

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS

COUNTY ADMINISTRATION BUILDING

January 20, 2004

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

Roll call was taken.

Present: Supervisors Kessler, Grady, Rose, Bergo, Carbone, Modory, Faraone, Johnson, Singer, Montemurro, Carey-Mielke, Clark, Noble, Smitz, Ekornaas, Pitts, Molinaro, Gorlinski, Huff, Elverman, O'Day, Wisnefski, Kerkman, Ruffolo.

Excused: Supervisors Boyer, Marrelli, West, Larsen.

Present. 24. Excused. 4.

It was moved by Supervisor Kerkman to limit citizen's comments to three minutes. Seconded by Supervisor Faraone.

Roll call vote.

Ayes: Supervisors Kessler, Grady, Rose, Huff, Bergo, Modory, Faraone, Johnson, Pitts, Singer, Wisnefski, Clark, Noble, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Molinaro, Carbone, O'Day, Ruffolo, Montemurro, Carey-Mielke.

Ayes. 18. Nays. 6.

Motion carried.

CITIZEN COMMENTS

Marty Hogan, 1421-43rd Avenue, Kenosha. He has lived in Kenosha his whole life. He sees no reason to have a referendum. This is why we have a county board to make these kind of decisions. Waiting could bring on a lost opportunity that Kenosha may never have again. The expansion and benefits would be so great for our community.

Edward R. Gray, 9222-48th Avenue, Kenosha. He is the business manager for the electricians of Kenosha County. Also, the secretary for the building and construction trades representing 18 local unions. A referendum would be a needless delay. They need the jobs.

Lou DeMarco, 2018-23rd Street, Kenosha. Retired people love entertainment. Bus loads leave everyday. We could have it all here. We do not need a referendum to get this going.

Gary Andreucci, 7107-104th Avenue, Kenosha. He has worked at Dairyland Greyhound Park for twelve years as a food and beverage director. There is no need for a referendum and there would be nothing better for Kenosha than a Casino.

Joyce March, 2516-73rd Street, Kenosha. She is a retired concerned citizen. She believes that there are many social as well as business problems the Kenosha Community will have to face if the Casino becomes a reality. Nothing needs to be pushed. We need to investigate further. Lets think about giving land away and the ramifications of proposing such a process. November would be the time to vote.

Jeff Cassity, 4921-20th Avenue, Kenosha. There is no need for a referendum but if one does come about have it in November. All details need to be made public. Also, add the rail-link to Milwaukee on the ballot.

Bob Lee, 1504-47th Avenue, Kenosha. He is in favor of the proposed Casino. It will provide many jobs in our area. A big boost to the construction industry in our area. Many jobs have left our area by moving south or overseas. Why can't Kenosha have a 1st class venue with the shows, restaurants, shopping and etc. like the Dells.

Ken Bastian, 2805-22nd Avenue, Kenosha. Business manager for the plumbers and pipe fitters union. He represents 500 people. They are all in support of the Casino and not a referendum.

David Janza, 6716-27th Avenue, Kenosha. Works at the Greyhound Park and is against the referendum. This should be put on the fast track.

Renee Aull, 5232- Greenbay Road, Kenosha. She has worked at the dog track since it opened. The citizens of the city already voted in favor of a Casino and we do not need another referendum.

Joe Nero, 6017-12th Avenue, Kenosha. He has been working at the dog track for ten years and he believes the Casino would enhance Kenosha by bringing much needed jobs.

David Marifern, 9650-84th Place, Pleasant Prairie. Union President for Kenosha Firefighters Local 404 is opposed to this referendum and in favor of having a casino. We all know about the state revenue cuts. This have impacted the Sheriff's Department, Police Department and the Fire Department. Programs have been cut. This is an opportunity for the City and County.

Catherine Tenuta, 2522-29th Avenue, Kenosha. She supports the referendum because the last one was for only city voters. The county voters should express their opinion. The date should be set for November. An April referendum does not give enough time to become familiar with all the issues. All talks have been done in private. Plus, November is the Presidential Election.

