

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

August 23, 2011

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

Roll call was taken.

Present: Supervisors Grady, Zerban, Rose, Goebel, Celebre, Kubicki, Hallmon, Grulich, J. Gentz, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, G. Gentz, Esposito, Clark, Noble, Underhill, Decker, Breunig, Haas, Elverman, Ekornaas.

Excused: None.

Present: 28. Excused: 0.

At this time the County Executive and the County Board Chairman presented Judge Barbara Kluka with a Proclamation as she retires for her many years of service to Kenosha County serving as a Circuit Court Judge. Also receiving a Certificate of Recognition were the Cyclones 14 and Under Blue Team.

CITIZEN COMMENTS

David Buehn, 24607 67th St., an employee of the Highway Department spoke against the mandatory overtime in Policy Resolution 1. He stated they will always be here for the public and would like it removed.

Peter Ress, 558 11th Pl., requested the Cabaret License for Club Climax be denied. Among his reasons for the denial is noise and crowd disturbances for are residents. He feels the club doesn't meet the standards set forth in the Cabaret Ordinance regarding parking and lighting. The posted capacity for the club is 93 people and he believes there are only enough spaces for 16 cars. The club doesn't have good enough signage and witnessed many missed accidents because of people looking for the entrance.

Mark Montague, 7835 36th Ave, stated would like to see the standard work day hours remain 7a - 3:30p. He feels seniority is important. Last year his job was temporarily eliminated. Since his 23 years of seniority mattered at that time, he was able to bump into a different job. He has invited anyone on the board to show up on their job sites to see what they're up against. Supervisor Clark is the only one that has showed up. It is more efficient having assigned trucks. One reason is you know everything about the truck and can get on the road right away in the morning. The county has created a hostile work environment, not Act 10. They are going into their busiest season with a lot of questions. He stated there is still some money going out the back door in the golf operations; that's some serious business that needs to be taken care of. He would love to see the golf courses break even.

Danielle Palmer, 6016 33rd Ave., stated she is a manager at Club Climax and is here on behalf of her bosses Lisa Patterson and Angela Hale. She stated that items that were brought up about the parking lot are being addressed. They are looking into changing the name of Climax that is why they don't have a sign yet. If they were to have a big event they will rent out parking spaces from the hotel across the parkway.

David Hindenburg, 518 Fellows Rd. stated he works for the Highway Department. He has been in construction all his life operating heavy equipment. His fellow employees at the Highway Department are the most diverse group of people he has ever worked with. There are electricians, carpenters, arborists, masons, concrete finishers, heavy equipment operators, truck drivers; there isn't a thing that this Highway Department can't do for the public. When it comes to plowing snow, it is the most efficient group he has ever seen. He would put their safety record up against any county in the state. He does not think there is a need for mandatory overtime; call in rate is 80%.

It is an asset to the taxpayers and the county that they have a good, efficient and dedicated group of people working for the Highway Department. Many of whom have given up Christmas with their families to assure the roads are safe for others. All they are asking for is what is fair; a work day they can count on and a job that they like to come to and to do a good job for the citizens of Kenosha County.

Nick Kasmer, 6517 94th Ave., thanked the Finance/Administration Committee for the ability to speak on behalf of the employees last week and for the amendments that were made to the policies. There are a few other amendments he would like the board to consider. He would like the wording for 2nd shift as "volunteers will be sought on the basis of seniority and employees will be forced on the basis of inverse of seniority." Another issue is seniority for lay-offs and bumping; years of service should count for something. The third change is regarding overtime. At the very least he would like to see 1 ½ for hours worked over 160 hours per pay period for corrections. For highway he would like to see 1 ½ after 8 hours worked as well as 1 ½ for hours worked on weekends. Forth change is regarding the grievance procedure; he would like to see the full impartial hearing officer be applied to all disciplines. The last thing is the truck assignment for the highway based on seniority. He feels this is a safety issue and a smart issue.

