

COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

January 17 2006

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, Moore, Molinaro, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: Supervisor Carey-Mielke.

Present. 27 Excused.

CITIZEN COMMENTS

Reverend Georgette Wonders, Co-President of CUSH (Congregations United to Serve Humanity) and Minister of Bradford Community Church stated that this is kindness week in Kenosha, a week of celebration and recommitment to the work that Dr. Martin Luther King, Jr. lived and died for. In this spirit, she is here on behalf of the 16 congregations of CUSH to present to the County Board an open letter signed by 2,111 members. This letter asks for a cooperative and effective solution to the problem of establishing a permanent site for a transitional homeless shelter in Kenosha.

Sam Sturino, past President of the Deputy Sheriff's Association, 1000 55th Street, stated he is here out of concern for security for the Courthouse. He's been a Deputy Sheriff for almost 20 years and on the Board of Directors for the Deputy Sheriff's for 17 years. His main concerns include the issue of putting private security in the courthouse and that one of the two individuals from the private security firm may be armed. Not only would this be an injustice, but a safety hazard. The Deputy Sheriff's spend years qualifying monthly with their hand guns. The Deputy Sheriff's have proven themselves time and time again. In all the years Mr. Sturino has been here, they have never come before the County Board and asked for anything. This is an important issue for this community. Not only is there an issue of training, there is an issue of arrest powers, search and seizure, the right to detain, none of these a security guard would have. If an individual doesn't cooperate, or becomes belligerent or wants to fight, the security guard will have to call 911. The Deputy's that are guarding prisoners cannot abandon their duty to help a security guard at the front door. They will have to send squads from out on the streets, and hopefully there will be an officer available at the Safety Building that can respond. He asks that when making their decision, the County Board really think of the safety of the courthouse and any ramifications that will come by putting a security firm in there.

Sheriff David Beth stated the Sheriff's Department does a very good job at law enforcement for this community. The Sheriff's Department didn't start the issue of Courthouse Security, but they feel there is a right and a wrong way to do it. The Sheriff's Department is extremely professional and has handled anything that happens within this county for decades. Since the Courthouse has been built, Deputy Sheriff's have been doing the security. He believes it should be Deputy Sheriff's in there for the best of the Courthouse, the employees, the Judges and for everyone that goes into that building and for the people the County Board represents.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Elverman stated the Sheriff's Department has a new Canine Unit and asked Sheriff Beth for a demonstration. At this time Sheriff Beth introduced Deputy Stacey Vacaro and Logan who performed several demonstrations.

Chairman Elverman stated that on the Supervisors desks there is a form for Related Party Transactions and asked that the form be filled out and returned to the Clerk tonight. He also reminded the Supervisors that they cannot have any freelancing on seminars or travel. Any traveling or seminars will have to be okayed by the committee chairperson who will then talk to the County Board

Chairman. Chairman Elverman stated that on February 1st, the Department of Transportation will have a presentation for the Elected Officials & staff at the County Center on the Advancement of the I-94 Corridor. Anyone interested should attend.

SUPERVISOR REPORTS

Supervisor Gorlinski stated that this Thursday, at 4:00 there will be a closed session with the Land Fill Citing Committee in the Town of Paris to finalize their contact. He placed on the supervisors desk an article from the Wall Street Journal from January 5th.

County Executive Appointments

11. Cathleen Zamazal to serve on Kenosha County Library Committee.
Chairman Elverman referred County Executive Appointment 11 to the Finance Committee.

12. John Allen to serve on the Kenosha County Commission on Aging.
Chairman Elverman referred County Executive Appointment 12 to Human Services.

13. Ross Boone to serve on the Kenosha County Commission on Aging.
Chairman Elverman referred County Executive Appointment 13 to Human Services.

NEW BUSINESS

Ordinances - one reading

ORDINANCE 33

33. From the Land Use Committee regarding James and Mary Curtiss/Martin Jr. and Mary E. Gust (owners), requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Brighton.

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(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That part of Tax Parcels #30-4-220-283-0401 (Curtiss) and part of #30-4-220-283-0402 (Gust) located in the southwest quarter of Section 28, Township 2 North, Range 20 East, Town of Brighton, be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (9.12 acres). For informational purposes only, this property is located on the south side of 41st Street approximately 0.6 miles east of the intersection of County Trunk Highway "B" (280th Avenue).

James and Mary Curtiss - Owners - Tax Parcel #30-4-220-283-0401

Martin Jr. and Mary E. Gust - Owners - Tax Parcel #30-4-220-283-0402

Description: A-1 Agricultural Preservation District to A-2 General Agricultural District:

The west 314 feet of the southwest quarter of the southwest quarter of Section 28, Township 2 North, Range 20 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the southwest corner of said quarter section; thence north along the west line of said quarter section 1325.4 feet and to the north line of the southwest quarter of said quarter section; thence N 89° 42' 10" east along said north line 314 feet; thence south parallel to the west line of said quarter section 1325.4 feet and to the south line of said quarter section; thence S 89° 41' 40" west along said south line 314 feet to the point of beginning. Said land being in the Town of Brighton, County of Kenosha and State of Wisconsin.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 33. Seconded by Supervisor Gorlinski.

Motion carried.

Resolutions - one reading.

RESOLUTION 69

69. From the Finance Committee regarding appointment of Sharon Acerbi to the Kenosha County Library Committee.

WHEREAS, pursuant to County Executive Appointment 2005/06-10, the County Executive has appointed Sharon Acerbi to serve on the Kenosha County Library Committee, and

WHEREAS, the Finance Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Library Committee and is recommending to the County Board the approval of this appointment, and

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors confirm the appointment of Sharon Acerbi to serve on the Kenosha County Library Committee. Ms. Acerbi's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31st day of December, 2008, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Acerbi will serve without pay as defined under Resolution 65 (1982-83). Ms. Acerbi will be succeeding herself.

Submitted by:

FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Terry Rose
Anita Faraone
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 69. Seconded by Supervisor Rose.
Motion carried.

RESOLUTION 70

70. From the Finance Committee Resolution accepting a Wisconsin Community Development Block Grant-Public Facilities Grant Award.

WHEREAS, the Kenosha County Board of Supervisors adopted Resolution No. 22 on July 19, 2005, authorizing the preparation and filing of an application for the Community Development Block Grant-Public Facilities (CDBG-PF) Planning Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of preparing a plan to provide expanded broadband services to business and industry in western Kenosha County and eastern Walworth County; and

WHEREAS, Kenosha County was notified on December 1, 2005, that the Wisconsin Department of Commerce had approved the CDBG-PF application for Kenosha County; and

WHEREAS, Kenosha County will be providing funds for operating expenses, with the Department of Commerce reimbursing the County with CDBG-PF funds as County funds are expended; and

WHEREAS, no property tax levy dollars will be used or budgeted for this grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors does hereby accept the CDBG-PF grant for Kenosha County in the amount of \$22,500 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with the Wisconsin Department of Commerce for the purpose of securing these funds; and

BE IT FURTHER RESOLVED, that Kenosha County, with the contracted services of BIO-CATT, Inc. and the Southeastern Wisconsin Regional Planning Commission (SEWRPC), will prepare the plan for expanded broadband services; and

BE IT FURTHER RESOLVED, that the County Director of Finance is authorized to establish the following revenue and expense accounts on the County books for the CDBG-PF program:

100.13130.442327	2006 CDBG-PF Revenue	\$ 22,500
100.13130.521800	Internet and Data Service Planning	\$ 22,500

BE IT FURTHER RESOLVED, that the authorization to spend grant funds authorized by this resolution be carried over into future years to complete this project, with the grant funds to be disbursed in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution uses \$0 from the General Fund.

Submitted by:
FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Terry Rose
Anita Faraone
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 70, Seconded by Supervisor Faraone.

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, Moore, Molinaro, Wisnefski, Noble, West, Kerkman, Smitz, Ekornaas.

Nays: Supervisor Gorkinski

Abstain: Supervisor Clark

Ayes: 25. Nays: 1. Abstain: 1.

Motion carried.

RESOLUTION 71

71. From the Finance Committee Resolution accepting a Federal Emergency Management Agency Hazard Mitigation Grant Program Supplement: FEMA-1526-DR-WI.

WHEREAS, the Kenosha County Board of Supervisors adopted Resolution No. 55 on November 15, 2005, accepting a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) award FEMA-1526-DR-WI in the amount of \$642,983.50 for the purpose of continuing the buyout of floodprone properties in the 100-year recurrence interval floodplain of the Fox River in the Towns of Wheatland and Salem and the Village of Silver Lake; and

WHEREAS, Kenosha County was notified on December 5, 2005, that FEMA and the Wisconsin Division of Emergency Management had approved Amendment No. 1 for the HMGP award in the amount of \$34,354.00; and

WHEREAS, Kenosha County will be providing funds for operating expenses, with FEMA reimbursing the County with HMGP funds as County funds are expended; and

WHEREAS, no property tax levy dollars will be used or budgeted for this grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors does hereby accept Amendment No. 1 for HMGP award FEMA-1526-DR-WI in the amount of \$34,354.00 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with the Wisconsin Division of Emergency Management for the purpose of securing these funds; and

BE IT FURTHER RESOLVED, that the Kenosha County Housing Authority, with the contracted services of the Southeastern Wisconsin Regional Planning Commission, is designated as the County's administrative agent for the HMGP grant amendment; and

BE IT FURTHER RESOLVED, that the County Director of Finance is authorized to amend the following revenue and expense accounts on the County books for the HMGP program:

240.76999.442326	FEMA-1526-DR-WI Revenue	
\$34,354.00		
240.76999.582130	Floodplain Acq/Relo/Demo	
\$33,586.00		
240.76999.529590	HMGP Administration	\$
768.00		

BE IT FURTHER RESOLVED, that the authorization to spend grant funds authorized by this resolution be carried over into future years to complete this project, with the grant funds to be disbursed in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles; and

BE IT FURTHER RESOLVED, that the accounts and balances for said Housing Authority accounts will continue to be maintained on Kenosha County's books.

Note: This resolution uses \$0 from the General Fund.

Submitted by:

FINANCE COMMITTEE

Robert Carbone
Mark Wisnefski
Terry Rose
Anita Faraone
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 71. Seconded by Supervisor Wisnefski.
Roll call vote passed unanimously.

RESOLUTION 72

72. From the Finance and Building and Grounds Committees Resolution approving the Courthouse Security Plan.

It was moved by Supervisor Carbone to adopt Resolution 72. Seconded by Supervisor Rose.

It was moved by Supervisor Clark to table Resolution 72 and take Resolution 74 out of order. Seconded by Supervisor L. Johnson.
Roll Call Vote.

Ayes: Supervisors Elverman, Grady, Rossow, Kessler, Huff, Wipper, Marrelli, Booth, Modory, Faraone, R. Johnson, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Rose, Carbone, Michel.

Ayes: 24. Nays: 3

Motion carried.

RESOLUTION 74

74. From the Judiciary & Law Committee regarding Courthouse Security - Authorize Increase in Deputy Sheriff FTE's.

WHEREAS, the Kenosha County Sheriff's Department has been entrusted with the security and service of the courts, and

WHEREAS, effective January 2006, the Kenosha County Courthouse will become a secure facility with the main access restricted to the south doors, and

WHEREAS, entrance through these doors will require all personnel and carry-in parcels to be screened for weapons by walking through a supervised metal detector and an x-ray machine, and

WHEREAS, the Sheriff has outlined and will administer the Courthouse security supervision and operation including the screening devices which will require the Sheriff to add two (2) Deputy Sheriff FTE's beginning in 2006 increasing the authorized strength to 68 Deputy FTE's, and

WHEREAS, the cost of this added staff will be \$137,246 funded by the 2006 \$85,000 appropriation approved for Courthouse Security in the Administrative Services budget, pg. 201 and the balance of \$52, 246 from the General Fund.

THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve the revenue and expenditure budget modifications affecting budget year 2006, as per the attached budget modification form, which is incorporated herein by reference.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff
James Moore
William Michel

It was moved by Supervisor Huff to adopt Resolution 74. Seconded by Supervisor Michel.

It was moved by Supervisor Rose to call the question on Resolution 74. Seconded by Supervisor Faraone.

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, Moore, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisor Molinaro.

Ayes: 26. Nays: 1

Motion carried.

Roll call vote for Resolution 74.

2/3 vote required.

Ayes: Supervisors Elverman Kessler, Huff, Wipper, Booth, Modory, R. Johnson, Michel, Singer, Moore, Molinaro, West, Kerkman, Gorlinski, Smitz and Ekornaas.

Nays: Supervisors Grady, Rossow, Rose, Marrelli, Carbone, Faraone, O'Day, L. Johnson, Wisnefski, Clark, Noble.

Ayes: 16 Nays: 11

Motion failed.

RESOLUTION 72

72. From Building & Grounds and Finance Committee regarding Approving the Courthouse Security Plan.

WHEREAS, the Kenosha County Board of Supervisors appropriated funds in the 2006 budget to provide security and weapons screening I the Kenosha County Courthouse; and

WHEREAS, the 2006 budget resolution permits the funding of security and weapons screening in the Courthouse contingent upon approval of a Courthouse Security Plan by the County Board; and

WHEREAS, the Building and Grounds Committee and Finance Committee of the County Board have review and approved the Courthouse Security Plan, attached hereto;

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors approves the Courthouse Security Plan.

Submitted by:

BUILDING & GROUNDS COMMITTEE

Judith Rossow
Douglas Noble
Leonard Johnson

FINANCE COMMITTEE

Robert Carbone
Mark Wisnefski
Terry Rose
Anita Faraone

It was moved by Supervisor Rose to remove Resolution 72 from the table. Seconded by Supervisor Clark.

Motion carried.

It was moved by Supervisor Molinaro to Amend Resolution 72 as follows: Page 3 of the County of Kenosha, Wisconsin Policy and Procedures Courthouse Security, Amendment - 1: #2. Officers in Plain Clothes. C. - change May to Must pass through screening. Amendment - 2: #3. Deliveries - C. - strike "or direct the delivery be accomplished through the East lower entrance to the building. Remove D, in it's entirety. Seconded by Supervisor O'Day.

It was moved by Supervisor Rose to call the question on the amendment of Resolution 72. Seconded by Supervisor Faraone.

Roll call vote.

2/3 vote required.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Faraone, R. Johnson, O'Day, L. Johnson, Moore, Wisnefski, West, Kerkman, Smitz.

Nays: Supervisors Huff, Carbone, Modory, Michel, Singer, Molinaro, Clark, Noble, Gorlinski, Ekornaas.

Ayes: 17. Nays: 10.

Motion failed.

It was moved by Supervisor Rose to call all previous questions on the amendment on Resolution 72. Seconded by Supervisor Faraone.

Roll call vote.

2/3 vote required.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, O'Day, L. Johnson, Moore, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Huff, Modory, Singer, Molinaro.

Ayes: 23. Nays: 4.

Motion carried.

Roll call vote for amendment of Resolution 72.

Ayes: Supervisors Rossow, Kessler, Wipper, O'Day, Singer, L. Johnson, Molinaro, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Elverman, Grady, Rose, Huff Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, Moore, Wisnefski, Clark, Noble, West.

Ayes: 11 Nays: 16

Motion failed.

Roll call vote on Resolution 72.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Wisnefski, Clark, Noble, Kerkman, Smitz, Ekornaas.

Nays: Supervisors Modory, Molinaro, West, Gorlinski.

Ayes: 23 Nays: 4

Motion carried.

RESOLUTION 73

73. From the Human Services and Finance Committees Resolution to modify the 2006 Budget to receive additional funding for a Family Group Conferencing Facilitator.

WHEREAS, the Kenosha County Division of Children and Family Services is receiving additional funding for a Family Group Conferencing Facilitator for Child Abuse and Neglect cases, and

WHEREAS, the Kenosha County Division of Children and Family Services is receiving \$78,979 from the Department of Health and Human Services to address the Program Enhancement Plan the State submitted to the Federal Department of Health and Human Services, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Division of Children and Family Services budget be modified as follows:

Authorize increase of expenditures of \$78,979 and to increase revenues by \$78.979 per the attached budget modification incorporated herein by reference, and any unexpended dollars as of December 31, 2006 will be carried over into the 2007 budget.

* **BE IT FURTHER RESOLVED**, that if grant ends position is hereby eliminated.

Submitted by:

HUMAN SERVICES COMMITTEE

John O'Day

William Grady

Ruth Booth

Don Smitz

Gordon West

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor O'Day to adopt Resolution 73. Seconded by Supervisor Grady.

Roll call vote passed unanimously.

COMMUNICATION

14. From Mike K. Higgins, City Clerk-Treasurer regarding District and Ward for the County Supervisory seat.

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

Chairman Elverman referred Communications 14 & 15 to the Land Use Committee.

CLAIMS

25. Deborah Decker - fell on ice at the Safety Building.

Chairman Elverman referred Claim 25 to Corporation Counsel.

It was moved by Supervisor Noble to Approve the January 3, 2006 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Motion carried.

Meeting adjourned at 10:40 P.M.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Edna R. Highland

County Clerk