

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

November 10, 2004

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

Present: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Present. 28

There were no Citizen Comments.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Elverman announced the Annual County Board Christmas Party will be held on December 21, 2004 at the Parkway Chateau, the clerk will send out invitations to the County Board Members.

There were no Supervisor Reports.

County Executive Appointments

26. Timothy Thompkins to serve on the Kenosha County Resource Center Board.

Chairman Elverman referred County Executive Appointment 26 to the Human Services Committee.

27. Leonard Johnson to serve on the Southeastern Wisconsin Regional Planning Commission.

Chairman Elverman referred County Executive Appointment 27 to the Land Use Committee.

OLD BUSINESS

Policy Resolution - second reading, two required.

POLICY RESOLUTION 1

WHEREAS, pursuant to Section 59.17 of the Wisconsin Statutes, the County Executive is charged with the responsibility of annually submitting a proposed budget to the County Board; and

WHEREAS, the Executive's budget has been referred to the Finance Committee, and the Finance Committee has met and added its recommendations; and

WHEREAS, public notices were issued and public hearings were held in accordance with Wisconsin Statutes, Section 65.90; and

WHEREAS, certain accounts, accounting procedures, and fees have been revised in the 2005 budget; and

WHEREAS, Section 59.52(6)(c) of the Wisconsin Statutes permits the County Board to direct the County Clerk to sell property on such terms as the County Board approves; and

WHEREAS, the Summary of Budgeted Personnel Changes has been incorporated as part of the 2005 budget; and

WHEREAS, the Administration Committee met on July 19th and approved modifications to the Non-Represented Pay Plan and the Finance Committee met August 12, 2004 and determined that the Non-Represented Pay Plan shall be included in the 2005 budget; and

WHEREAS, the levy in the 2005 budget was reduced by \$175,000 using defunding; and

WHEREAS, the intention of the County is to prepare the site, located at 714 - 52nd Street, for sale; and

WHEREAS, the State of Wisconsin has determined that an error in the determination of equalized value (known as a palpable error) has been made and as a result of the palpable error, the State has ordered under s.74.41 that the County make payments to certain municipalities; and

WHEREAS, pursuant to provision of Section 75.22 of the Wisconsin State Statutes the County shall charge back to the local municipalities illegal assessments and cancel the tax certificates; and

WHEREAS, certain appropriations in the 2004 and 2005 budget will be encumbered (contractually obligated, but not liquidated) at year end 2004 and 2005; and

WHEREAS, from time to time emergency situations occur which result in immediate action by a Department or Division, and

WHEREAS, the state law requires that proceeds from debt issuance be recorded in a separate fund; and

WHEREAS, certain capital projects and capital outlay funded with bond proceeds are budgeted within Special Revenue or General Funds, however, it is the desire of the County Board to reflect these as capital projects; and

WHEREAS, it is projected that there will be unspent funds at year-end 2004; and

WHEREAS, the County Board adopted resolution No. 8 in 1998, which phased out the Kemper Center annual subsidy; and

WHEREAS, the County Board adopted resolution No. 84 in 2003 which provided funding for the expansion of the jail bed space at the Kenosha County Detention Center; and

NOW, THEREFORE, BE IT RESOLVED, by the Kenosha County Board of Supervisors, that the County Executive's Budget of October 5, 2004, which is attached hereto and incorporated by reference, be adopted as the County Board's Budget as herein amended and a copy of said budget document as certified by the County Clerk as having been brought up for first reading on November 9, 2004 is herewith attached; and

BE IT FURTHER RESOLVED, by the Kenosha County Board of Supervisors, that the budget for 2005 be adopted as shown in the Kenosha County Budget Summary which is attached and incorporated as part of this resolution; and

BE IT FURTHER RESOLVED, that it is the policy intent, desire, and order of the County Board, that each appropriation unit of the budget's detailed pages for which money has been appropriated be carried out as if adopted by a separate resolution according to the terms and conditions as outlined in the "Establishment Of The Appropriation Unit for the 2005 Budget" which is attached and incorporated by reference; and to the extent necessary to carry out the public intent, the funds hereby appropriated are made available; and that unless provided by law, no monies appropriated for an appropriation unit are to be used for another purpose without prior approval (the Finance Committee is delegated such authority for amounts not to exceed \$1000); and

BE IT FURTHER RESOLVED, that all expenditures herein appropriated be and the same are ordered not to exceed the funded monies as detailed in the budget document without prior approval of the County Board; and

BE IT FURTHER RESOLVED, that it is the policy of the County Board that the budget is authority for the departments or divisions to act as otherwise provided by law, and that administrative revisions of account identification, but not dollar totals or specific purposes, may take place during the budget year; and

BE IT FURTHER RESOLVED, that the sum of \$47,685,673 be apportioned to the city and the various towns and villages of Kenosha County for all purposes and expenses for 2005; and

BE IT FURTHER RESOLVED, that the sum of \$1,201,194 be apportioned to the towns and villages of Brighton, Bristol, Genoa City, Paris, Pleasant Prairie, Somers, and Wheatland for the purpose of library expense for 2005; and

BE IT FURTHER RESOLVED, that the sum of \$2,229,768 be apportioned to the city and the various towns and villages of Kenosha County for the State Forestry Tax; and

BE IT FURTHER RESOLVED, that \$18,745 be appropriated to account 15130.559100 for the purpose of paying \$1,258 to the City of Kenosha and \$17,487 to Village of Pleasant Prairie, in accordance with State law, as ordered by the State of Wisconsin Department of Revenue. This amount of \$18,745 will be funded by property tax levy for collection in 2005 as allowed by the State of Wisconsin. Therefore, this appropriation will not affect the General Fund.

BE IT FURTHER RESOLVED, that the County Board hereby authorize disbursement in the amount of \$18,745 in 2005 to the appropriate municipalities as set forth by orders of the State of Wisconsin.

BE IT FURTHER RESOLVED, that the various towns and villages and the city within the County be charged for the recovery of the illegal assessments on

certain parcels on which tax certificates are to be cancelled in whole or in part as shown in the following schedule; and

TOWN/VILLAGE	DESCRIPTION	YR/TAX	AMOUNT
Village of Silver Lake	75-4-120-083-3360	2003	\$2,475.81

BE IT FURTHER RESOLVED, that the proceeds from anticipated debt issuance be listed in the budget for informational purposes only and that the proceeds be recorded in a note/bond issuance proceeds account within the capital projects fund after the debt is approved by the County Board and deposited in the County Treasury; and

BE IT FURTHER RESOLVED, for purposes of arbitrage, it is the intent that bond proceeds can be applied to any legally allowable capital expenditures, and

BE IT FURTHER RESOLVED, that the added positions, eliminated positions, reclassifications, and In-range salary adjustments, as shown in the Summary of Budgeted Personnel Changes, shall be established with the 2005 budget; and

BE IT FURTHER RESOLVED, that Non-Represented employees salaries be given a 3% (three-percent) general increase effective January 1, 2005 and there will be no steps awarded during 2005; and

BE IT FURTHER RESOLVED, that the "Non-Represented Employee Pay Plan" be adopted, which is attached and incorporated herein by reference, and

BE IT FURTHER RESOLVED, that during the year, the Administration will review levy funded personnel, contracts, supplies, fixed charges, or capital outlay. If it is determined that the expenditure will not be incurred, the department budget will be decreased, and the de-funded expenditure account will be increased. This will be done until the de-funded expenditure account is increased to zero, and

BE IT FURTHER RESOLVED, that the County shall continue the Voluntary Reduction in Work Hour Plan which allows an employee to take up to five unpaid (without pay) days in 2005, and

BE IT FURTHER RESOLVED, that expenditures necessary to prepare the 52nd Street property for sale, such as appraisal, environmental testing, surveys, site work, demolition, etc, may be charged against future revenue from the sale of the property, and

BE IT FURTHER RESOLVED, that appropriations within the Emergency Services budget that are approved by the County Board and are funded by Homeland Security or Bio-terrorism grant funds are hereby authorized for carryover until such time as the approved grant funds are expended in accord with grant requirements, and that the administration shall be authorized to modify these grant funded appropriations for purposes of capital items for which the County retains possession, and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors does approve an appropriation for the Federally required re-disbursement of the Kenosha County Housing Rehabilitation Revolving loan program funds, and that the disbursements of these funds are to never exceed the amount collected from loan repayments; and

BE IT FURTHER RESOLVED, that all unspent funds of the Kenosha Housing Authority Rehabilitation Revolving Loan Program and Wisconsin Community Development Block Grant Housing Program remaining at the end of the year be carried over into the subsequent year to be disbursed or re-disbursed in compliance with all Federal regulations of this program and in compliance with generally accepted accounting principles; and

BE IT FURTHER RESOLVED, that the accounts and balances for the Kenosha Housing Authority Rehabilitation Revolving Loan Program and Wisconsin Community Development Block Grant Housing Program will continue to be maintained on Kenosha County's books.

BE IT FURTHER RESOLVED, that except in the case of specific action by the County Board, all positions included in the budget which are fully or partially grant funded shall be terminated if the grant is terminated and alternate, non-levy funding is not available; and

BE IT FURTHER RESOLVED, that year end encumbrances be approved and that appropriations are hereby authorized as necessary to satisfy the contractual obligations of the County; and

BE IT FURTHER RESOLVED, that the carryovers and/or reserves as shown in the budget be used to offset the County levy; and

BE IT FURTHER RESOLVED, that reserves and/or carryovers be listed in the budget for informational purposes only, and that these information accounts not be carried on the books as revenue accounts during 2005; and

BE IT FURTHER RESOLVED, that appropriations funded with post-mill rate freeze debt shall not be authorized until such time that a related initial resolution is approved by the County Board; and

BE IT FURTHER RESOLVED, that appropriations for costs related to the issuance of Bond/Notes shall be authorized when and if bonds/notes are issued to fund capital projects approved in the 2005 budget; and

BE IT FURTHER RESOLVED, that departments be allowed to transfer vehicles and equipment between departments as long as Generally Accepted Accounting Principals are followed and such transfers are properly reflected on the County books; and

BE IT FURTHER RESOLVED, that all fund balances or equity that are not earmarked or otherwise legally obligated shall be lapsed to the General Fund at such a time as it is determined that cash in these funds are available for appropriation.

BE IT FURTHER RESOLVED, that in no case shall any expenditure exceed the legal appropriation as established herein except in the case when the expenditure is issued as the result of an emergency (as defined by Webster's Dictionary) in which case the Oversight Committee and Finance Committee may approve the expenditure as soon as reasonably possible after the emergency has occurred. (This shall not supercede County Ordinance Chapter 5 relative to Emergencies).

BE IT FURTHER RESOLVED, that appropriations within Capital Projects Funds and Capital Projects within Proprietary Funds unspent at year end be carried forward to future years to complete the designated project(s) unless prior Appropriation is eliminated as part of Budget or other action of the County Board; and

BE IT FURTHER RESOLVED, that resolution No. 8 in 1998, which phased out the Kemper Center's annual funding is hereby suspended for budget year 2005; and

BE IT FURTHER RESOLVED, that due to the uncertainty of federal inmate revenue that the Kenosha County Detention Center project be temporarily suspended, and

BE IT FURTHER RESOLVED, that resolution No. 84 in 2003, which appropriated funds for Kenosha County Detention Center be reduced by \$600,000 and that appropriation be replenished with surplus funds during the 2004 closeout, if so approved by the County Board, and

BE IT FURTHER RESOLVED, that the Safety Building Remodeling Project be reviewed by the Building and Grounds Committee and recommendation be brought to the County Board; and

BE IT FURTHER RESOLVED, that legal expenditures associated with insurance may be charged to the Insurance Internal Service Fund, and

BE IT FURTHER RESOLVED, that funds available to replenish salt and gravel inventory be carried over from year to year to replenish such inventory, and

BE IT FURTHER RESOLVED, that when language in the budget resolution or previously adopted board action conflicts with budget action reflected in numbers or accounts within the budget document, that the numbers and accounts shall take precedence, and

BE IT FURTHER RESOLVED, that certain fees and charges for services have been reviewed and modified to reflect increased costs to the County and have been included in the budget, and

BE IT FURTHER RESOLVED, that the property tax levy be allocated by fund on the books of Kenosha County.

Submitted By:
Finance Committee
Robert Carbone
Terry Rose
Mark Wisnefski
Anita Faraone
Mark Modory

It was moved by Supervisor Carbone to adopt Policy Resolution 1. Seconded by Supervisor Rose.

Supervisor Michel asked to abstain from 2 parts of the budget, Circuit Court and Social Services.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Smitz, Ekornaas.

Nays: Supervisor Gorlinski.

Ayes: 27. Nays. 1

NEW BUSINESS

Ordinance - first reading, two required.

ORDINANCE 42

42. From Supervisor Terry Rose regarding Creating Section 2.07 (8) Pertaining to Supervisor Comments.
Resolution - one reading.

RESOLUTION 61

61. From Finance Committee Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$2,700,000 for 2005 Capital Projects.

INITIAL RESOLUTION AUTHORIZING THE
ISSUANCE OF GENERAL OBLIGATION PROMISSORY NOTES
IN AN AMOUNT NOT TO EXCEED \$2,700,000
FOR 2005 CAPITAL PROJECTS

BE IT RESOLVED by the County Board of Supervisors of Kenosha County, Wisconsin that there may be issued, pursuant to Section 67.12(12), Wisconsin Statutes, General Obligation Promissory Notes in an amount not to exceed \$2,700,000 for public purposes, including constructing, extending, repairing and improving streets, roads and bridges; improvement and maintenance projects at various County buildings and sites; implementing the survey monumentation program; and acquiring vehicles, equipment, furnishings and fixtures. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such Notes.

Adopted and recorded this 10th day of November, 2004.

Submitted by:

Finance Committee

Robert Carbone

Terry Rose

Mark Wisnefski

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 61. Seconded by Supervisor Faraone.

Roll call vote passed unanimously.

RESOLUTION 62

62. From Supervisor Terry Rose regarding a Resolution to Petition the State Legislature to Amend Section 19.84(2) of the Wisconsin Statutes.

Chairman Elverman referred Resolution 62 to the Legislative Committee.

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

Meeting adjourned at 7:51 P.M.

Prepared by: Edie LaMothe

Submitted by: Edna R. Highland
County Clerk