Steve Engstrom, 7310-12th Avenue, Kenosha. He recently moved from Illinois to Kenosha because he heard it was a great place to raise a family. Gambling has a complex effect on local communities in many dimensions. Becoming fixated on the dollar signs we'll miss an opportunity to think clearly about this issue. Wait until November.

Lou Rugani, 4529-29th Avenue, Kenosha. Does Kenosha ever do anything in a timely fashion? The Bonnie Hame Housing Development, was temporary and supposedly for a year or two but it lasted twenty years until it collapsed! Metro to Milwaukee has been discussed for 23 years and everything is there! Now, the casino needs to be done immediately? There are too many impacts and we do not know what they are. All the more reason to study it. We are a bedroom community.

Bob Danbeck, 7626-27th Avenue, Kenosha. The same old stories over and over. What is really happening in this community? Taxes keep going up, we are losing jobs, the state is costing us more and more. His brother-in-law retired from Kenosha and moved up north. He has a part-time job at a casino and makes \$14.00 an hour. Our community needs to grow. Madison County is going to get nine million dollars a year from the expansion of the casino in Madison. Can we afford not to have the casino? We want the casino. We can't even come up with enough money to televise the County Board Meetings live.

Duane Anderson, 6403-72nd Street, Kenosha. Spokesman and board member against legalized gambling. The clergy in Kenosha is against the casino.

Dan Colter, 2721-73rd Street, Kenosha. He works at Dairyland Greyhound Park. We have already been through the referendum before and the people voted for it. The county people want it too. It boils down to business and jobs. Get the ball rolling.

Virginia Tenuta, 2522-29th Avenue, Kenosha. Since when is democracy a waste of time? She supports having a referendum. A county board supervisor was quoted in the Kenosha News stating that a referendum was not necessary because the County Board could make the decision for the people. Wisconsin was the birth place of The Progressive Government Movement. The people of Kenosha should be heard.

Brian Pulera, 7527-19th Avenue, Kenosha. He is for a casino and no need for another referendum.

James Davidison, 19123-101st Street, Kenosha County. He is in favor of the casino. We could actually have tourist dollars coming here. People in the county are in favor of the casino.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Kessler stated that he received a thank-you card from Supervisor West's wife thanking the board for the beautiful plant and the surgery was successful.

Chairman Kessler stated that due to the insufficient number of people that would have been attending the 7-County Meeting has been cancelled. Hopefully they can meet the second week in March and make it a day meeting instead of a night meeting.

Chairman Kessler stated that he had attended Dr. Martin Luther King Jr. sixth annual unity breakfast at Mahone Middle School. It was fabulous.

Chairman Kessler stated that he also attended the tenth annual Dr. Martin Luther King Jr. celebration at Gateway Technical College.

SUPERVISORS REPORTS

Supervisor Rose stated that at the last meeting there was some discussion about scheduling a meeting with the City, County and Pleasant Prairie to talk about consolidation of services. He wondered if Chairman Kessler had given it some thought and followed up on it.

Chairman Kessler stated he had given it a considerable amount of thought and all the players have an agreement that there will not be anything coming forward until everyone has signed off on it. He does not want to circumvent any progress that has been made. When the report is finalized we will hear it.

Supervisor Rose stated the other issue has to do with golf. The Corporation Counsel should seek a legal opinion from bond counsel. When we sold and issued bonds for the golf course there was a commitment in that bond that we would operate a public course.

Supervisor Wisnefski stated that the appointed committee met with the Kemper Center Board had their first meeting last week. A long range plan outlook and how it would be conducted was discussed. They took a tour of the existing facilities. Another meeting has been set up but the date not finalized. When it happens he will report back to the County Board.

Supervisor Bergo stated that at the last meeting of the Board of Health they passed a resolution that The Kenosha County Board Of Health Applauds & Commends the Joint Efforts of the Sheriff's Department, Kenosha Visiting Nurse Association and Division of Health Employees on the Creation and Implementation of the Tuberculosis Infection Control Plan for Kenosha County Detention Center.

COUNTY EXECUTIVE APPOINTMENTS

APPOINTMENT 19

19. Jane A. Prince to serve on the Kenosha County Library Committee.
Chairman Kessler referred Appointment 19 to Finance Committee.

