

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

March 2, 2010

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

Roll call was taken.

Present: Supervisors Grady, Zerban, Rose, Kessler, Huff, Kubicki, Hallmon, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Marks, West.

Present: 26. Absent: 2.

CITIZEN COMMENTS

Robert Zapf, 912 56th St. stated he is the District Attorney. He thanked the supervisors for considering Resolution 114 which is being presented by the Legislative Committee. He asked for the supervisors support opposing what might be the State's permanent lay-offs of ADAs. We need to have a voice in Madison. When we entered into the partnership between the State picking up ADA salaries and the County continuing to pay for the bricks and mortar, paper and the rest of the DA's operation that it was a partnership and that Kenosha County has a voice in Madison. Over the past few years there has been some manpower issues and in 2007 the legislative audit said they were short ADAs throughout the State. He wants everyone to know the disastrous effect lying off ADAs will have. The court system is not shutting down; law enforcement is not shutting down or taking furlough days. The DA's office knows that crime is not shutting down or stopping when the government says the ADAs have to take furlough days. Tonight he is asking for support of the resolution, in as much as a vote of confidence in standing for a strong viable District Attorney's Office. They're not asking for more ADAs, although there is a need. They're asking to maintain the level of manpower that they have in their office so they can continue to do the job that he was elected to do.

Dick Ginkowski, 912 56th St., stated he appreciates the opportunity to be of service the past 29 years being the most senior person not only in the Kenosha District Attorney's Office but one of the most senior ADAs in the State. He stated that what was supposed to be a prosecution network when they went from County to State employment has failed in being able to recruit and keep people. There is 75% turnover statewide. It is a crisis situation. The State Board Bar of Governors this past week has adopted this statement: "...understaffing and underfunding of the District Attorney's Offices threatens the quality of justice in the criminal justice system by depriving the public of effective representation..." By the state's own admission, out of some 400 prosecutors we are 117 - 132 positions short. It's a problem statewide and unfortunately we don't have the contact in Madison we used to have. He thanks the supervisors for their support.

Mary Hart, 912 56th St. stated she is an Assistant District Attorney. At her request, she has been assigned to the Juvenile Court for more than 18 years. The general public does not know much about the workings of the Juvenile Court primarily due to the laws of confidentiality. What many people may not know is the DA's office also handles cases involving abused and neglected children, the most defenseless citizens of our community. As a society we need to make sure that experienced prosecutors are retained in the District Attorney's Office so people with greater life and legal experiences can competently handle these important cases. In juvenile court decisions are made which will forever affect the life of a child. The DA's Office, when appropriate also files

actions seeking to terminate the legal rights of the parent to the child. Children who languish in foster care waiting for the system to file a petition for termination of parental rights are being harmed by the very people charged with the responsibility to ensure their safety and well being. A reduction in the number of Assistant District Attorneys in this county may adversely affect the ability of their office to adequately represent the interest of the children of our community. She hopes the board will support the District Attorney's Office and the citizens of our community including our children by passing the resolution by opposing further reduction of Assistant District Attorneys in Kenosha County and around the State.

ANNOUNCEMENT OF THE CHAIRMAN

Chairman Clark stated Karl Ostby will give an update at the next County Board meeting instead of at tonight's meeting. He also announced the Wisconsin County Association District Meetings will be on April 29th in Germantown. He has more detailed information if anyone is interested. On the supervisors desks are the related party disclosure which is filled out every year. Please fill it out and return it to the Finance Department by March 31st.

SUPERVISOR REPORTS

Supervisor Molinaro moved that Resolution 114 be moved up to first on the agenda in light of the staff present at the meeting. Seconded by Supervisor Rose. Motion carried.

Supervisor Elverman stated by mid May the new 18 Hole Disc Golf Course at Fox River Park should be opening. The local 4-H Club has volunteered to plant 200 trees into a nursery which will serve as stock as the future park is developed. Lakeland Little League has plans to begin construction on the concession and restrooms buildings this year at the Brighton Dale Ball Fields.

Supervisor Zerban stated there have been citizens who have come before the board during citizen comments and state there is not a homeless problem in our community. He decided to visit the Christian Reform Church on 75th St. which is part of the INNS program. He got there around 9:30 and there were 17 people seeking shelter for the night. He learned that was a low turnout and many of the homeless go to the First Step Services located at 1017 63rd St. At that location there were 21 people. He felt fortunate he was able to see this first hand and be able to come back to this board and report that we do have a problem in our community and it is not being addressed completely.

At this time there was a presentation by State Treasurer Dawn Sass.

COUNTY EXECUTIVE APPOINTMENT

26. Ms. Rita Kadamian to serve on the Kenosha County Board of Health.

Chairman Clark referred County Executive Appointment 26 Human Services.

NEW BUSINESS

114. From the Legislative Committee a Resolution Opposing Permanent Layoffs of Assistant District Attorneys in Kenosha County.