Jim Dowell, 24020 77th St., explained when a highway employee is assigned a vehicle it doesn't mean when the employee is not working the vehicle sits idle. Those vehicles can go out and do often go out. The safety concern with someone being assigned to a vehicle is since they drive it a majority of the time, they are familiar with the things that are an issue and are not an issue with the vehicle. He also spoke about mandatory overtime. He would like the people who are so inconvenienced by dialing a few extra numbers show up with their evidence for wanting such a controlling rule. This is just an attempt to gain control over people's lives. A year and a half ago when all the budget cuts began; they were told by the higher ups that "we are all in this together." Apparently it must have meant in the same room together because none of their wages have been cut and the employees are the ones taking all the heat on this.

Dave Holtze, 4314 47th Ave., stated the Highway Department's product is safe passage and he would like to continue providing that to the county. The current working conditions are not contusive to that. There is no reason to knock seniority into the ground except to beat the tar out of the employees. He would like a little leadership and the opportunity to continue to value his job.

Sharon Schultz, PO Box 549, stated her husband is a Detention Center worker. She would like to board when voting on the policies on the agenda tonight to ask themselves, are these policies something that they would want to work with. It's hard enough to find good workers and it's even harder to keep workers in the jail.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Molinaro stated there was a meeting today to discuss the new information which came out of Washington in regards to the casino. The Green Ribbon Planning Committee for the KD park will be meeting to see some preliminary concepts from the consultant which was brought on to master plan the park. September 8th at 6:30 there will be a Legislative Round Table with our State Legislatures.

SUPERVISOR REPORTS

Supervisor G. Gentz stated the Kenosha County's Weight Watchers Group will be hosting a food drive to benefit the Shalom Center from August 30th thru September 30th.

Supervisor Michel reported the Judiciary and Law Committee met and approved two cabaret licenses and one activity control license. Although the Club Climax probationary cabaret license passed by a 6-1 margin he stated he will be requesting Resolution 46 pulled from the agenda. He just received documentation and additional information from the Dept. Planning and Development regarding some violations that need to be addressed that the committee was unaware of.

Supervisor Clark reported on Finance/Administration Committee, Human Service is projecting a 1.2 million dollar surplus for the year. They received the 2nd quarter Brookside report; they are anticipating a \$42,000 surplus as of June 30th. We're looking good going into the 3rd quarter, however there is concerning news for the 4th quarter. The Federal Government has informed us that the Medicare rates are going to be reduced by approximately 11%. Joint Services is anticipating a 4.5 million dollar project that Kenosha County will have to pay half. There are questions if they need that scope of projects. They also received a report on the general fund. We finished 2010 at almost 7.7 million, currently this year it is anticipated to be an overall surplus and projecting to finish up at 8.4 million.

J. Gentz stated the Joint Services Board didn't meet due to a lack of a quorum but will meet again on September 13th.

Supervisor Michel requested Resolution 46 to be pulled from the agenda. Judiciary and Law Committee polled and agreed.

COUNTY BOARD CHAIRMAN APPOINTMENTS

1. William P. Michel, II to serve on the Joint Services Board.
2. Jeffrey A. Gentz to serve on the Joint Services Board.

COUNTY EXECUTIVE APPOINTMENTS

11. Patrice A. Hall to serve as the Kenosha County Medical Examiner.

Chairman Molinaro referred County Executive Appointment 11 to Human Services.

NEW BUSINESS

Ordinance - first reading, two required.

4. From the Executive Committee an Ordinance to repeal and recreate Section 2.05(4) of the Municipal Code of Kenosha County Committee Operations.

Ordinances - one reading.

ORDINANCE 5

5. From Planning, Development & Extension Education Committee regarding Comprehensive Plan Amendment, Planning, Development & Extension Education Committee, (Sponsor), requests approval of Draft Annual Report, "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads.

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

Motion carried.

ORDINANCE 6

6. From Planning, Development & Extension Education Committee regarding Proposed Comprehensive Plan Amendment, Town of Paris, 16607 Burlington Rd, Union Grove, WI 53182 (Sponsor), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 in the Town of Paris from Suburban-Density Residential to Business/Industrial Park.

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

Motion carried.

ORDINANCE 7

7. From Planning, Development & Extension Education Committee regarding Full Gospel First Church,(Owner) requests a rezoning from I-1Institutional Dist., A-2 General Agricultural Dist., & C-1 Lowland Resource Conservancy Dist. to I-1Institutional Dist., R-3 Urban Single-Family Residential Dist., A-2 General Agricultural Dist., C-1 Lowland Resource Conservancy Dist. & C-2 Upland Resource Conservancy Dist. in the Town of Salem.

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

Motion carried.

ORDINANCE 8

8. From Planning, Development & Extension Education Committee regarding Wayne H. Kaddatz,(Owner), Planning, Development & Extension Education Committee,(Sponsor), requests a rezoning from R-3 Suburban Single-Family Residential Dist. to R-7 Suburban Two-Family & Three-Family Residential Dist. in the Town of Wheatland.

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

Motion carried.

ORDINANCE 9

9. From Planning, Development & Extension Education Committee regarding Roger W & Ethel Seno,(Owner), Planning, Development & Extension Education Committee, (Sponsor), requests a rezoning from R-7 Suburban Two-Family & Three-Family Residential Dist. to R-3 Suburban Single-Family Residential Dist in the Town of Wheatland.

It was moved Supervisor Breunig to adopt Ordinance 9. Seconded by Supervisor Hallmon.

Motion carried.

ORDINANCE 10

10. From Planning, Development & Extension Education Committee regarding Payne & Dolan, Inc, (Owner), requests a rezoning from M-2 Heavy Manufacturing Dist., B-3 Highway Business Dist., R-2 Suburban Single-Family Residential Dist., & C-1 Lowland Resource Conservancy Dist. to M-2 Heavy Manufacturing Dist., B-3 Highway Business Dist. & C-1 Lowland Resource Conservancy Dist. in the Town of Paris.

It was moved Supervisor Breunig to adopt Ordinance 10. Seconded by Supervisor Goebel.

Motion carried.

ORDINANCE 11

11. From Planning, Development & Extension Education Committee regarding Northern Alpine Group LLC,(Owner) requests a rezoning from A-2 General Agricultural Dist. to R-2 Suburban Single-Family Residential Dist., A-2 General Agricultural Dist., C-1 Lowland Resource Conservancy Dist., & C-2 Upland Resource Conservancy Dist. in the Town of Wheatland.

It was moved Supervisor Breunig to adopt Ordinance 11. Seconded by Supervisor Esposito.

Motion carried.

Resolutions - one reading.

RESOLUTION 45

45. From Administration/Finance a Resolution Authorizing a Notice to be Given of the Desire of Kenosha County to Terminate the Collective Bargaining Agreement Between Kenosha County and Local 990 Jail Staff.

It was moved by Supervisor Clark to adopt Resolution 45. Seconded by Supervisor O'Day.

Motion carried.

46. From Judiciary & Law Committee regarding Probationary Cabaret License for The Climax Tavern. (pulled from agenda)

RESOLUTION 47

47. From Judiciary & Law Committee regarding Probationary Cabaret License for Hob Nob Restaurant.

It was moved by Supervisor Michel to adopt Resolution 47. Seconded by Supervisor Haas.

Motion carried.

RESOLUTION 48

48. From Judiciary & Law Committee regarding Activity Control License for Shadow Hill Ranch.

It was moved by Supervisor Michel to adopt Resolution 48. Seconded by Supervisor Johnson

Motion carried.

RESOLUTION 49

49. From Planning, Development & Extension Education Committee regarding Proposed Comprehensive Plan Amendment, Town of Paris, (Sponsor), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 in the Town of Paris from Suburban-Density Residential to Business/Industrial.

It was moved by Supervisor Breunig to adopt Resolution 49. Seconded by Supervisor Kohlmeier.

Motion carried.

RESOLUTION 50

50. From Planning, Development & Extension Education Committee regarding Comprehensive Plan Amendment, Planning, Development & Extension Education Committee, (Sponsor), requests approval of Draft Annual Report, "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads.

It was moved by Supervisor Breunig to adopt Resolution 50. Seconded by Supervisor Underhill.

Motion carried.