APPOINTMENT 20

20. Robert Carbone to serve on the Brookside Board of Trustees.
Chairman Kessler referred Appointment 20 to Human Services Committee.

OLD BUSINESS

Ordinances - second reading two required.

From Land Use Committee regarding:

ORDINANCE 42

42. Amendment to the Kenosha County Subdivision Ordinance Requiring Preliminary and Final Subdivision Plats to be Submitted in a Digital Format in Addition to Paper Copies currently being submitted for review and approval.

The Kenosha County Board of Supervisors does hereby ordain that Chapter 12 of the Municipal Code of Kenosha County entitled "Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance" be and hereby is changed as follows:

1. Repeal Section 12.14-5(d) which currently reads as follows:

12.14-5(d) Tower Signs (6/2/92)

Tower signs may be permitted adjacent to or within 100 feet of the right-of-way of a freeway, or an abutting frontage road, and shall not exceed 65 feet in height. No tower sign shall be located closer than 300 feet to a ground sign, projecting sign, or wall sign. No tower sign shall be located closer than 1,000 feet to another tower sign. Said signs shall be properly secured to the ground to the satisfaction of the Office of Planning and Development. Said signs shall be at least 30 feet from the right-of-way of any highway or street and shall not exceed 300 square feet in display area on any one side nor 600 square feet in display area in all sides for any one premise.

2. Recreate Section 12.14-5(d) to read as follows:

12.14-5(d) Tower Signs

Tower Signs are prohibited. A tower sign is defined as a freestanding sign that exceeds 30 feet in height.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

It was moved by Supervisor Smitz to adopt Ordinance 42. Seconded by Supervisor Gorlinski.

Motion carried.

ORDINANCE 43

43. Proposed Amendment to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Prohibiting Tower Signs Currently Permitted along I-94 Frontage Roads.

The Kenosha County Board of Supervisors does hereby ordain that Chapter 12 of the Municipal Code of Kenosha County entitled "Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance" be and hereby is changed as follows:

1. Repeal Section 12.14-5(d) which currently reads as follows:

12.14-5(d) Tower Signs (6/2/92)

Tower signs may be permitted adjacent to or within 100 feet of the right-of-way of a freeway, or an abutting frontage road, and shall not exceed 65 feet in height. No tower sign shall be located closer than 300 feet to a ground sign, projecting sign, or wall sign. No tower sign shall be located closer than 1,000 feet to another tower sign. Said signs shall be properly secured to the ground to the satisfaction of the Office of Planning and Development. Said signs shall be at least 30 feet from the right-of-way of any highway or street and shall not exceed 300 square feet in display area on any one side nor 600 square feet in display area in all sides for any one premise.

2. Recreate Section 12.14-5(d) to read as follows:

12.14-5(d) Tower Signs

Tower Signs are prohibited. A tower sign is defined as a freestanding sign that exceeds 30 feet in height.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

It was moved by Supervisor Smitz to adopt Ordinance 43. Seconded by Supervisor Molinaro.

Motion carried.

NEW BUSINESS

Resolutions - One reading.

RESOLUTION 96

96. From Administration and Finance Committees regarding Approval of the Successor Labor Agreement Between Kenosha County and SEIU Local 168 Maintenance and Custodial Workers.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and SEIU Local 168, Maintenance and Custodial Workers, were recently concluded, and

WHEREAS, the negotiations have culminated in a three-year labor agreement ending on December 31, 2006, which agreement has since been ratified by the union, and

WHEREAS, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with its employee organizations, and

WHEREAS, the Administration Committee and Finance Committees of the County Board have reviewed said labor agreement,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve and adopt said labor agreement, the originals of which are herewith attached and on file in the County Clerk's Office.

BE IT FURTHER RESOLVED that the County Executive be directed and empowered for and on behalf of this body to make, sign, and execute all documents necessary to implement this directive.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Tom Kerkman

Mark Modory

Joseph Clark

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

It was moved by Supervisor Singer to approve Resolution 96. Seconded by Supervisor Carbone.

Motion carried.

RESOLUTION 97

97. From Buildings & Grounds, Highway & Parks and Finance Committees regarding Authorizing Demolition of Kemper Building known as "The Carriage House".

WHEREAS, A building known as the "Carriage House" on the Kemper Park grounds has come into severe disrepair over the years and recently the City of Kenosha Housing & Building Inspections Department has issued a "Repair or Raze" order for such building because it is unsafe and hazardous; and

WHEREAS, The Carriage House building is part of the real estate leased by the County to Kemper Center, Inc., however, it is not an essential facility to the operation of Kemper Center and has not been used for years; and the Kenosha County Public Works Department has determined that it is not cost effective to repair this building.

WHEREAS, The federal restrictive covenant on this building has lapsed by time and no consent is required from the U. S. Government related to the original grant used to buy the Carriage House; However, permission would still be required from the Wisconsin Office of Preservation Planning at the State Historical Society under Section 66.111, Wis. Statutes before the Carriage House could be razed; Further, written agreement from the Kemper Center, Inc. Board of Directors should be obtained because of their lease interests; and

WHEREAS, funding for such demolition of the Carriage House in the amount of \$12,000 is available from excess insurance premiums for property and boiler insurance in the 2004 Budget of the Facilities Division, Public Works Dept., all as more particularly described in the attached Budget Modification form.

NOW THEREFORE BE IT RESOLVED, That the Board of Supervisors authorizes the demolition of the building known as the "Carriage House" on the grounds of the Kemper Center Park due to its state of disrepair and unsafe condition and the existing order from the City of Kenosha to repair or raze the building;

BE IT FURTHER RESOLVED, That such demolition may take place as soon as all necessary state and local approvals, as described above, are obtained;

BE IT FURTHER RESOLVED, That no additional levy funds are appropriated for this demolition, however a budget appropriation shall be established as shown in the attached Budget Modification form.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

HIGHWAY & PARKS

Dennis Elverman

Robert Pitts

Doug Noble

William Grady

BUILDING & GROUND

Mark Wisniewski

Mark Molinaro

Doug Noble

Anne Bergo

It was moved by Supervisor Wisniewski to adopt Resolution 97. Seconded by Supervisor Elverman.

Motion carried.

It was moved by Supervisor Ruffolo to take Resolution 109 out of order. Seconded by Supervisor Pitts.

Motion lost.

RESOLUTION 98

98. From Extension Education and Finance Committees regarding UW-Extension 2004 Budget Modification - Project Grants.

WHEREAS, Kenosha County UW-Extension has received \$15,000 from the Palmer Foundation for the Youth Quest Project, and

WHEREAS, Kenosha County UW-Extension has received \$4,000 from the Root-Pike Watershed Initiative Network for the Land and Water Links Project, and

WHEREAS, county levy remains unaffected by this budget amendment,

NOW, THEREFORE, BE IT RESOLVED that the 2004 Kenosha County UW-Extension budget be amended as follows:

Fund: 100 Business Unit# 67400 Youth Quest Revenue
Youth Quest Revenue Object Code: 446620 \$15,000
Fund: 100 Business Unit # 67400 Youth Quest Project
Other Professional Services 521900 \$10,000
Other Operating Supplies 534900 \$ 5,000
Fund: 100 Business Unit# 67200 UW-Extension Office Revenue
Sundry Department Earnings 448520 \$4,000
Fund: 100 Business Unit # 67200 UW-Extension Office
Other Operating Supplies 534900 \$4,000

BE IT FURTHER RESOLVED that the Kenosha County UW-Extension Other Operating Supplies budget may be modified between appropriation units as necessary to reflect grant expenditures; and

BE IT FURTHER RESOLVED that the Kenosha County UW-Extension Other Operating Supplies budget may be modified to increase the grant revenues and corresponding expenditures if a grant award comes in higher than expected and any expended dollars as of December 31, 2004, should be rolled over into the 2005 budget.

Submitted by:

EXTENSION EDUCATION COMMITTEE

FINANCE COMMITTEE

Mark Modory

Robert Carbone

Brenda Carey-Mielke

Terry Rose

Joe Montemurro

John O'Day

Joe Clark

Robert Pitts

It was moved by Supervisor Modory to adopt. Seconded by Supervisor Carbone.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 99

99. From Finance Committee regarding Initial resolution Authorizing the Issuance of General Obligation Refunding Bonds in an Amount not to Exceed \$10,720,000 and Providing for the Sale of the Bonds.

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION REFUNDING BONDS
IN AN AMOUNT NOT TO EXCEED \$10,720,000
AND PROVIDING FOR THE SALE OF THE BONDS

WHEREAS, the County Board of Supervisors of Kenosha County, Wisconsin (the "County") has determined that the County is in need of an amount not to exceed \$10,720,000 for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding portions of the County's General Obligation Corporate Purpose Bonds, Series 1997C, dated December 1, 1997 and General Obligation Promissory Notes, dated September 1, 1999 (hereinafter the refinancing of the County's outstanding obligations shall be referred to as the "Refunding");

WHEREAS, counties are authorized by the provisions of Section 67.04 of the Wisconsin Statutes to borrow money and to refund outstanding obligations; and,

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation bonds should be issued in an amount not to exceed \$10,720,000 for the purpose described above; and it is now necessary and desirable to authorize their sale.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying costs of the Refunding, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes, a principal amount not to exceed TEN MILLION SEVEN HUNDRED TWENTY THOUSAND DOLLARS (\$10,720,000) from a purchaser to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Bonds. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation bonds aggregating a principal amount not to exceed TEN MILLION SEVEN HUNDRED TWENTY THOUSAND DOLLARS (\$10,720,000), which bonds shall be designated "General Obligation Refunding Bonds" (the "Bonds"). The County shall offer the Bonds for public sale on or about February 3, 2004.

Section 3. Notices of Sale. The County Clerk (in consultation with the County's financial advisor, Ehlers & Associates, Inc.) shall cause a Notice of Sale to be prepared and distributed and may prepare or cause to be prepared an Official Statement or other form of offering circular setting forth the details of the Bonds.

Section 4. Award of the Bonds. Following receipt of bids for the Bonds, the County Board of Supervisors shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 5. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 20th day of January, 2004.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

Gordon West

It was moved by Supervisor Carbone to adopt Resolution 99. Seconded by Supervisor Rose.

Roll call requested.

Motion carried unanimously.

RESOLUTION 100

100. From Finance Committee regarding the Appointment of Shirley M. Boening to the Kenosha County Library Committee.

WHEREAS, pursuant to County executive Appointment 2003/04-17, the County Executive has appointed Shirley M. Boening 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 Shirley M. Boening to serve on the Kenosha County Library Committee. Ms. Boening's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31st day of December 2006, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Boening will serve without pay as defined under Resolution 65 (1982-83).

Ms. Boening will be succeeding herself.

Submitted by:

FINANCE COMMITTEE
Robert Carbone
Terry Rose
John O'Day
Robert Pitts.

RESOLUTION 101

101. From Finance Committee regarding the Appointment of D. Noel Sheer to the Kenosha County Library Committee.

WHEREAS, pursuant to County Executive Appointment 2003/04-18, the County Executive has appointed D. Noel Sheer 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 D. Noel Sheer to serve on the Kenosha County Library Committee. Mr. Sheer's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31st day of December 2006, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Sheer will serve without pay as defined under Resolution 65 (1982-83).

Ms. Sheer will be succeeding himself.

Submitted by:

FINANCE COMMITTEE
Robert Carbone
Terry Rose
John O'Day
Robert Pitts.

It was moved by Supervisor Carbone to adopt Resolution 100 and 101.

Seconded by Supervisor Pitts.

Motion carried.

RESOLUTION 102

102. From Judiciary & Law and Finance Committees regarding Homeland Security Regional Emergency Response Team Funding.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$53,474 through the State of WI, Office of Justice Assistance, Homeland Security Funding program entitled Homeland Security - Part 2. The grant becomes effective January 1, 2004 and funds must be expended by October 31, 2004, and

WHEREAS, the grant funds have been awarded to provide support equipment and training for the Kenosha County Hazardous Device Squad which is a nationally recognized regional response team, and

WHEREAS, the funding will allow for the purchase of Personal Protective Equipment for the team members, an Explosive Device Mitigation and Remediation Implement, training costs for the HDS team members and sustainable costs associated with equipment purchases.

WHEREAS, the grant program award will not require any additional tax levy dollars.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and approve the Revenue and Expenditure line items modified within the Sheriff's Department Budget as per the attached budget modification form, which is incorporated herein by reference.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$53,474 and increases expenditures by \$53,474.

Submitted by:

Judiciary and Law Enforcement Committee
Jim Huff
Brenda Carey-Mielke
Anita Faraone
Joe Montemurro

Finance Committee
Robert Carbone
Terry Rose
John O'Day
Robert Pitts

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 102. Seconded by Supervisor Carbone.
2/3 vote required.
Motion carried unanimously.

RESOLUTION 103

103. From Judiciary & Law, Administration and Finance Committees regarding Authorized Position Reduction of Lieutenant/Authorized Position Increase of Deputy.

WHEREAS, there currently exists one opening for the position of Lieutenant, and

WHEREAS, with on-going re-organization, one FTE position of Lieutenant would be eliminated, leaving 8 authorized FTE's of Lieutenant, and the FTE's of Deputy increase by one from 64 to 65, and

WHEREAS, this will not increase the overall authorized FTE's at 310.17 within the Sheriff's Department for 2004.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve the reduction of FTE's in position of Lieutenant from 9 to 8, and the increase of FTE's in the position of Deputy from 64 to 65.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE	FINANCE COMMITTEE	ADMINISTRATION
Jim Huff	Robert Carbone	David Singer
Brenda Carey-Mielke	Terry Rose	Mark Modory
Anita Faraone	John O'Day	Joseph Clark
Joe Montemurro	Robert Pitts	Thomas Kerkman
Terry Rose		

It was moved by supervisor Huff to adopt Resolution 103. Seconded by Supervisor Singer.
Motion carried.

RESOLUTION 104

104. From Judiciary & Law and Finance Committees regarding Budget Modification to transfer funds within 2003 District Attorney Line Item Budget.

WHEREAS, the District Attorney must transfer funds to cover overdrafts in two line items in its 2003 budget, and

WHEREAS, the District Attorney has sufficient funds to cover such overdrafts in its Witness Fees account,

NOW THEREFORE BE IT RESOLVED, funds in the amount of \$7500 be transferred from account 16100.527200 to cover overdrafts as identified on the attached Budget Modification form.

Submitted by:

Judiciary and Law Committee
James Huff
Anita Faraone
Brenda Carey-Mielke
Terry Rose
Joe Montemurro

It was moved by Supervisor Huff to adopt Resolution 104. Seconded by Supervisor Pitts.
Roll call vote.

Ayes: Supervisors Kessler, Rose, Huff, Bergo, Carbone, Modory, Faraone, Johnson, Pitts, O'Day, Singer, Montemurro, Wisnefski, Carey-Mielke, Clerk, Noble, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Grady, Molinaro.

Ayes. 21. Nays. 2.

Motion carried.

RESOLUTION 105

105. From Judiciary & Law and Finance Committees regarding OJP (Office of Justice Programs) FY03 Exercise Grant.

WHEREAS, Kenosha County Division of Emergency Management has been awarded an Office of Justice Programs (OJP) Exercise funding Grant totaling \$33,089.82 from the State of Wisconsin Division of Emergency Management (WEM), and

WHEREAS, this grant will be used to hire a consultant to design, coordinate and conduct an exercise/exercises and to pay for materials,

supplies, and expendable equipment for these exercises, and possibly, may be used for overtime personnel costs associated with exercise participants, and
WHEREAS, these exercises will be conducted in FY04 and may extend into FY05, and

WHEREAS, the cost of this grant is 100% funded by WEM, requiring no tax levy, and

WHEREAS, the Kenosha County Emergency Management Budget will require a FY04 Budget Modification of \$33,089.82,

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve that the Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

BE IT FURTHER RESOLVED, that the Administration be authorized to modify these Budget Expenditures for purposes of expending all of the grant dollars in accordance with Grant criteria.

Submitted by:

JUDICIARY & LAW COMMITTEE

FINANCE COMMITTEE

James Huff

Robert Carbone

Anita Faraone

Terry Rose

Terry Rose

John O'Day

Brenda Carey-Mielke

Robert Pitts

Joe Montemurro

It was moved by Supervisor Huff to adopt Resolution 105. Seconded by Supervisor Carbone.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 106

106. From Judiciary & Law and Finance Committees regarding Jail Literacy Project Funding.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$25,000 by the State of WI, Office of Justice Assistance through their Jail Literacy Project funding program. The project period will be January 1, 2004 and end December 31, 2004, and

WHEREAS, the grant funds have been awarded to provide primary literacy services to incarcerated individuals as well as support secondary education services, specifically, job search skills, all to reduce the recidivist rate experienced with inmates of low income and poor education skills, and

WHEREAS, the funding will allow for the purchase of services through community support/educational organizations to provide classroom instruction, personal tutoring services for participating inmates, and post release job search follow-up, and

WHEREAS, the required local match of 10% will be met with in-kind costs provided by Gateway Technical College staff hours through a contract for services currently funded by the Sheriff's Department Detention Division, and

WHEREAS, in order to continue this grant funded program in succeeding years, that any unobligated grant award funds remaining available at the end of the budget year shall be carried over in the succeeding budget year following approval by the State of WI, Office of Justice Assistance, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and approve the Revenue and Expenditure line items modified within the Sheriff's Department Budget as per the attached budget modification form, which is incorporated herein by reference.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$25,000 and increases expenditures by \$25,000.

Submitted by:

JUDICIARY & LAW COMMITTEE

FINANCE COMMITTEE

James Huff

Robert Carbone

Brenda Carey-Mielke

Terry Rose

Anita Faraone

John O'Day, Secretary

Joe Montemurro

Robert Pitts

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 106. Seconded by Supervisor Pitts.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 107

107. From Judiciary & Law and Finance Committees regarding Double Bunking Staffing Agreement - Pre-Trial Facility.

WHEREAS, 50 out of the 90 general assignment single bed hard cells at the Kenosha County Pre-Trial Facility, are to be double bunked increasing hard cell capacity to 140 beds, and

WHEREAS, Wisconsin Administrative Code, DOC 350.07 (2), requires a joint signed agreement between the County Board of Supervisors and the Sheriff on the staffing needs of the double bunked area, and

WHEREAS, this increase in general population inmate bed space at the Pre-Trial Facility, does not appear at this time to require an increase in permanent personnel to ensure the health, safety and security of the detentions staff or inmates, and

WHEREAS, county levy remains unaffected by this Resolution.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept this resolution as a signed agreement with the Sheriff as to the staffing needs of the double bunked area at the Pre-Trial Facility.

BE IT FURTHER RESOLVED, that this written mutual agreement will remain in effect until rescinded or amended by mutual written agreement of the County Board and the Sheriff.

Submitted by:

Judiciary and Law Enforcement Committee

James Huff

Brenda Carey-Mielke

Anita Faraone

Terry Rose

Joe Montemurro

It was moved by Supervisor Huff to adopt Resolution 107. Seconded by Supervisor Carey-Mielke.

Motion carried.

RESOLUTION 108

108. From Highway & Parks Committee Commending Years of Service of the Honorable Robert W. Pitts.

WHEREAS, the Honorable Robert W. Pitts has announced his retirement from public service as an elected County Board Supervisor effective April 2004; and

WHEREAS, Robert W. Pitts has dedicated himself to the cause of improving transportation, parks and highway safety; and

WHEREAS, Robert W. Pitts began public service as a member of the Parks Commission in 1978; and

WHEREAS, Robert W. Pitts was elected as a County Board Supervisor on April 17, 1984; and

WHEREAS, Robert W. Pitts has served on the Highway & Parks, Finance, Legislative and Administrative Committees; and

WHEREAS, Robert W. Pitts has served as a member of the Brookside Trustees for more than a decade; and

WHEREAS, Robert W. Pitts has served four years on the Wisconsin County Association Transportation Committee and ten years as Vice-Chair of the Transportation Sub Committee of the National Association of Counties.

NOW, THEREFORE, BE IT RESOLVED that Robert W. Pitts be commended for his years of dedicated service to the public.

BE IT FURTHER RESOLVED that this commendation be forwarded to the Wisconsin Counties Association Winter Conference in January 2004.

Submitted on behalf of the Highway and Parks Committee on this the 20th day of January 2004.

It was moved by Supervisor Elverman to adopt resolution 108. Seconded by Supervisor Noble.

Motion carried.

RESOLUTION 109

109. From Supervisors Terry Rose and Tom Gorlinski regarding an Advisory referendum Placed on the Ballot Regarding Casino Gambling in Kenosha.

WHEREAS, the Menominee Tribe of Wisconsin has expressed an interest in operating a gambling casino at Dairyland Park and on surrounding property, and

WHEREAS, the Menominee Indian Tribe has sought County Board support for such a casino, and

WHEREAS, a referendum would give voters the opportunity to express their opinion on this important issue.

NOW, THEREFORE, BE IT RESOLVED that an advisory referendum be placed on the November 2, 2004 ballot to advise the County Board as to community support or disapproval for such a gambling casino.

BE IT FURTHER RESOLVED that said advisory referendum read as follows:
Should the Kenosha County Board of Supervisors support a proposal to allow casino gambling within Kenosha County?

BE IT FURTHER RESOLVED that the Corporation Counsel's Office fulfill its statutory obligations with respect to drafting an explanation of the above referendum question and that the Clerk be directed to place said question and explanation on the April 6, 2004 ballot.

Submitted by:

Terry Rose

Tom Gorlinski

It was moved by Supervisor Rose to adopt Resolution 109. Seconded by Supervisor Gorlinski.

It was moved by Supervisor Kerkman to close debate on Resolution 109. Seconded by Supervisor Pitts.

Roll call vote

Ayes: Supervisors Boyer, Bergo, Carbone, Johnson, Pitts, O'Day, Wisnefski, Clark, Kerkman.

Nays: Supervisors Kessler, Grady, Huff, Molinaro, Modory, Faraone, Singer, Ruffolo, Montemurro, Carey-Mielke, Clark, Gorlinski, Smitz, Elverman, Ekornaas.

Ayes. 9. Nays. 15

Motion lost.

Discussion continued.

It was moved by Supervisor Clark to close debate. Seconded by Supervisor Kerkman.

Roll Call vote.

Ayes: Supervisors Kessler, Grady, Boyer, Bergo, Carbone, Modory, Faraone, Johnson, Pitts, Singer, Ruffolo, Wisnefski, Carey-Mielke, Clark, Noble, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Huff, Molinaro, Montemurro, Singer.

Ayes. 20. Nays. 4.

Motion carried.

Roll call vote on Resolution 109.

Ayes: Supervisors Grady, Rose, Singer, Wisnefski, Carey-Mielke, Gorlinski.

Nays: Supervisors Kessler, Huff, Molinaro, Bergo, Carbone, Modory, Faraone, Johnson, Pitts, O'Day, Ruffolo, Montemurro, Clark, Noble, Kerkman, Smitz, Elverman, Ekornaas.

Motion lost.

COMMUNICATION

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

31. From Jean A. Morgan, City Clerk-Treasurer regarding Annexation of .408 acres of land, more or less in the Town of Somers.

Chairman Kessler referred Communications 30 & 31 to Land Use Committee.

CLAIMS

59. Robert L. Busche - mailbox damage.

Chairman Kessler referred Claim 59 to Corporation Counsel.

It was moved by Supervisor Molinaro to approval the January 6th minutes.

Seconded by Supervisor Faraone.

Motion carried.

It was moved by Supervisor Wisnefski to adjourn. Seconded by Supervisor Modory.
Motion carried and the meeting adjourned at 10:30 p.m.

Prepared by: Pam Young
Chief Deputy
Submitted by: Edna R, Highland
County Clerk