It was moved by Supervisor Huff to adopt Resolution 114. Seconded by Supervisor Hallmon.

Roll call vote passed unanimously.

OLD BUSINESS

Ordinance - second reading two required.

25. From Land Use Committee, Amendments to Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Adding Three New Zoning Districts: 1) AE-1 Agricultural Equestrian District, 2) B-94 Interstate Highway 94 Special Use Business District and 3) BP-1 Business Park District and one new Overlay District being TCO Town Center Overlay District, as well as amending the existing Planned Unit Development Overlay District.

It was moved by Supervisor Ekornaas to adopt Ordinance 25. Seconded by Supervisor Nudo.

It was moved by Supervisor Ekornaas to amend Ordinance 25; striking #21 "Limited Adult Media Stores...", #28 "Pawn shops" and #30 "Secondhand stores". Seconded by Supervisor Molinaro.

It was moved by Supervisor Zerban to amend the amendment of Ordinance 25 to strike #32 "Tobacco shops". Seconded by Supervisor Jackson.

It was moved by Supervisor Moore to call the question on the amendment to the amendment of Ordinance 25. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

Roll call vote on the amendment to the amendment on Ordinance 25 striking #32 Tobacco shops.

Ayes: Supervisors Grady, Zerban, Kessler, Hallmon, Singer, Moore, Jackson.

Nays: Supervisors Rose, Huff, Kubicki, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Nudo, Molinaro, Morton, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Ayes: 7. Nays: 19.

Motion failed.

It was moved by Supervisor Moore to call the question on the amendment of Ordinance 25. Seconded by Supervisor Rose.

Roll call vote.

Ayes: Supervisors Grady, Rose, Kessler, Huff, Kubicki, Hallmon, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nay: Supervisor Zerban.

Ayes: 25. Nays: 1

Motion carried.

Roll call vote on the amendment to Ordinance 25 striking #21 "Limited Adult Media Stores...", #28 "Pawn shops" and #30 "Secondhand stores".

Roll call vote passed unanimously.

It was moved by Supervisor Moore to call the question on Ordinance 25 as amended. Seconded by Supervisor Rose.

Roll call vote.

Ayes: Supervisors Grady, Rose, Kessler, Huff, Kubicki, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Zerban, Hallmon.

Ayes: 24. Nays: 2.

Motion carried.

Motion carried on Ordinance 25 as amended.

NEW BUSINESS

Resolutions - one reading.

109. From the Finance, Building & Grounds, and Judiciary and Law Committees a Resolution to Approve an Intergovernmental Cooperation Agreement Between Kenosha County and the City of Kenosha and Kenosha Public Safety Building Lease Agreements with the City of Kenosha and the Kenosha Joint Services Board.

It was moved by Supervisor O'Day to adopt Resolution 109. Seconded by Supervisor Noble

Roll call vote passed unanimously.

110. From the Human Services Committee a Resolution to Approve the Re-appointment of Supervisor Ronald Johnson to the Human Services Board.

111. From the Human Services Committee a Resolution to Approve the Re-Appointment of Denis Wikel to the Kenosha County Human Services Board.

112. From the Human Services Committee a Resolution to Approve the Re-Appointment of Richard Willoughby to the Human Services Board.

113. From the Human Services Committee a Resolution to Approve the Re-Appointment of Supervisor John O'Day to the Human Services Board.

It was moved by Supervisor Kubicki adopt Resolutions 110 - 113. Seconded by Supervisor Gentz.

Roll call vote.

Ayes: Supervisors Grady, Zerban, Rose, Kessler, Huff, Kubicki, Hallmon, Gentz, Modory, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Jackson, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: None.

Abstain: Supervisor Faraone.

Ayes: 25. Nays: 0. Abstain: 1

Motion carried.

115. From the Legislative Committee regarding "Consumer Protection" Assembly Bill 447/Senate Bill 530.

It was moved by Supervisor Huff to adopt Resolution 115. Seconded by Supervisor Hallmon.

Roll call vote passed unanimously.

COMMUNICATIONS

12. From Mike K. Higgins, City Clerk, regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

13. From George E. Melcher, Director of Planning and Development regarding future rezonings.

Chairman Clark referred Communications 12 & 13 to Land Use Committee.

CLAIMS

26. Steven Felicelli - denied medical attention while incarcerated

27. Robert L. Johnson - property damage

28. Fred J. Loomis - property damage

29. Suzanne Bieri - fell on ice at Brookside Care Center parking lot

Chairman Clark referred Claim 26 - 29 to Corporation Counsel.

It was moved by Supervisor Zerban to approve the February 17, 2010 minutes. Seconded by Supervisor Roger Johnson.

Motion carried.

It was moved by Supervisor Gentz to adjourn. Seconded by Supervisor Haas.

Motion carried.

Meeting adjourned at 9:10 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk