazard Identification and Risk Analysis (THIRA) or Stakeholder Preparedness Review (SPR) or sustains existing capabilities as applicable. The capability gap reduction must be addressed in the Project Description of the BSIR for each project.

Article XXIX - Prior Approval for Modification of Approved Budget
Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently $250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XXX - Hotel and Motel Fire Safety Act of 1990
In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. section 2225.)

Article XXXI - Duplication of Benefits
Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XXXII - Fly America Act of 1974 Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XXXIII - Reporting of Matters Related to Recipient Integrity and Performance
If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set

forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXIV - Lobbying Prohibitions
Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXXV - False Claims Act and Program Fraud Civil Remedies
Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article XXXVI - Federal Debt Status
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article XXXVII - Nondiscrimination in Matters Pertaining to Faith-Based Organizations
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statues, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXXVIII - Disposition of Equipment Acquired Under the Federal Award
When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313.

Article XXXIX - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX
Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at C.F.R. Part 17 and 44 C.F.R. Part 19.

Article XL – Copyright
Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards. Article XLI - Reporting Subawards and Executive Compensation Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XLII - Use of DHS Seal, Logo and Flags
Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XLIII - Whistleblower Protection Act
Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310. Article XLIV - Assurances, Administrative Requirements, Cost Principles, Representations and Certifications DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

By accepting this agreement, the recipient and its executives, as defined in 2 C.F.R. section 170.315, certify that the recipient's policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article XLV - Patents and Intellectual Property Rights
Recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

As the duly authorized representative, I hereby certify that the recipient will comply with the above certifications and conditions.

Recipient Name and Address: Kenosha County, 1010 56th Street, Kenosha, WI 53140-3707

HS ALERT Bomb Explosive Breaching Training
Application Number and Project Name

David Beth, Sheriff
Typed Name of Authorized Representative

Signature

4-21-2024
Date

NOTE: The original signature of the chief executive is required.
Substitute signing or stamping is not accepted.

KENOSHA COUNTY
BOARD OF SUPERVISORS

RESOLUTION NO. _____

Subject: **2022 District Attorney's Office Proposal for Allocation of Federal ARPA Funds**			
Original ☒	Corrected ☐	2nd Correction ☐	Resubmitted ☐
Date Submitted:		Date Resubmitted	
Submitted By: **Judiciary & Law Enf. Committee & Finance/Admin Committee**			
Fiscal Note Attached: X		Legal Note Attached ☐	
Prepared By: Tina Burke, Office Manager		Signature:	

WHEREAS, events in calendar years 2020 and 2021 including the COVID-19 pandemic and local civil unrest have affected the Courts calendar and availability to process and in some cases created additional caseloads;

WHEREAS, these events have created a backlog of approximately 400 criminal cases and approximately 100 civil unrest related cases that need to brought through the judicial system;

WHEREAS, it is imperative that Kenosha County address the backlog of cases to ensure that the victims and defendants are timely heard in the system;

WHEREAS, the State has announced a program that uses State America Rescue Plan Act (ARPA) available funding to provide resources to local court systems to address the backlogs that are occurring statewide;

WHEREAS, the State has announced the allocation of two prosecutors to Kenosha beginning in May 2022 for the period of two years;

WHEREAS, the Kenosha County Circuit Court judges have decided to address the backlog by creating a full fourth criminal branch of court, which will require additional staffing by the District Attorney's Office;

WHEREAS, the allocation of these additional prosecutors in a fourth branch of criminal court will create an additional need for support services, which includes paralegal and Victim/Witness services;

WHEREAS, the District Attorney's Office has determined the need of one additional Paralegal and Victim/Witness Advocate FTE to address this additional need for support services;

WHEREAS, Kenosha County was allocated federal ARPA funding to use for addressing fiscal issues related to the COVID-19 pandemic;

NOW, THEREFORE BE IT RESOLVED, the Kenosha County Board and County Administration approve the hiring of the addition of one Paralegal FTE and one Victim/Witness Advocate effective June 1, 2022;

BE IT FURTHER RESOLVED, the Kenosha County Board approves the allocation of $98,000 of ARPA funds for the purpose of these additional staff for fiscal year 2022; and

BE IT FURTHER RESOLVED, the Kenosha County Board approve the amendment of the 2022 County budget to appropriate funds for this purpose per the budget modification which is attached and incorporated by reference.

Respectfully Submitted:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

	Aye	No	Abstain	Excused
Supervisor Zach Rodriguez, Chair	☑	☐	☐	☐
Supervisor Brian Bashaw, Vice Chair	☑	☐	☐	☐
Supervisor Erin Decker	☑	☐	☐	☐
Supervisor Mark Nordigian	☑	☐	☐	☐
Supervisor Laura Belsky	☐	☐	☐	☐
Supervisor John Franco	☑	☐	☐	☐
Supervisor Jeff Wamboldt	☑	☐	☐	☐

Respectfully Submitted:

FINANCE/ADMINISTRATION COMMITTEE

	Aye	No	Abstain	Excused
Supervisor Terry Rose, Chair	☑	☐	☐	☐
Supervisor Dave Geertsen, Vice Chair	☑	☐	☐	☐

Supervisor John Poole	☒	☐	☐	☐
Supervisor Erin Decker	☒	☐	☐	☐
Supervisor Tim Stocker	☒	☐	☐	☐
Supervisor Brian Bashaw	☒	☐	☐	☐
Supervisor Bill Grady	☒	☐	☐	☐

Kenosha County
Administrative Proposal Form

1. Proposal Overview

Division: District Attorney Department: District Attorney

Proposal Summary (attach explanation and required documents):

2022 Proposal to allocate Kenosha County ARPA funds to assist District Attorney's Office with case backlog.

Dept./Division Head Signature: [signature] Date: 4/27/22

2. Department Head Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: [signature] Date: 4/27/22

3. Finance Division Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: Patricia Merrill Date: 4/27/22

4. County Executive Review

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: [signature] Date: 4/28/2022

Revised 01/11/2001 (5/10/01)

KENOSHA COUNTY EXPENSE/REVENUE BUDGET MODIFICATION FORM

DOCUMENT #		G/L DATE	
BATCH #		ENTRY DATE	

DEPT/DIVISION: District Attorney's Office

PURPOSE OF BUDGET MODIFICATION (REQUIRED):

(1) ACCOUNT DESCRIPTION **EXPENSES**	(2) FUND	DIVISION	SUB DIVISION	MAIN ACCOUNT	BUDGET CHANGE REQUESTED (3) EXPENSE INCREASE (+)	(4) EXPENSE DECREASE (-)	(5) ADOPTED BUDGET	(6) CURRENT BUDGET	(7) ACTUAL EXPENSES	AFTER TRANSFER (8) REVISED BUDGET	(9) EXPENSE BAL AVAIL
Salaries	100	300	3010	511100	36,280		805,062	805,062	194,930	841,342	646,412
Medical Insurance	100	300	3010	515400	12,720		315,880	315,880	108,827	328,600	219,773
Salaries	100	300	3110	511100	36,280		411,382	411,382	97,365	447,662	350,297
Medical Insurance	100	300	3110	5115400	12,720		163,240	163,240	59,360	175,960	116,600
										-	-
										-	-
										-	-
										-	-
										-	-
										-	-
										-	-
										-	-
EXPENSE TOTALS					98,000	-	1,695,564	1,695,564	460,482	1,793,564	1,333,082

REVENUES	FUND	DIVISION	SUB DIVISION	MAIN ACCOUNT	REVENUE DECREASE (+)	REVENUE INCREASE (-)	ADOPTED BUDGET	CURRENT BUDGET	REVISED BUDGET
ARPA Reveue	100	300	3010	443293		98,000			
									-
									-
									-
									-
									-
									-
REVENUE TOTALS					-	98,000.00	-	-	-

COLUMN TOTALS (EXP TOTAL + REV TOTAL)	98,000.00	98,000.00

SEE BACK OF FORM FOR REQUIRED LEVELS OF APPROVAL FOR BUDGET MODIFICATION.

PREPARED BY: Tina Burke

FINANCE DIRECTOR: Patricia Nierzwicki (required) Date 4/27/22

DIVISION HEAD: [signature] Date 4/27/22

DEPARTMENT HEAD: _____ Date _____

COUNTY EXECUTIVE: [signature] Date 4/28/2022

Please fill in all columns:
(1) & (2) Account information as required
(3) & (4) Budget change requested
(5) Original budget as adopted by the board
(6) Current budget (original budget w/past mods.)
(7) Actual expenses to date
(8) Budget after requested modifications
(9) Balance available after transfer (col 8 - col 7).

Kenosha County

BOARD OF SUPERVISORS

ORDINANCE NO._____

Subject: Amendment of MCKC 4.01, the Civil Service Ordinance			
Original ☐	Corrected ☐	2nd Correction ☐	Resubmitted ☐
Date Submitted: April 28, 2022		Date Resubmitted:	
Submitted By: Director of Human Resources			
Fiscal Note Attached ☐		Legal Note Attached ☐	
Prepared By: Clara-lin Tappa, Director of Human Resources		Signature: Clara-lin Tappa	

THE KENOSHA COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN, that Municipal Code of Kenosha County Chapter 4.01, the Civil Service Ordinance, is hereby amended as follows as represented in Exhibit A (attached):

Approved by:

JUDICIARY & LAW COMMITTEE

Zaeh Rodriguez, Chairman	☑	☐	☐	☐
Brian Bashaw, Vice Chair	☒	☐	☐	☐
Laura Belsky	☐	☐	☐	☒
Erin Decker	☒	☐	☐	☐
John Franco	☑	☐	☐	☐
Mark Nordigan	☒	☐	☐	☐
Jeff Wamboldt	☒	☐	☐	☐

FINANCE/ADMINISTRATION COMMITTEE

Terry Rose, Chairman	☒	☐	☐	☐
Dave Geertsen, Vice Chair	☒	☐	☐	☐
Brian Bashaw	☒	☐	☐	☐

Erin Decker	☒	☐	☐	☐
Bill Grady	☑	☐	☐	☐
John Poole	☒	☐	☐	☐
Tim Stocker	☒	☐	☐	☐

CHAPTER 4
KENOSHA COUNTY SHERIFF'S DEPARTMENT

4.01 CIVIL SERVICE ORDINANCE (8/5/03)

(1) Purpose. It is the intention and purpose of this ordinance to provide an equitable system of recruitment, selection, promotion, and retention for Kenosha County Sheriff's Department Deputies. It is further intended to provide the necessary guidance for the operation of the Kenosha County Sheriff's Department in the areas that are applicable.

(a) There is established a County Civil Service Commission for the Sheriff's Department, hereinafter referred to as the "Commission", with duties, functions, and authorities as herein set forth, pursuant to Wisconsin Statutes.

(b) The Commission shall consist of five (5) members, all legal residents of Kenosha County. Appointments shall be made on the basis of recognized and demonstrated interest in, and knowledge of, problems of civil service. No person holding any elective or appointive public position or office of any sort in said Kenosha County government shall be appointed thereon. No present or former employee of the Kenosha County Sheriff's Department shall be eligible for membership on the Commission.

(c) The County Executive shall appoint members of the Commission subject to confirmation by the Board of Supervisors. Of the persons appointed, one shall hold office for one (1) year, one for two (2) years, one for three (3) years, one for four (4) years, and one for five (5) years, from January 1 next following such appointment, and until his successor is appointed and qualifies. In December immediately preceding the expiration of the term of office of any such Commissioner, the County Executive shall appoint, subject to confirmation by the Board of Supervisors, one (1) member of such Commission to hold office for five (5) years from January 1 next succeeding his appointment and until his successor is appointed and qualifies. The Office of the Commissioner shall become vacant upon the happening of any of the following:

1. The death of the incumbent.

2. The person's resignation, whether oral or written.

3. The person's removal.

4. The person's ceasing to be a resident of Kenosha County.

5. The person's neglect or refusal to take the official oath and/or file the official bond within thirty (30) days after appointment.

Such vacancy shall be filled by appointment of the County Executive at the first meeting of the County Board thirty (30) days after the vacancy occurs, confirmed by a majority of the County Board of Supervisors present.

(d) The membership and terms of the members of the present Commission shall continue on the same manner as though this section had never been adopted.

(e) Every person appointed a member of such Commission shall take and file the official oath.

(f) The members of the Commission shall be entitled to receive compensation from the County for services actually rendered in conducting the authorized business of the Commission, which compensation shall be determined by the Board of Supervisors, plus mileage at the prevailing rate when such services are rendered.

(g) The Commission shall promptly organize and elect a Chairman whose term of office shall be one year and a Secretary whose term of office shall be one year, each to serve for one year from the date of election until a successor has been duly elected. The Secretary shall approve the minutes of the proceedings of the Commission and said minutes shall be preserved and kept on file. All meetings of the Commission shall be at the call of the Chairperson, or upon written request of any two (2) members directing the Secretary to hold such meeting, and three (3) Commissioners shall constitute a quorum. The Commission shall make such rules and regulations as may be required for the ordinary conduct of its business.

~~Members of the Commission may participate in any meeting of the Commission, with the exception of deputy sheriff candidate interviews, by means of conference telephone/videoconference or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this method shall constitute presence in person at such meeting and the person appearing through these means shall be entitled to vote and take all actions allowed by the Commission.~~

(h) The Board of Supervisors shall provide offices, furniture, stationery, light, heat, telephone, secretary, and other necessary supplies and conveniences to enable the Commission to perform its duties.

(2) Rules of the Kenosha County Civil Service Commission.

(a) The Civil Service Commission shall appoint the Director of Human Resources to act as chief examiner under its direction. As such, the Director of Human Resources shall supervise all examinations. The chief examiner shall be ex-officio secretary to the Commission and shall keep the minutes of its proceedings, preserve all reports made to it, keep a record (for a five-year period) of all examinations held under its direction, and perform such other duties as the Commission shall prescribe.

(b) The chief examiner shall certify eligible candidates to the Sheriff or, in the absence or incapacitation of the Sheriff, to the Chief Deputy Sheriff for the positions of Deputy Sheriff, Detective, Sergeant, Lieutenant, Captain, and Chief Deputy Sheriff.

(3) Candidates for Deputy Sheriff.

(a) Publication. In order to make all segments of Kenosha County aware of the fact that applications for the position of Deputy Sheriff are being accepted, notice shall be given in various

media no less than two weeks prior to the date set for the written test.

(b) Applications. Every candidate for the position of Deputy Sheriff shall submit all application materials required by Human Resources. Applications are filed exclusively through the Kenosha County website. No paper applications are accepted.

(c) Eligibility. No person shall be eligible to apply for or be appointed to the position of Deputy Sheriff unless:

1. The applicant is a citizen of the United States.

2. The applicant possesses certification by the Wisconsin Law Enforcement Training and Standards Board, a 2-year Associate Degree from an accredited institution, or a minimum of 60 fully accredited college level credits; or meets any more stringent standard set in the future by the Wisconsin Law Enforcement Training and Standards Board. Proof of meeting the established standards must be provided at the time of hire.

3. The applicant is not less than ~~twenty-one (21)~~ twenty and a half (20.5) years of age and will be not less than twenty-one (21) years of age upon date of hire as evidenced by a certified copy of a birth or naturalization certificate provided with the application.

4. The applicant has not been convicted at any time of a felony, unless the judgment or conviction has been reversed. The applicant must provide proof of such reversal at the time application is made.

5. The applicant possesses a valid driver's license recognized by the State of Wisconsin. Further, from a date three (3) years immediately preceding the date of the examination and continuing to the date of appointment, the applicant has not been convicted of any single violation equivalent to more than four (4) points and has accumulated no more than the equivalent of six (6) points as assessed by the State of Wisconsin demerit point system.

6. The applicant has furnished all the information required by the Commission at the time the application is submitted.

7. Applications will be reviewed and applicants who are not ~~21~~ 20.5 years of age and will be 21 years of age upon date of hire or have a felony on their record or are not U.S. citizens will be eliminated from consideration. All others will be invited to participate in the exam.

(d) Examinations. The Commission shall select and oversee a battery of examinations for the position of Deputy Sheriff. Examinations may include an evaluation of such facets as education, training, capacity, knowledge, manual dexterity, character, and physical and psychological fitness. Tests may be written, oral, physical, demonstration of skill, or an evaluation of training and experience. Examinations may consist of one or more tests in any combination. Applicants shall not be questioned in any

manner regarding matters of race, religion, political affiliation, or any other area protected by E.E.O.C. rules.

The chief examiner shall recommend to the Commission the testing/selection procedure to be used for the position of Deputy Sheriff. The Commission shall act on the recommendation of the chief examiner on changes to the procedure prior to the posting of any examination announcement.

1. Notification. The chief examiner shall post the job on the Kenosha County website and other job sites deemed appropriate. The posting shall provide all applicants with a notice stating the date, of the written exam.

2. Following the written exam, test scores will be ranked in descending order.

3. Veterans and other preference points. Pursuant to Wisconsin Statutes, preference points shall be given in the certification of eligible veterans. The applicant shall submit any evidence necessary to prove Veteran status.

   Any individual employed as a sworn law enforcement officer from another jurisdiction in the State of Wisconsin shall be awarded five (5) points and any individual employed as a Kenosha County Corrections Professional shall be awarded three (3) points. The applicant shall provide proof of employment Candidates will then be re-ranked.

   Eligibility List. The chief examiner shall report the final examination results and eligibility lists to the Commission for approval. Candidates shall be placed on the list in order of their relative excellence. The eligibility list shall be valid for twelve months (12) from the date it is established, unless exhausted earlier. The Commission may in its discretion cancel, replace or consolidate any list.

   After approving the eligibility list, the Commission shall direct the chief examiner to proceed with the qualifying portions of the examination process. Eligible candidates shall be taken in manageable groups through the qualifying portions. The following shall constitute the qualifying portions of the examination.

   Multiple Interview Assessment (MIA). The chief examiner shall schedule MIA's for groups of seven candidates each invited in rank order, before a panel consisting of sworn officers holding the rank of Sergeant or higher, a Human Resources representative, and/or other persons trained and competent in this procedure. Candidates who fail the MIA will be eliminated from consideration. Candidates who pass the MIA will be eligible to move on in the selection process.

4. Background Investigation. The Commission shall cause to be conducted a thorough background investigation of all Deputy Sheriff candidates on the eligibility list. The Sheriff's Department shall conduct such investigation to assist the Commission in determining the character,

reputation, morality, and general fitness of all candidates.

5. Oral Interviews/Evaluations. Upon successful completion of all scored portions of the Deputy Sheriff examination, the Commission shall conduct oral interviews/evaluations. These evaluations will consider the applicant's written test results, Multiple Interview Assessment results, background investigation results, and oral interview. These interviews shall determine the candidate's final eligibility. The Commission may conduct interviews as a whole body or in teams. If the Commission conducts interviews as a whole body, two Sheriff's Department representatives shall also be members of the interview panel. If the Commission selects the option of team interviews, each team shall consist of two Sheriff's Department representatives and at least two Commissioners. In both cases, one representative of the Sheriff's Department shall hold the rank of Lieutenant or above and the other shall hold the rank of Sergeant or above. The final decision shall be made solely by the Commission. Any Commissioner who was not present for a candidate's oral interview shall abstain from voting on that candidate.

6. Physical Readiness Test. To enter the law enforcement academy, candidates must pass a battery of physical readiness tests. Candidates must successfully achieve the required performance standards in order to continue in the selection process.

7. Job Trait Assessment. After a conditional offer of employment is made by the Sheriff, the Deputy Sheriff candidate must submit to a job trait assessment to determine such factors as personality integration, relationship to authority, impulse control, control of aggression.

8. Medical Examinations. If the results of the job trait assessment are deemed satisfactory, the Deputy Sheriff candidate must submit to a medical and physical examination, conducted by such physician or physicians as designated by the County, at County expense. Such physician or physicians must submit to Human Resources a complete examination record and statement that the candidate is able to immediately assume, with no conditional releases, the physical duties of Deputy Sheriff. Any candidate receiving a conditional release shall be passed over for certification for appointment until the candidate supplies evidence from two (2) physicians of the condition being eliminated or controlled.

(e) Reasons for Disqualification; Notice of Disqualification. The Commission shall refuse to examine a candidate or, after examination, to certify a candidate as eligible, who:

1. Lacks any of the established preliminary requirements for the position for which applied.

2. Is physically handicapped or otherwise so disabled as to unsatisfactorily perform the essential duties of the position sought.

3. Has been convicted of a felony.

4. Has a pending criminal or civil action that is substantially related to the job.

5. Has used or attempted to use any personal or political influence to further his/her eligibility or appointment.

6. Has intentionally made a false statement of any fact.

7. Has practiced or attempted to practice any deception or fraud in the application or examination, or in securing the eligibility of appointment.

8. Has a prior unsatisfactory work record, such as, but not limited to, excessive absenteeism, tardiness, discipline or discharge for cause, negligence, or violation of work or safety rules.

9. In the opinion of the Civil Service Commission, after considering the materials in the application file, the results of each of the scored portions of the examination procedure, the background investigation, and the oral interview, displays shortcomings which make disqualification necessary.

If information is received by the Commission concerning an applicant that would preclude the person from consideration as an appointee, the Commission shall forewarn the applicant of such knowledge in its possession and the applicant may withdraw the application without prejudice.

The Commission shall send a written notice, by certified mail, to all disqualified candidates informing them of the reason for their disqualification. Any candidate receiving such notice may apply in writing to the chief examiner within ten (10) days of receipt of said notice for a review and reconsideration of his/her qualifications.

(f) Appointments.

1. Appointments to the position of Deputy Sheriff shall be made by the Sheriff whenever a vacancy occurs. Each appointment shall be made from the list of applicants who are certified as eligible by the Commission. The chief examiner shall certify to the Sheriff the names of all persons with the three (3) highest scores on the examination, and shall provide to the Sheriff a copy of each certified candidate's file, to include application forms and the results of the examinations, M.I.A., and background investigation. The Sheriff shall make his selection from these names.

2. Pursuant to Wisconsin Statute § 59.26(10), and notwithstanding the provisions in 401 (3)(a) through (d), if law enforcement services are provided to a city or village and if the Sheriff appoints additional Deputies to provide the services, the Sheriff shall, to the greatest extent possible, fill the additional Deputy positions from the ranks of the former police officers who lost their positions when the department was abolished.

3. Upon notification from the Sheriff of the name of the selected candidate, the chief examiner shall extend a contingent offer of employment, conditional upon the candidate submitting to a job trait assessment and a pre-employment medical examination. If the results of the job trait assessment and medical examination are deemed satisfactory by Human Resources, the candidate shall be appointed. If the results of the job trait assessment or medical examination are deemed unsatisfactory by Human Resources, the candidate shall not be appointed.

4. If the Sheriff's Department has valid, job-related objections to the eligibility of a candidate, the Sheriff shall bring such to the attention of the Commission and request that the Commission reconsider the certification of the candidate.

5. For each candidate the Sheriff has appointed, or for each candidate that the Commission has reconsidered and determined to be unsatisfactory, the chief examiner shall certify the names of all persons with the next highest score on the examination.

6. Any candidate who has been decertified from an eligibility list and failed to progress in the recruitment process at any point may not sit again for the examination until one year has passed from the date of the previous examination.

7. The Sheriff, in appointing Deputies under this section, shall require a uniform bond of not less than $25,000.00. The premium on the bond shall be paid by Kenosha County.

8. All Deputies under this section shall be on probation during the first full year next succeeding their appointment, and may be discharged with cause by the Sheriff at any time before the termination of such probationary period.

9. Except for unit members assigned a vehicle that may be brought home and for whom residency in Kenosha County is required, the established residency boundary for all other unit members is twenty (20) ~~fifteen (15)~~ miles in any direction from the borders of Kenosha County. Any unit member who does not reside within twenty (20) ~~fifteen (15)~~ miles of the borders of Kenosha County within nine months of hire shall be deemed to have resigned.

10. Deputy Sheriffs appointed in conformity with the provisions of this chapter shall hold office on good behavior and efficiency and shall not be dismissed from such office or suspended except as provided in this section.

(4) Chief Deputy Sheriff.

(a) There is created the position of Chief Deputy Sheriff within the Sheriff's Department. Selection of a person to fill such a position shall be made on the basis of competitive examination; and he shall have civil service status in the same manner as

other Deputy Sheriffs in the department except as otherwise set forth herein.

(b) Publication. Notice of the date, time, and place for examination for such promotion shall be made in writing and posted on the bulletin board of the Sheriff's Department not less than 30 days prior to the date set for such examination. All interested personnel possessing the necessary qualifications must sign their intent to participate in such examination prior to the date the notice is scheduled to be taken down.

(c) Eligibility. Every candidate for the position of Chief Deputy Sheriff shall have not less than ten (10) years of service on the Kenosha County Sheriff's Department, the last four (4) of which have been at a rank above that of Detective, and the current classification of Lieutenant or Captain, having held that rank for at least one (1) year prior to the opening. Further, candidates must possess a Bachelor of Science degree or a Bachelor of Arts degree from an educational program or institution accredited by one of the organizations recognized by the United States Department of Education as accrediting agencies. Candidates for promotion must provide to the Chief Examiner proof of meeting the educational requirement prior to signing the examination notice for the position of Chief Deputy Sheriff.

(d) Examinations. The Commission shall oversee an examination process which is to be supplied and graded by an independent testing firm with a recognized expertise in such police and administration examinations. Examinations may include an evaluation of such facets as education, training, capacity, knowledge, manual dexterity, character, and physical and psychological fitness. Tests may be written, oral, physical demonstration of skill, job trait assessment, or an evaluation of training and experience. Examinations may consist of one or more tests in any combination that serves to objectively evaluate the relative skills of the candidates.

The Commission shall also oversee an oral examination to be conducted by a panel of Police and Sheriff's Department officials from outside Kenosha County holding a rank equal or superior to that of Chief Deputy Sheriff. Such a panel is to be mutually agreed upon by the Sheriff and the Commission.

If the number of candidates to be interviewed does not exceed three (3), the oral examination is waived and the three (3) or fewer names successfully completing the balance of the examination process shall be certified to the Sheriff.

1. Within fifteen (15) working days after receipt of the examination grades, the chief examiner shall certify to the Sheriff the names of all persons passing the promotional examination in the order of their final grade.

2. Within fifteen (15) working days after receiving the certified list of eligible candidates for promotion to Chief Deputy Sheriff, the Sheriff shall promote a candidate who places within the first three (3) highest candidates from the eligibility list, provided an opening exists.

3. The certified list shall be valid for one (1) year from the date of certification.

(e) The Chief Deputy Sheriff shall hold office in the same manner as other Deputy Sheriffs in the department.

(f) The Chief Deputy Sheriff shall outrank all other personnel of the department except the Sheriff. In addition to performing other duties of Deputy Sheriff, he shall be head administrative officer.

(g) The duties and authorities of the Chief Deputy Sheriff shall include, but not be limited to, the following:

1. Act for the Sheriff in the absence or incapacitation of the Sheriff.

2. Make complaints for disciplinary purposes to the Grievance Committee as established by the County Board against any Deputy believed to have conducted himself in a manner meriting suspension, demotion, or dismissal under the rules of the department or the provisions of Civil Service Ordinance pertaining to the Sheriff's Department.

3. Perform such duties and exercise such authorities not specifically enumerated herein which are usually performed or exercised by an undersheriff as set forth in the Wisconsin Statutes.

4. Provide continuity in law enforcement as it relates to the Sheriff's Department and provide each incoming Sheriff a well organized department and relieve the Sheriff of the details in connection with the responsibilities of the office of Sheriff. All general policy-making authority and final authority shall remain with the Sheriff; and the Chief Deputy Sheriff, under the duties and authorities herein set forth, will furnish the necessary continuity of leadership and administration so as to eliminate problems of morale and provide for a more efficient operation of the department.

5. The Chief Deputy, or his designee, shall be the law enforcement advisor to the Commission.

(h) The Chief Deputy Sheriff may be disciplined, suspended, dismissed, or demoted for all causes specified in the Civil Service Ordinance and the Wisconsin Statutes, and good cause shall also include inefficiency in administrative ability. However, good cause shall not include the fact that the Chief Deputy has made complaint against any other Deputy under the Chief Deputy in cases where the Chief Deputy has good reason to believe that the complaint so made is well founded, even though such complaint is not processed or may later be proven untrue. The procedures for discipline contained in Section 6 of this ordinance shall apply to the employee of the rank of Chief Deputy.

(i) The salary of this position shall be such as may from time to time be fixed by the County Board.

(5) Promotions and Appointments.

(a) Publication. Notice of the date, time, and place for examination for such promotion shall be made in writing and posted on the bulletin board of the Sheriff's Department not less than 30

days prior to the date set for such examination. All eligible Deputy Sheriffs must sign their intent to participate in such examination prior to the date the notice is scheduled to be taken down.

(b) Eligibility. A Deputy Sheriff must have at least four (4) years of service as a Deputy Sheriff with the Kenosha County Sheriff's Department in order to be eligible to take any promotional examination for the position of Sergeant or Detective. To be eligible to take any promotional examination for the position of Lieutenant, a Deputy Sheriff must have at least five (5) years of service with the Kenosha County Sheriff's Department and the current classification of Sergeant. For Detectives appointed after July 1, 2003, if there are not at least three (3) applicants from the rank of Sergeant, then Deputy Sheriffs having at least five (5) years of service with the Kenosha County Sheriff's Department and the current classification of Detective may apply. Detectives appointed prior to July 1, 2003 may apply for a Lieutenant's position provided they have at least five (5) years of service with the Kenosha County Sheriff's Department and the current classification of Detective. To be eligible to take any promotional examination for the position of Captain, a Deputy Sheriff must have at least seven (7) years of service with the Kenosha County Sheriff's Department and the current classification of Lieutenant. To be eligible to take any promotional examination for the position of Captain, the Deputy Sheriff must have successfully completed the probationary period as a Lieutenant. To be eligible to take any promotional examination for the position of Lieutenant, the Deputy Sheriff must have successfully completed the probationary period as a Sergeant or Detective.

Further, candidates must meet the following educational requirements to be eligible to take a promotional examination: for the position of Captain, a Bachelor of Science degree or Bachelor of Arts degree or at least four years of service with the Kenosha County Sheriff's department in the rank of Lieutenant; for the positions of Lieutenant and Sergeant, an Associate Degree; and for the position of Detective, a minimum of 60 fully accredited college level credits. The required degrees and/or credits for all promotional ranks addressed above must be obtained from an educational program or institution accredited by one of the organizations recognized by the United States Department of Education as accrediting agencies. Candidates for promotion must provide proof of meeting the educational requirement prior to signing the examination notice for the promotional position. An Education Sub-Committee shall be established with responsibility for approving and certifying that the degrees and/or credits provided meet the educational requirement for the promotional position. The Education Sub-Committee, which shall report to the Civil Service Commission, shall consist of five (5) members, as follows:

1. Sheriff
2. Chief Deputy Sheriff
3. Chief Examiner
4. Chairman of Civil Service Commission
5. Secretary of Civil Service Commission

(c) Examinations. The Commission shall select and oversee a battery of examinations for the promotion of Deputy Sheriffs within the Sheriff's Department to a rank above that of a

Deputy Sheriff. Examinations may include an evaluation of such facets as education, training, capacity, knowledge, manual dexterity, character, and physical and psychological fitness. Tests may be written, oral, physical demonstration of skill, or an evaluation of training and experience. Examinations may consist of one or more tests in any combination. Deputy Sheriffs shall not be questioned in any manner regarding matters of race, religion, political affiliation, or any other area protected by E.E.O.C. rules.

The chief examiner shall recommend to the Commission the testing/selection procedure to be used for each promotional rank in the Sheriff's Department. The Commission shall act on the recommendation of the chief examiner prior to the posting of any examination announcement.

1. Within fifteen (15) working days after receipt of the examination grades, the Chief Examiner of the Commission shall certify to the Sheriff or, in the absence or incapacitation of the Sheriff, to the Chief Deputy Sheriff, the names of all persons passing any promotional examination in the order of their final grade.

2. Within fifteen (15) working days after receiving the certified list of eligible candidates for promotion, the Sheriff or Chief Deputy Sheriff shall promote a candidate who places within the first three (3) highest candidates from the eligibility list to the position for which the examination is given, provided an opening exists; unless the Sheriff for good cause (budgetary considerations or department reorganization) requests that the position not be filled.

3. The certified list shall be valid for one (1) year from the date of certification.

4. All persons promoted shall hold such position in an "probationary capacity" for a period of one (1) year. At the end of the year, his/her continued service in that rank or classification shall be dependent upon a satisfactory rating by the existing senior administrative staff. If at any time during the year the "probationary appointee" shall be deemed not suited for the classification, the appointment may be terminated with cause by the Sheriff and the appointee shall be returned to the rank previously held.

5. Pursuant to Wisconsin Statutes, present classified personnel at the time of the enactment of this section shall be "grandfathered" to such position, and subject to all provisions of this section.

(d) Voluntary Reduction in Rank. Any civil service officer ranking higher than a Deputy Sheriff in the Sheriff's Department may exercise departmental seniority and return to a lower rank previously held by the officer, and upon so doing, that person shall relinquish his/her present rank. Any officer displaced as a result of an officer returning to a lower rank may compete for the opening created by such action provided he/she was eligible to compete for the position prior to his/her displacement.

(6) Suspension, Dismissal, or Other Disciplinary Provisions.

(a) Any member of the Sheriff's department may be suspended, demoted, or dismissed in accordance with Wisconsin Statutes when charged with any of the following offenses or with any violation of the Kenosha County Uniform Work Rules or Sheriff's Department Work Rules:

1. Commission of a crime under any law.

2. Reporting for duty under the influence of an intoxicant, intoxication, or the use of an intoxicating liquor or any controlled substance while on duty.

3. Refusal to submit to a chemical test to determine drug or alcohol content in the blood when there is reason to believe there has been a violation of 4.01(6)(a)2.

4. Insubordination.

5. Neglect or dereliction of duty.

6. Willful neglect or disobedience of any legal order of superior officers or legal departmental rule.

7. Absence from duty without leave.

8. Conduct that adversely affects the morale or efficiency of the Sheriff's Department.

9. Conduct that has a tendency to destroy public respect for law enforcement and/or confidence in the operations of the Sheriff's Department.

10. Conduct that has a tendency to destroy, or distract from the officer's credibility as a witness in court.

11. Failure to maintain established levels of performance.

12. Communicating information on criminal cases outside of the department without permission.

13. Making a false official statement or entry in official records.

14. Willful maltreatment of a prisoner.

15. Sleeping while on active duty.

16. Uncleanliness in person or dress while on active duty.

17. Destructive criticism of departmental orders, except in the course of a political discussion or a political campaign for a declared candidate.

18. Refusing to give name and employee number when requested.

19. Failure to report any person known to be engaged in felonious activities.

20. During the hours while on duty, engaging in any form of political activity calculated to favor or improve the chance of any political party or any person seeking or attempting to hold political office; or engaging in any

political activity when not on duty to an extent that results in impaired efficiency during working hours or tardiness or absence from work. Any violation of this paragraph shall be sufficient grounds for dismissal.

21. Any other act or omission contrary to good order and discipline, or constituting a violation of any of the rules and regulations of the department.

22. Failure to maintain residency within the required boundaries ~~of Kenosha County~~.

(b) In addition to the reasons listed in (a) of this section, the Sheriff and/or Chief Deputy Sheriff shall have the right to discipline, demote, suspend, or discharge any employee for just cause.

1. Any supervisor may be dismissed or demoted for all causes specified in the Civil Service Ordinance and the Wisconsin Statutes, and good cause shall also include inefficiency in administrative ability. However, good cause shall not include the fact that the supervisor has made a complaint against any other Deputy under the supervisor in cases where the supervisor has good reason to believe that the complaint so made is well founded, even though such complaint is not processed or may later be proven untrue.

2. Notice of discipline, demotion, suspension, or discharge shall be given by personal delivery of the written complaint, if the employee is available at the Sheriff's Department; if, however, the employee is not at once available at the Sheriff's Department, then such report shall be mailed by certified mail to the employee's last known post office address. Such notice shall contain information on the employee's appeal rights.

(c) Appeal.

1. Any Deputy Sheriff who belongs to a bargaining unit covered by a collective bargaining agreement and who has been disciplined under this section shall appeal that discipline under the terms and conditions of the labor agreement in force at the time of the incident.

2. If the Deputy Sheriff being disciplined holds the rank of Sergeant or above and is not covered by a collective bargaining agreement, such Deputy Sheriff may appeal such discipline to the Grievance Committee in writing for a formal hearing. Such appeal shall be made within 48 hours exclusive of Saturdays, Sundays, and legal holidays from the effective time of receipt of notice of such discipline by the employee or the right to appeal is waived. If timely appeal is made, the Sheriff and/or Chief Deputy Sheriff shall file written charges with the Grievance Committee and the procedure shall then follow as set forth herein.

3. Whenever the Sheriff and/or Chief Deputy Sheriff or a majority of the members of the Commission believes that a Deputy Sheriff who holds the rank of Sergeant or above has acted in a manner showing incompetence to perform the duties of Deputy Sheriff or to have merited suspension, demotion, or dismissal, the Sheriff or Chief Deputy

Sheriff or the Commission shall report in writing to the Grievance Committee setting forth specifically their complaint, and if the party making the complaint is the Sheriff or the Chief Deputy Sheriff, they may suspend, demote, or discharge the Deputy Sheriff at the time such complaint is filed.

4. The Grievance Committee shall be the Administration Committee of the County Board.

5. The Grievance Committee shall, if the Deputy Sheriff who holds the rank of Sergeant or above requests a hearing, within five (5) days of such request, appoint a time and place for the hearing of the charges; the time to be within three (3) weeks after filing of such request for a hearing. The Committee shall notify the Sheriff and/or Chief Deputy Sheriff or the Commission, whichever filed the complaint with the Committee, and the accused of the time and place of such hearing. If the accused Deputy Sheriff makes no request to the Committee, the Committee may take whatever action it deems justifiable on the basis of the charges filed and shall issue an order in writing as provided in section 4.01(6)(c)9 of this ordinance. If a hearing is requested, any testimony taken shall be recorded and transcribed. The Chairman of the Committee shall issue subpoenas for the attendance of witnesses as may be requested by the accused. Subpoenas shall be served in the same manner as in a court of record.

6. The employee shall have the right to be present at the hearing of the Grievance Committee personally and by a representative of his choice, who may be an attorney. The employee shall have the right to cross-examine any witness and to testify himself and present other witnesses and evidence on his behalf. The burden of proof shall be on the party filing charges and requesting discipline and the burden shall be proof by a preponderance of the credible evidence adduced at the hearing.

7. The first order of business upon convening the hearing shall be the election of a Chairman and Secretary to preside over the hearing. The hearing will then proceed with the case against the accused officer by the Department Advocate. The accused may personally or through his/her representative cross-examine all witnesses. After each witness has been examined and cross-examined, any member of the Committee may question the witness.

   At the conclusion of the department's case, the accused may present witnesses on his/her behalf subject to cross-examination by the Department Advocate and the Committee. All evidence presented must be relevant to the charges as specified. Prior work records shall be admitted to be considered in deciding the appropriateness of the penalty recommended by the Department Advocate.

8. At such hearing, the Chairman of the Committee shall maintain order and enforce obedience, and if any person at the hearing conducts himself in a disorderly manner, and after notice from the Chairman persists therein, the Chairman may order the person to withdraw from the hearing, and on the person's refusal may order the Sher-

iff, Chief Deputy Sheriff, or other person to take the person into custody until the hearing is adjourned for that day.

9. At the termination of the hearing, the Committee shall issue an order in writing, including their reasons whether or not the charge is well-founded, and shall take such action by way of discipline, suspension, demotion, discharge, or reinstatement as it may deem proper under the circumstances, and file same with the Secretary of the Commission. The Committee shall make a determination as to the loss or reinstatement of back wages when applicable to individual cases. The Committee shall send notice of its determination to the employee along with notice of his appeal rights by certified mail or by personal service.

10. The Deputy Sheriff may appeal from the order to the Circuit Court by serving written notice thereof on the Secretary of the Committee within ten (10) days after notice of the order of the Committee is served on him. Within five (5) days thereafter, the Committee shall certify to the Clerk of Circuit Court the record of the proceedings, including all documents, testimony, and minutes. The action shall then be at issue and shall have precedence over any other cause of a different nature pending in the Court, which shall always be open to the trial thereof, pursuant to Wisconsin Statutes.

    The Court shall, upon application of the Deputy Sheriff or the Grievance Committee, fix a date of trial which shall not be later than fifteen (15) days after such application, except by agreement.

    The trial shall be by the Court and upon the return of the Committee, except that the Court may require further return of the taking and return of further evidence by the Committee. The question to be determined by the Court shall be "Upon the evidence, was the order of the Committee reasonable?"

    No costs shall be allowed either party and the Clerk's fees shall be paid by the County. If the order of the Committee is reversed, the Deputy Sheriff shall be reinstated and entitled to such pay as though in continuous service. If the order of the Committee is sustained, it shall be final and conclusive.

(7) General Provisions.

(a) The Board of Supervisors shall fix the number of Deputy Sheriffs to be appointed and the salaries to be paid, but the number of Deputy Sheriffs shall not be less than required by the Wisconsin Statutes.

(b) Should it be determined by the Board of Supervisors, at any time, that the staff of the Sheriff's Department is too large and that a reduction in the number of Deputy Sheriffs is necessary, Deputy Sheriffs may and shall be terminated to bring about such reduction.

    The Deputy Sheriff or Deputy Sheriffs so terminated shall be the youngest in point of service, and shall be reappointed without examination if the number of personnel is increased or

any vacancy occurs within two (2) years after their termination, providing they meet the physical requirements of this ordinance.

(c) Temporary vacancies in the department, whether a result of sickness, leave of absence, or any other cause, shall be filled by appointment by the Sheriff of one of the three (3) persons having the highest rating certified as eligible for a position during the year next preceding the occurrence of the vacancy. Temporary increase of the Sheriff's force shall be made in the same manner. Such appointments shall be subject to dismissal without cause at the end of the term for which appointed.

(c) The Sheriff and/or Chief Deputy Sheriff shall prepare department rules for the general administration and efficient operation of the Sheriff's Department. Such rules are the department rules and Deputy Sheriffs shall conduct themselves in accordance with such.

(8) Classifications and Ranks.

(a) The following classifications and ranks are presently created within the Sheriff's Department and shall be the chain of command of the Sheriff's Department.

1. Sheriff

2. Chief Deputy Sheriff

3. Captains

4. Lieutenants

5. Sergeants

6. Detectives

7. Deputy Sheriffs

(b) The duties, responsibilities, and authority of the personnel on the Sheriff's Department shall include but not be limited to the following:

1. Sheriff. The Sheriff is the chief executive officer of the Kenosha County Sheriff's Department pursuant to the constitution and laws of the State of Wisconsin.

2. Chief Deputy Sheriff. The Chief Deputy Sheriff shall outrank all members of the Kenosha County Sheriff's Department except the Sheriff.

3. Captains. The Captains shall outrank all other members of the Kenosha County Sheriff's Department except the Sheriff and the Chief Deputy Sheriff. They shall be division commanders with all authority necessary to administer their assigned areas of responsibility. The Captains shall also act for the Sheriff in the absence of the Sheriff and Chief Deputy Sheriff.

4. Lieutenants. The Lieutenants shall have that authority necessary to fulfill their responsibility to provide the maximum efficiency and productivity of the personnel and operations under their control consistent with the

policies set forth by the Sheriff and the administrative staff of the Sheriff's Department.

5. Sergeants. The Sergeants shall supervise and control their respective shifts or divisions in order to direct the work of the department in accordance with the policies of the Sheriff and the administrative staff.

   Sergeants shall exercise that authority necessary to insure compliance with the established rules and regulations of the department.

   Sergeants shall maintain performance records of the personnel assigned to them, to be used as a consideration in making promotions or assignments, or in resolving grievances or disciplinary actions affecting department personnel.

6. Detectives. Detectives shall conduct investigations of criminal offenses within Kenosha County, including but not limited to the detection and arrest of criminal offenders, the location of missing persons, the recovery of stolen and lost property, the handling of juvenile matters, the prevention of crime, the proper conduct of fugitive requisition proceedings, and any other matters requiring their attention as ordered by the commanding officers of the Sheriff's Department.

7. Deputy Sheriffs. Deputy Sheriffs of the Kenosha County Sheriff's Department shall interchangeably carry out all lawful orders and directives issued by or on behalf of the Sheriff.

8. Any member of the Sheriff's Department may be called upon to perform the duties of another or a lower rank when necessary to fulfill the missions of the Sheriff's Department.

(9) Temporary Duty Assignments.

(a) The Sheriff and/or Chief Deputy Sheriff may announce and request applications for temporary duty assignments from the ranks of Deputy Sheriff, Detective, Sergeant, Lieutenant, and Captain. Selections for temporary duty assignments shall be made by the Sheriff and/or Chief Deputy Sheriff from among the people filing applications and shall be based upon the qualifications of those applying.

(b) Examples of temporary duty assignments include, but are not limited to, the following:

Community Relations Officer	Acting Sergeant
Special Investigative Unit	Acting Lieutenant
Process Server	Acting Captain
Court Officer	Acting Chief Deputy Sheriff
Property Officer	
Drug Unit Investigator	
School Resource Officer	

(c) Temporary duty assignments shall not be part of the standard Civil Service rank/classification structure; however, employees assigned to temporary duty assignments shall not forfeit their Civil Service standing in their current rank/classification.

Deputy Sheriffs assigned to temporary duty assignments may be utilized to perform other duties as needed.

(d) Temporary duty assignments may be for an initial period of twelve (12) months or less duration with unlimited renewal, and may be terminated at any time or may not be renewed by the Sheriff and/or Chief Deputy. Temporary duty assignments to the positions of Acting Sergeant, Acting Lieutenant, Acting Captain, or Acting Chief Deputy Sheriff may be for a period of twelve (12) months or less duration with no renewal. Employees whose temporary duty assignments have ended shall be returned to their regular work assignments. All temporary duty assignments will be reviewed by the Sheriff and/or Chief Deputy Sheriff every twelve (12) months or sooner to determine the continued need for the assignment.

(10) Rights.

(a) No person in the Sheriff's Department, nor any person seeking admission thereto, shall be appointed, reduced in pay, removed, demoted, nor in any way favored or discriminated against because of political or religious affiliations, race, sex, or minority classification.

(b) Rights of a Deputy Sheriff in military service shall be governed by applicable federal and state laws.

(c) The Board of Supervisors may repeal this chapter at any time in conformity with Wisconsin Statutes.

(11) Standards of Efficiency.

(a) The Sheriff and/or Chief Deputy Sheriff shall maintain a system of efficiency records for Deputy Sheriffs to be based, among other things, upon the quantity and quality of the work performed and the regularity and punctuality of attendance.

(b) The personnel records of an individual shall be reviewed with the individual upon request, at any time, and at the convenience of the Sheriff and/or Chief Deputy Sheriff.

(12) Leaves of Absence.

(a) Sheriff Candidates.

1. If a Deputy Sheriff is the Sheriff-Elect, his tenure as a Deputy Sheriff shall terminate upon his executing and filing the official bond and oath as Sheriff unless prior thereto he requests, in writing, to the County Board, a leave of absence for the period he holds the office of Sheriff.

2. The County Board shall grant such request.

3. Such Deputy Sheriff shall be reinstated with the same rank and position that he held at the time of his written request upon completion of duties as Sheriff. The time spent as Sheriff shall count as tenure as though such Deputy Sheriff had not been on such leave of absence; provided his tenure of the office of Sheriff is not terminated for reasons of conduct unbecoming an officer, or for improperly performing duties as an officer of the law. If

his tenure of the office of Sheriff is terminated for such reason, he shall be granted a hearing in the manner provided by the Wisconsin Statutes and shall not be reinstated as a Deputy Sheriff unless so ordered after such hearing.

(b) Deputy Sheriffs with the Rank of Sergeant or Above.

1. Request shall be made in writing to the Sheriff and/or Chief Deputy Sheriff, and shall set forth the reasons and desired length of time for such leave of absence.

2. If the Sheriff and/or Chief Deputy Sheriff approves such request, it shall be referred to the Administration Committee, which Committee may recommend, approve or disapprove.

3. The Administration Committee shall file its written approval with the County Board of Supervisors for action.

4. No leaves of absence shall be granted so as to permit the Deputy Sheriff to seek other employment.

5. The Sheriff may grant a leave of absence without further authority of the County Board for fourteen (14) calendar days or less.

(13) Duty Assignments.

(a) The duties of personnel on each shift shall be left to the discretion of the Sheriff and/or Chief Deputy Sheriff without regard to seniority.

(b) Any Deputy Sheriff or commanding officer wishing to change shifts temporarily, not to exceed 90 days within any twelve (12) month period, may do so with the permission of the Sheriff and/or Chief Deputy Sheriff. The Deputy Sheriff or commanding officer having the greatest seniority shall move into the vacancy left by such change, if they are agreeable thereto.

(c) Any Deputy Sheriff may be temporarily assigned to another shift for periods not to exceed 120 days during any twelve (12) month period. Such reassignments shall be made only to fill an articulable need of the department or to facilitate the fulfillment of a demonstrable training need.

(d) In reducing the number of personnel in any classification or rank, the last person promoted shall be the first person reduced in rank, and the last person reduced in rank shall be the first person restored to the rank previously held, should a vacancy occur within two (2) years.

(e) Any person reduced in rank or classification as the result of a personnel cutback shall return to the rank or classification held prior to his/her last promotion.

(f) Time in grade, for the purposes of this section, shall be defined as the length of time in rank or classification presently held by the employee. Time in grade for persons reduced in rank or classification because of a personnel reduction shall be computed from the date of promotion to the rank now held, including the length of service in the higher rank.

(14) Wages and Fringe Benefits.

(a) Wages and fringe benefits shall be determined by labor negotiations between the Kenosha County Deputy Sheriff's Association and Kenosha County, and shall be approved by the Kenosha County Board of Supervisors.

(b) The salary and fringe benefits of any civil service officer holding a supervisory rank not represented by the Kenosha County Deputy Sheriff's Association shall be determined by the Kenosha County Board. Such salary and fringe benefits, with the exception of unused vacation cash out (Section 15.5 Cash Out and/or Carry Over of Unused Vacation, Collective Bargaining Agreement, County of Kenosha, Wisconsin and the Kenosha County Deputy Sheriff's Association) shall not be less than those granted to the Kenosha County Deputy Sheriff's Association. Unused vacation cash out shall not be a benefit of civil service officers not represented by the Kenosha County Deputy Sheriff's Association, effective December 31, 2010. (11/10/10)

(15) Rewards, Gifts, and Gratuities.

(a) Other than their lawful salary, or payment for approved special off-duty or private employment, employees of the Sheriff's Department shall not accept any gifts, gratuities, or rewards in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency.

(b) Should any gift, gratuity, or reward come into the possession of any employee, the employee shall not accept, but shall immediately forward same to the office of the Sheriff and/or Chief Deputy Sheriff, together with a written report explaining all the circumstances connected therewith. The Sheriff and/or Chief Deputy Sheriff shall thereupon deposit the gift, gratuity, or reward with the President and Treasurer of the Deputy Sheriff's Association for deposit in their Benevolent Fund for the benefit of all the members of the Kenosha County Sheriff's Department.

(16) Coverage.
This civil service chapter shall apply only to such Deputy Sheriffs that are regularly employed full time in the Sheriff's Department.

(17) Interpretation.
The provisions of this chapter are hereby declared severable. All provisions or sections which may hereinafter be declared to be illegal or unconstitutional shall be declared repealed and the remainder shall not be affected thereby. This ordinance shall be liberally construed to give full effect to its terms and purposes.

(18) Conflicts.
All ordinances or parts of ordinances in conflict with any provision of this chapter are hereby repealed. If any valid terms of a collective bargaining agreement are in conflict with any of the provisions of this ordinance, such valid collective bargaining agreement shall control for the employees who are subject to such agreement.

4.40 JAIL INMATE MAINTENANCE COSTS.

(1) The cost per day for the maintenance of the inmates in the County Jail shall be as follows:

(a) The charge for confinement of prisoners from municipalities or towns in Kenosha County shall be as follows:

2011 - $21
2012 - $28
2013 - $36
2014 - $44

For years 2015 and beyond, the rate will be adjusted annually using the CPI. (11/9/10)

(b) The charge for Huber Law commitments shall be $16.00 per day plus meals provided in the County Jail. Said charge shall be reviewed at budget time every year. (11/19/96)

(c) The charge for confinement of prisoners from municipalities, counties or towns outside of Kenosha County shall be $60.00 per day.

(d) The meals served in the County Jail charged to Huber commitments shall be as follows:

Breakfast: $2.00 Dinner: $3.50 Supper: $2.50

(e) The charge for electronic monitoring shall be $16 per day. (2/4/14)

(2) Charges for actual confinements shall be charged back to the municipalities or towns detaining such prisoners in the County Jail and charges for Huber Law or work release commitments shall be deducted from the earnings of the private employment of such inmates.

(3) Municipalities, counties and towns are responsible for the cost of medical services provided to an inmate placed upon their behalf in the Kenosha County Jail. In addition, municipalities, counties and towns are solely responsible for any salary expenses incurred in maintaining an inmate at a hospital who was initially placed in the Kenosha County Jail on their behalf.

4.50 COUNTY LIABILITY FOR ACTS OF SHERIFF AND/OR NON-CIVIL SERVICE APPOINTEES OF THE SHERIFF.

(1) Criminal Actions Against the Sheriff.

(a) Fines. The county shall not assume any liability for the payment of any fines imposed upon the sheriff as a result of any criminal action filed against him.

(b) Attorney fees, costs and disbursements. In any criminal action filed against the sheriff of Kenosha County, the county shall pay for reasonable attorney fees and reasonable and necessary costs and disbursements in the defense of the sheriff if the action is dismissed outright or the sheriff is found innocent in that action, and only when the criminal charges stem from acts performed in the official course of his duties as sheriff of Kenosha County. The county shall pay the aforementioned attorney fees, costs and disbursements only if within ten days of service of the complaint counsel for the sheriff gives written notice to the Finance Committee of the Kenosha County Board of Supervisors by delivery to the County Clerk indicating this method of billing and hourly rate for his services

(including appeals) and an estimate or approximation of his fees, costs and disbursements. In the event that the finance committee deems such legal fee or rate to be unreasonable, it may limit the county's potential liability for attorney fees to a given rate by giving written notice to counsel for the sheriff within sixty days after having received the aforementioned notice from counsel for the sheriff. The county shall in no event pay for any costs and disbursements arising out of such action unless evidence is presented to the finance committee substantiating the indebtedness for such costs and disbursements.

(2) Civil Actions Against the Sheriff.

(a) Damages. Pursuant to Article VI section 4 of the Wisconsin Constitution, the county shall not be liable for payment of any judgment damages incurred by the sheriff as a result of civil litigation commenced against him.

(b) Attorney fees, costs and disbursements.

1. In those instances in which the sheriff of Kenosha County has obtained the benefit of a policy of liability insurance in full force and effect covering acts or omissions arising out of the scope of his employment and has filed a copy of said insurance policy with the Kenosha County Clerk, legal representation of the sheriff shall be by the insurer in the first instance. In the event that the insurer refuses to provide such legal representation, or in the event the sheriff has elected not to procure such insurance, the corporation counsel's office shall offer to provide counsel to the sheriff for the purpose of challenging the decision of the insurer and/or representing the sheriff in the principal cause of action commenced against him for acts or omissions of the sheriff arising out of the scope of his employment.

Should the sheriff decline the offer of representation by the corporation counsel's office, the county shall assume no liability for legal fees incurred by the sheriff. In the event of representation by the corporation counsel's office, it shall be understood that the sheriff retains his right to seek outside counsel at his own expense, and furthermore, in so representing the sheriff, he shall hold harmless the county for providing his legal defense. Legal fees incurred by the sheriff in defending an action shall only be paid by the county should the corporation counsel's office refuse or be unable to defend the sheriff. Notice of such expenses shall be given to the Finance Committee as provided in section (1)(b). Reasonable and necessary costs and expenses (excluding attorney fees) not covered by a policy of insurance and incurred in the defense of civil actions commenced against the sheriff in his official capacity shall be paid by the county pursuant to the guidelines set forth in section 895.35 of the Wisconsin Statutes regardless of representation by the corporation counsel's office, provided, however, that the county shall in no event pay for any costs and disbursements arising out of such action unless evidence is presented to the finance committee substantiating the indebtedness for such costs and disbursements.

(3) Actions Against Non-Civil Service Appointees of the Sheriff. If a non-civil service appointee of the sheriff is a defendant in any action or special proceeding and is proceeded against in an official capacity or is proceeded against as an individual because of acts committed while carrying out duties as a non-civil service appointee of the sheriff and the jury or the court finds that the defendant was acting within the scope of employment, the judgment as to damages and costs entered against the non-civil service appointee of the sheriff in excess of any insurance applicable to the officer or employee shall be paid by Kenosha County. Regardless of the results of the litigation, the county, if it does not provide legal counsel to the non-civil service appointee of the sheriff, shall pay reasonable attorney fees and costs of defending the action, unless it is found by the court or jury that the defendant non-civil service appointee of the sheriff did not act within the scope of employment. Failure by the non-civil service appointee of the sheriff to give notice to the sheriff of an action or special proceeding commenced against the defendant non-civil service appointee of the sheriff as soon as reasonably possible is a bar to recovery by the non-civil service appointee of the sheriff from the county of reasonable attorney fees and costs of defending the action. The attorney fees and expenses shall not be recoverable if the county offers the non-civil service appointee of the sheriff legal counsel and the offer is refused by the non-civil service appointee of the sheriff. If the non-civil service appointee of the sheriff refuses to cooperate in the defense of the litigation, the non-civil service appointee of the sheriff is not eligible for any indemnification or for the provision of legal counsel by the County under this ordinance.

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Kenosha County

BOARD OF SUPERVISORS

ORDINANCE NO._____

Subject: **Michael W. Nielsen & Erin N. Nielsen**, 1144 Bowles Rd., Antioch, IL 60002 (Owner), Michael Nielsen, 1144 Bowles Rd., Antioch, IL 60002 (Agent), requesting a **rezoning** from R-1 Rural Residential Dist. to R-2 Suburban Single-Family Residential Dist. on Tax Parcel #95-4-119-042-0320, located in the NW ¼ of Section 4, T1N, R19E, Town of **Wheatland.**			
Original ☐	Corrected ☐	2nd Correction ☐	Resubmitted ☐
Date Submitted: May 17, 2022		Date Resubmitted:	
Submitted By: Planning Development & Extension Education Committee			
Fiscal Note Attached ☐		Legal Note Attached ☐	
Prepared By: Andy M. Buehler, Director Division of Planning & Development		Signature: DocuSigned by: Andy M Buehler 5E5F88199951407...	

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 of Tax Parcel #95-4-119-042-0320, located in the NW ¼ of Section 4, T1N, R19E, Town of Wheatland, be changed as follows:

from R-1 Rural Residential Dist. to R-2 Suburban Single-Family Residential District

Michael W. Nielsen & Erin N. Nielsen (Owner)
Michael Nielsen (Agent)

DocuSign Envelope ID: 20AFA36F-397B-47F3-BCEA-405002EAE663

Description: See Exhibit #1 (attached).

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

Approved by:

PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE	Aye	No	Abstain	Excused
Aaron Karow, Chair	☒	☐	☐	☐
Ed Kubicki, Vice Chair	☒	☐	☐	☐
Brian Bashaw	☒	☐	☐	☐
Andy Berg	☐	☐	☐	☒
John Franco	☒	☐	☐	☐
Daniel Gaschke	☒	☐	☐	☐
John O'Day	☐	☐	☐	☒



REZONING SITE MAP

PETITIONER(S):
Michael W. Nielsen & Erin N. Nielsen (Owner)
Michael W. Nielsen (Agent)

LOCATION: NW 1/4 of Section 4
Town of Wheatland

TAX PARCEL(S): #95-4-119-042-0320

REQUEST:
Requesting a rezoning from R-1 Rural-Density Residential Dist. to R-2 Suburban Single-Family Residential Dist..



Kenosha County

MEMORANDUM

Communication to Kenosha County Board of Supervisors
(For Informational Purposes Only)

***COMMUNICATION TO APPEAR ON COUNTY BOARD MEETING AGENDA*: 05/17/2022**

***SUBJECT*: A Resolution Declaring Kenosha County a Second Amendment Sanctuary County**

***COMMITTEE*:**

***SUBMITTED BY*: Supervisors Decker and Poole**

RESOLUTION TO BE PRESENTED AT ***COMMITTEE ON***

***ADDITIONAL INFORMATION (optional)*:** Full resolution text attached

KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject: **A resolution declaring Kenosha County a Second Amendment Sanctuary County**			
Original [x]	Corrected [ ]	2nd Correction [ ]	Resubmitted [ ]
Date Submitted: 5/9/2022		Date Resubmitted:	
Submitted by: Supervisors Decker and Poole			
Fiscal Note Attached [ ]		Legal Note Attached [ ] Agreement	
Prepared by: Supervisor Erin Decker		Signature:	

WHEREAS, the Constitution of the United States is the Supreme Law of our nation, and;

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution; reads "A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed," and;

WHEREAS, the Constitution of the State of Wisconsin, Article 1, Section 25, reads "The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose," and;

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and;

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and;

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and;

WHEREAS, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of Kenosha County, Wisconsin, and;

WHEREAS, the People of Kenosha County, Wisconsin derive an economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Kenosha County using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Kenosha County Board, being elected to represent the People of Kenosha County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Kenosha County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Kenosha County to keep and bear arms, and;

WHEREAS, the Kenosha County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Kenosha County to keep and bear arms, and;

WHEREAS, the Kenosha County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Kenosha County to keep and bear arms, and;

WHEREAS, the Wisconsin State Assembly and the Wisconsin State Senate, being elected by the People of the State of Wisconsin and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, any legislation considered by the Wisconsin State Legislature that would infringe upon the Right to Keep and Bear Arms and would ban the possession and/or use of any weapons including firearms, magazines, ammunition or body armor now employed by individual citizens of Kenosha County for their defense of Life, Liberty and Property, or for the purposes of hunting, recreation or other lawful purposes or would require a firearms owner I.D. card, or tax the possession of firearms or ammunition, or require the registration and/or confiscation of said weapons and ammunition within Kenosha County, Wisconsin; would be a violation of the Second Amendment of the United States Constitution and of Article 1, Section 25 of the Wisconsin Constitution;

NOW, THEREFORE, be it resolved that the Kenosha County Board of Supervisors hereby declares Kenosha County to be a Second Amendment Sanctuary County; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors affirms its support of the sheriff to exercise sound discretion to not enforce against any citizen an unconstitutional firearms law; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors will not appropriate any funds for any enforcement of unconstitutional laws against the People of Kenosha County, Wisconsin; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful legislative authority and to be an act of tyranny.

_____

Supervisor Erin Decker

_____

Supervisor John Poole

Kenosha County

MEMORANDUM

Communication to Kenosha County Board of Supervisors
(For Informational Purposes Only)

***COMMUNICATION TO APPEAR ON COUNTY BOARD MEETING AGENDA*: 05/17/2022**

***SUBJECT*: Resolution to Conduct Countywide Advisory Referendum on Making the State of Wisconsin a 2nd Amendment Sanctuary State**

***COMMITTEE*:**

***SUBMITTED BY*: Supervisors Decker and Poole**

RESOLUTION TO BE PRESENTED AT ***COMMITTEE ON***

***ADDITIONAL INFORMATION (optional)*:** Full text attached

KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject: **Resolution to Conduct Countywide Advisory Referendum on making the State of Wisconsin a 2nd Amendment Sanctuary State**			
Original [x]	Corrected [ ]	2nd Correction [ ]	Resubmitted [ ]
Date Submitted: Date Submitted: 5/9/2022			Date Resubmitted:
Submitted by: Supervisors Decker and Poole			
Fiscal Note Attached [ ]			Legal Note Attached [ ] Agreement
Prepared by: Supervisor Erin Decker			Signature:

WHEREAS, the Constitution of the United States is the Supreme Law of our nation, and;

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution, and reads "A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed," and;

WHEREAS, the Constitution of the State of Wisconsin, Article 1, Section 25, reads "The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose," and;

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and;

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and;

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and;

WHEREAS, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Kenosha County, and;

WHEREAS, the People of Kenosha County derive an economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Wisconsin using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Citizens of Kenosha County are concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Kenosha County to keep and bear arms, and;

WHEREAS, The Kenosha County Board of Supervisors desires to hear the views of the public on this important matter; and subsection 59.52 (25) of the Wisconsin Statutes permits the County Board of Supervisors to conduct a countywide referendum for advisory purposes, and;

WHEREAS, The following advisory referendum question provides a way for the public to express its views on making Wisconsin a 2nd Amendment Sanctuary State:

> Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State?

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors, in legal session assembled will place the following question on the November 8, 2022 ballot as an advisory referendum question. Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State? YES _____ NO _____., and;

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors directs Corporation Counsel to prepare a Notice of Referendum to be published by the Kenosha County Clerk in accordance with statutory requirement, and;

BE IT FURTHER RESOLVED, that this resolution and the referendum shall be filed with Kenosha County Clerk no later than 70 days prior to the November 8, 2022 election at which the question will appear on the ballot, and;

BE IT FURTHER RESOLVED, that a copy of this ballot referendum shall be forwarded to Kenosha County's legislative delegation, all other Wisconsin counties, the Wisconsin Counties Association and Governor Evers.

_____

Supervisor Erin Decker

_____

Supervisor John Poole

Kenosha County

MEMORANDUM

Communication to Kenosha County Board of Supervisors
(For Informational Purposes Only)

***COMMUNICATION TO APPEAR ON COUNTY BOARD MEETING AGENDA*: 05/17/2022**

***SUBJECT*: A Resolution to Repeal 1996 Policy Resolution 12 and Adopt a Policy Regarding Kenosha County Department and Division Heads**

***COMMITTEE*:**

***SUBMITTED BY*: Supervisors Decker and Rose**

RESOLUTION TO BE PRESENTED AT ***COMMITTEE ON***

***ADDITIONAL INFORMATION (optional)*:** Full resolution text attached

KENOSHA COUNTY
BOARD OF SUPERVISORS

Policy Resolution No _____

Subject: **A resolution to repeal 1996 Policy Resolution 12 and adopt a policy regarding Kenosha County Department and Division Heads**			
Original | x |	Corrected | |	2nd Correction | |	Resubmitted | |
Date Submitted: 5/9/2022		Date Resubmitted:	
Submitted by: Supervisors Decker and Rose			
Fiscal Note Attached | |		Legal Note Attached | | Agreement	
Prepared by: Supervisor Erin Decker		Signature:	

WHEREAS, a reorganization of the County's organization structure was approved as part of the 1996 budget, and;

WHEREAS, the new organization structure resulted in the creation of the new non-represented classification of "division head," and;

WHEREAS, in 1996 the Kenosha County Board of Supervisors passed 1996 Policy Resolution 12 pertaining to the Hiring, Retention, and Termination of Division Heads, and;

WHEREAS, it is in the best interest of Kenosha County to have Division Heads that are experienced, high caliber, and support the ideas, direction, and plans of the Kenosha County Executive and Kenosha County Board,

NOW THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors repeals 1996 Policy Resolution 12, and;

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors adopt the following policy: Kenosha County Department Heads and Kenosha County Division Heads are county employees appointed by the County Executive and require the confirmation of the Kenosha County Board of Supervisors. Any Department Head or Division Head appointed by the County Executive may be removed at the pleasure of the County Executive.

_____
Supervisor Erin Decker

_____
Supervisor Terry Rose

Kenosha County

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MEMORANDUM

Communication to Kenosha County Board of Supervisors
(For Informational Purposes Only)

***COMMUNICATION TO APPEAR ON COUNTY BOARD MEETING AGENDA*: 05/17/2022**

***SUBJECT*: A Resolution to Amend 2011 Resolution 63**

***COMMITTEE*:**

***SUBMITTED BY*: Supervisors Decker**

RESOLUTION TO BE PRESENTED AT ***COMMITTEE ON***

***ADDITIONAL INFORMATION (optional)*:** Full resolution text attached

KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject: **A resolution to amend 2011 Resolution 63**			
Original [ ]	Corrected [x]	2nd Correction [ ]	Resubmitted [ ]
Date Submitted: 5/13/2022		Date Resubmitted:	
Submitted by: Supervisor Decker			
Fiscal Note Attached [ ]		Legal Note Attached [ ] Agreement	
Prepared by: Supervisor Erin Decker		Signature:	

WHEREAS, the Wisconsin State Legislature, signed by Governor Scott Walker, enacted 2011 Wisconsin Act 35 on July 8, 2011, a statute that allows most adults to lawfully carry a concealed firearm in Wisconsin after November 1, 2011, if they obtain a "concealed carry" license, and;

WHEREAS, on October 18, 2011, the Kenosha County Board of Supervisors passed 2011 Resolution 63, with a vote of 24 ayes and 1 nay, the one dissenting vote cast by Supervisor Erin Decker, and;

WHEREAS, 2011 Resolution 63 enacted a policy that no firearms may be possessed by any person in a building owned, leased or controlled by Kenosha County, except by a duly sworn government law enforcement officer and a person authorized by state statute 175.60(16)(b)2, and;

WHEREAS, 2011 Wisconsin Act 35 grants employers that do not prohibit one or more employees from lawfully carrying a concealed weapon is immune from any liability arising from its decision, and;

WHEREAS, employers not granted immunity from liability pertaining to employees carrying concealed weapons were faced with higher insurance costs; and

WHEREAS, banning the possession of a lawfully carrying on county property ensures Kenosha County in not immune from liability; and

WHEREAS, the City of Kenosha did not ban the lawful carrying of a firearm on City property, on advice of their insurance company;

WHEREAS, the City of Kenosha did not ban the lawful carrying of a firearm on City property, causing confusion to those lawfully carrying a concealed weapon;

NOW THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors amends the fourth paragraph of 2011 Resolution 63 to read:

> NOW THEREFORE, BE IT RESOLVED, It is declared that possession of some concealed or openly displayed weapons in a Kenosha County buildings is a danger the public and should be regulated. It shall be the policy of the County of Kenosha that no explosives, dangerous weapons, or other objects which are capable of inflicting death, bodily injury or property damage may be possessed by any person in a building owned, leased or controlled by Kenosha County, with the exception of those firearms and electronic weapons legally possessed and carried per Wisconsin state statutes and by a duly sworn government law enforcement officer. The Kenosha County Executive shall cause the removal of signs previously posted under 2011 Ordinance 63, and further, that procedures to be placed in effect to enforce this updated policy.

_____

Supervisor Erin Decker

RED LINE OF PREVIOUS ORDINANCE

NOW THEREFORE, BE IT RESOLVED, It is declared that possession of some concealed or openly displayed weapons in a Kenosha County building is a danger the public and should be regulated. It shall be the policy of the County of Kenosha that no ~~firearms,~~ explosives, dangerous weapons, or other objects which are capable of inflicting death, bodily injury or property damage may be possessed by any person in a building owned, leased or controlled by Kenosha County, ~~except~~ with the exception of those firearms and electronic weapons legally possessed and carried per Wisconsin state statutes or by a duly sworn government law enforcement officer~~, or a person authorized to carry a weapon under SS 175.60(16)(b)2., Wis. Stats. Any holder of a permit issued under SS 175.60(16)(b)2., Wis. Stats. by any judge of any county shall submit a copy of the permit to the Clerk of Court of Kenosha County for verification at least twenty-four (24) hours prior to introducing any weapon into the Kenosha County Courthouse~~. The Kenosha County Executive shall cause the removal of signs previously posted under 2011 Ordinance 63 ~~that are in compliance with the Wisconsin to be erected as time budget and resources allow,~~ and further, that procedures to be placed in effect to enforce this updated policy.

DocuSign Envelope ID: 47839712-9BCD-451D-93E7-C38CCE1118EC

COUNTY OF KENOSHA

Division of Planning & Development

Andy M. Buehler, Director
Division of Planning & Development
19600 75th Street, Suite 185-3
Bristol, WI 53104-9772
(262) 857-1895

M E M O R A N D U M

Communication to Kenosha County Board of Supervisors
(For Informational Purposes Only)

As required by Section 59.69(2)(e), the following report is being made on the petitions to the **June 15, 2022** Planning, Development & Extension Education Committee meeting that have been filed in the Kenosha County Clerk & Kenosha County Planning & Development Offices for future consideration by the County Board.

1. **Shirley F. Kasperek Family Trust**, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9234 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection", "SEC" & "Non-Farmed Wetland" to "Farmland Protection", "General Agricultural & Open Land", "SEC" & "Non-Farmed Wetland" on Tax Parcel #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of **Brighton**.

2. **Shirley F. Kasperek Family Trust**, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9234 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of **Brighton**.

3. **Shirley F. Kasperek Family Trust**, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9234 (Agent), requesting a **Certified Survey Map** on Tax Parcel #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of **Brighton**.

4. Approval of Minutes

5. Citizens Comments

6. Any Other Business Allowed by Law

7. Adjournment

Sincerely,

DocuSigned by:
Andy M. Buehler
5E5F88199951407...

ANDY M. BUEHLER, Director
Division of Planning & Development

AMB:BF:aw