RESOLUTION 51

51. Planning, Development & Extension Education Committee a Resolution to approve appointments to the Kenosha County Land Information Council.

It was moved by Supervisor Breunig to adopt Resolution 51. Seconded by Supervisor Decker.

Motion carried.

OLD BUSINESS

Policy Resolutions

POLICY RESOLUTION 1

1. From Finance/Administration Committee a Resolution to establish interim employment policies for employees employed by the Kenosha County Division of Highways. (Local 70)

It was moved by Supervisor Clark to adopt Policy Resolution 1. Seconded by Supervisor O'Day.

It was moved by Supervisor to introduce a substitute policy for Policy Resolution 1. Seconded by Supervisor Hallmon.

Motion carried.

It was moved by Supervisor Clark to amend the substitute policy for Policy Resolution 1 by changing the paragraph under Overtime from "Kenosha County will continue its practice of equalizing overtime based on years of service in descending order from the most years of service to the least" to "Kenosha County will continue its practice of attempting to equalize overtime annually based on years of service in descending order from the most years of service to the least." Seconded by Supervisor Decker.

Motion carried.

It was moved by Supervisor Noble to amend the substitute policy for Policy Resolution 1 by striking the paragraph under Written Reprimand "Appeal Procedure for Verbal and Written Reprimands. Seconded by Supervisor Decker.

Roll call vote.

Aye: Supervisors J. Gentz, Johnson, Noble, Ekornaas.

Nay: Supervisors Grady, Zerban, Rose, Goebel, Celebre, Kubicki, Hallmon, Arrington, R. Frederick, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, G. Gentz, Esposito, Clark, Underhill, Decker, Breunig, Haas, Elverman.

Aye: 4. Nay: 24.

Motion failed.

Roll call vote on Policy Resolution 1 as amended passed unanimously after Supervisor Arrington changed his vote from nay to aye.

POLICY RESOLUTION 2

2. From Finance/Administration Committee a Resolution to establish interim employment policies for employees employed by the Kenosha County Sheriff's Department Corrections Division.

It was moved by Supervisor Clark to introduce a substitute policy for Policy Resolution 2 and to adopt Policy Resolution 2. Seconded by Supervisor Hallmon.

It was moved by Supervisor Michel to amend the substitute policy for Policy Resolution 2 under Overtime to change the paragraph "Employees shall be paid at one and 1 ½ their normal pay rate for all hours of work and mandatory school appearances that exceed 171 hours in a 28 day period. The 28 day period will be 2 pay periods that will be sequential and will be assigned by the Sheriff or his designee" to "Employees shall be paid at 1 ½ times their normal pay rate for all hours of work and mandatory school appearances that exceed 40 hours in a 7 day period." Seconded by Supervisor Zerban.

Roll call vote.

Aye: Supervisors Grady, Zerban, Rose, Goebel, Celebre, Kubicki, Hallmon, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, G. Gentz, Esposito, Clark, Noble, Underhill, Breunig, Haas, Elverman, Ekornaas.

Nay: Supervisors J. Gentz, Decker.

Motion carried.

Roll call vote on Policy Resolution 2 as amended passed unanimously.

Resolutions

43. From the Executive Committee regarding National Loss Mitigation Standard.

44. From the Executive Committee regarding Wisconsin Loss Mitigation Standard.

It was moved by Supervisor Hallmon to adopt Resolutions 43 and 44. Seconded by Supervisor Clark.

Motion carried.

COMMUNICATION

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

Chairman Molinaro referred Communication 3 to the Planning & Development, Extension Education Committee.

CLAIM

9. Terry Smart - vehicle damage.

10. Hawg Heaven Bar - wire damaged by plow truck.

11. Herbert Quade - denied medication while incarcerated.

12. Esmeralda Sepulveda - fell in courthouse restroom.

Chairman Molinaro referred Claims 9 - 12 to Corporation Counsel.

It was moved by Supervisor Johnson to approve the August 2, 2011 minutes. Seconded by Supervisor Michel.

It was moved by Supervisor Michel to adjourn. Seconded by Supervisor Ekornaas.

Motion carried.

Meeting adjourned at 10:49 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk