

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
December 6, 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, J. Gentz, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, Kohlmeier, G. Gentz, Molinaro, Clark, Noble, Underhill, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Kubicki, Hallmon, Grulich, B. Frederick, Esposito, Decker.

Present: 22. Excused: 6.

At this time County Executive Kreuser and County Board Chairman Molinaro recognized Bradford High School Football Team on their State Championship.

**CITIZEN COMMENTS**

Jim Moore, 9218 74rh Pl., spoke in opposition of Resolution 70 regarding the Intergovernmental Agreement with the Menomonee Indian Tribe.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Molinaro reminded the board of the Holiday Party on December 20<sup>th</sup>. Jasmine Galindo was appointed as the newest Youth In Governance Member.

**SUPERVISOR REPORTS**

Supervisor Michel stated he is the president of Senior Action and recently there was a ground breaking for Celebre Place, an assisted living facility named after Supervisor Celebre's father Ernie Celebre. He commended County Executive Jim Kreuser and Mayor Keith Bosman for helping to get the tax credits that were instrumental in the development of this project which has taken over 6 years to complete because of some major hurdles.

Supervisor Elverman stated the Courthouse & Molinaro Building projects are close to completion. There is a contract approved for the parking structure's gates, lighting and security and should begin within the next few months. The Brookside demo is 85% complete, Corporation Counsel has moved into their new offices in the Courthouse. Kenosha County Detention Center has had an ongoing project of exterior door replacement because of faulty framing. Isolation plumbing has been complete. Two facilities employees were injured while fixing a leak, their injuries could have been much worse without the isolation plumbing. Golf is down about 10% in revenue this year. Pets bike trails are complete.

Supervisor Clark stated there is an update on the Supervisor's desks relative to where they anticipate the general fund to end up at. The year was started with almost 7.7 million. It's looking like it should come in at 7.6 million at the end of the year. It is projected we will come in at 12% of general fund. Without the impact of the economy on delinquencies we would be at 21%, the policy is 17% so county board is mindful of this and had a good discussion in the Finance/Administration Committee on this. Recently there was a comment from a county board supervisor that the board had accomplished nothing in the past 4 years. Supervisor Clark believes the county board has been very responsive and noted many accomplishments the board has done including maintaining the county's bond rating, improved our management ratings which is done because of adopting debt policies and operating by those policies. He is proud to have been a member of this county board and looks forward to great things to come in the future.

Supervisor O'Day stated Brookside received a \$12,500 grant from Wal-Mart to purchase televisions for the resident's rooms.

**COUNTY EXECUTIVE APPOINTMENTS**

17. Sharon Acerbi to serve on the Kenosha County Library System Board.

Chairman Molinaro referred County Executive Appointment 17 to Finance/Administration Committee.

18. Cathryn Bothe to serve on the Kenosha County Civil Service Commission.

Chairman Molinaro referred County Executive Appointment 18 to Judiciary & Law Committee.

19. Herschel A. Ryales to serve on the Kenosha County Commission on Aging.

20. James Schmidt to serve on the Kenosha County Veterans Service Commission.

21. Jack Rose to serve on the Kenosha County Aging and Disability Resource Center Board.

Chairman Molinaro referred County Executive Appointments 19-21 to Human Services Committee.

**NEW BUSINESS**

Ordinance - one reading

**ORDINANCE 14**

14. From Planning, Development & Extension Education Committee regarding Paul Oleksiuk, (Owner), Joseph Anselmo, (Agent), requests a rezoning from A-2 General Agricultural Dist. to R-2 Suburban Single-Family Residential Dist. located in the Town of Randall.

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 Parcel #60-4-119-163-0800 located in the SW ¼ of Section 16, T1N, R19E, Town of Randall, be rezoned from A-2 General Agricultural District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the north side of CTH "Z" approximately 0.1 mi. west of CTH "O".

SUBMITTED BY:

Planning, Development & Extension Education Committee  
Kimberly Breunig  
Daniel Esposito  
Michael Underhill  
Erin Decker

It was moved by Supervisor Breunig to adopt Ordinance 14. Seconded by Supervisor Underhill.

Motion carried.

Policy Resolution - first reading, two required

**POLICY RESOLUTION 4**

4. From Finance/Administration Committee a Resolution to amend the Kenosha County Policies and Procedures.

It was moved by Supervisor Singer to suspend the rules and act on Policy Resolution 4 immediately. Seconded by Supervisor Breunig.

**WHEREAS**, the Kenosha County Board of Supervisors has approved policies and procedures which guide the employment experience of county employees, and

**WHEREAS**, there is the need to amend the policies to include expanded mandatory overtime language, and

**WHEREAS**, the Finance Administration Committee of the Kenosha County Board of Supervisors have reviewed proposed language to be included in the policies,

**NOW THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approves the following changes in the overtime language of the Kenosha County Policies and Procedures

- When business or department conditions require, employees may be needed to work overtime. When this occurs, the employee's supervisor will make every effort to provide timely advance notice. Such a request for overtime is considered to be voluntary. Mandatory overtime is required only under the following circumstance:
- Employees of the Sheriff's Department who work in law enforcement or in corrections;
- When the County Executive declares an emergency;
- For snow and ice removal for Division of Highways employees, and
- For Registered Nurses when patient care concerns require an extension of the workday.

SUBMITTED BY:

Finance/Administration Committee  
Joseph Clark  
Fred Ekornaas  
Jeff Gentz  
William Grady  
John O'Day  
David Singer  
Terry Rose

It was moved by Supervisor Clark to adopt Policy Resolution 4. Seconded by Vice-chairman Ekornaas.

Motion carried.

Resolutions - one reading

**RESOLUTION 70**

70. From the Executive Committee a Resolution in support of Extension of Intergovernmental Cooperation Agreement with Menominee Indian Nation.

**WHEREAS**, the Menominee Indian Tribe of Wisconsin is a federally recognized Indian Tribe with all rights and powers thereto pertaining and which acts through its duly constituted governing body, the Tribal Legislature; and

**WHEREAS**, the Tribe acting through its legally constituted government, the Menominee Tribal Legislature, is vested with all executive and legislative powers under the Menominee Constitution and by-laws, and

**WHEREAS**, the Tribe, the Menominee Kenosha Gaming Authority and the City and County of Kenosha have entered into an Intergovernmental Agreement effective as of March 28, 2005 and which Agreement expired on December 31, 2009, and **WHEREAS**, the City and County of Kenosha authorized previous extensions of the Intergovernmental Agreement and said agreement is now set to expire on December 29, 2011 unless all approvals necessary to implement the Tribe's and the Authority's proposal to develop and operate a gaming facility in Kenosha have been obtained prior to that date, and

**WHEREAS**, the above referenced necessary approvals have not been obtained to this date and the Tribe has sought extension of the Intergovernmental Agreement from the City and County of Kenosha in order to obtain the necessary approvals, and

**WHEREAS**, it is the intent of the parties to the IGA that an extension will be necessary with the understanding between the parties that the Intergovernmental Agreement is still in effect and did not expire on or about January 7, 2009 [the date the Bureau of Indian Affairs denied the Tribe's application to place lands in trust for the Casino]; and whereas such extension will also apply to the Intergovernmental Agreement between the Tribe, the Authority and the County of Kenosha pertaining to sales taxes revenues and to the IGA between the City and the County pertaining to revenue sharing; and whereas such extension is recommended based upon the oral representations made by the Tribe to the Executive Committee of the Kenosha County Board of Supervisors on September 13, 2011 and November 30, 2011; and whereas the attached Indian Gaming Extension Agreement provides for an extension based upon the conditions provided for therein for a term set forth therein.

**NOW THEREFORE BE IT RESOLVED THAT** the Kenosha County Board of Supervisors does hereby approve of an extension of the three above-referenced Intergovernmental Agreements pertaining to Indian gaming, County sales tax revenues and City/County revenue sharing as set forth in the attached Extension.

**BE IT FURTHER RESOLVED** that said Extension Agreements reflect the intent of the parties pertaining to the continuous and uninterrupted term of the original agreements and does hereby authorize the County Executive of Kenosha County to execute all necessary documents related to such extensions. SUBMITTED BY:

Executive Committee

Mark Molinaro, Jr.

Fred Ekornaas

Dennis Elverman

William Michel, II

Douglas Noble

Kimberly Breunig

It was moved by Vice-chair Ekornaas to adopt Resolution 70. Seconded by Supervisor Elverman.

It was moved by Supervisor Rose to amend Resolution 70 to add "the Tribe to pay the County's attorney fees in the event the project does not go through. The County will pay their own attorney fees if the project does go through". Seconded by Supervisor Grady.

It was moved by Supervisor Zerban to call the question.

Motion carried.

Roll call vote on the amendment.

Aye: Supervisors Grady, Rose, Celebre, Arrington, Kohlmeier.

Nay: Supervisors, Zerban, Goebel, J. Gentz, R. Frederick, Johnson, Michel, O'Day, Singer, G. Gentz, Molinaro, Clark, Noble, Underhill, Breunig, Haas, Elverman, Ekornaas.

Aye: 5. Nay: 17.

Motion failed.

Roll call vote on Resolution 70.

Aye: Supervisors, Zerban, Goebel, Celebre, J. Gentz, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, G. Gentz, Molinaro, Clark, Noble, Underhill, Breunig, Haas, Elverman, Ekornaas.

Nay: Supervisors Grady, Rose, Kohlmeier.

Aye: 19. Nay: 3.

Motion carried.

**RESOLUTION 71**

71. From Finance/Administration Committee a Resolution to modify the 2011 Corporation Counsel's budget per the attached budget modification form.

**WHEREAS**, the Corporation Counsel's Office is responsible for payment of bills incurred for outside legal counsel and trial costs and there are insufficient funds in the Corporation Counsel's line items entitled Legal Fees and Trial Costs for payment of outstanding invoices.

**NOW THEREFORE, BE IT RESOLVED** that a transfer of funds as outlined on the attached Budget Modification Form and Administrative Proposal be and hereby is approved. Said transfer requires no funds from the General Fund.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

Terry Rose

David Singer

William Grady

It was moved by Supervisor Clark to adopt Resolution 71. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

**RESOLUTION 72**

72. From Finance/Administration Committee a Resolution to transfer funds to cover anticipated 2011 Health Insurance shortfall.

**WHEREAS**, the County is self-insured for health insurance, and

**WHEREAS**, the County is experiencing a shortfall in health insurance due to higher than normal claims experience, and

**WHEREAS**, the County has normally realized health premium savings of approximately \$600,000 due to vacancies, and

**WHEREAS**, the County has realized savings of approximately \$200,000 in Workmen's Compensation and Liability insurance, and

**WHEREAS**, the County has anticipated surpluses in Sheriff's Revenues, Sales Tax Revenue, RTA Rebate, Human Services Placements, Juvenile Intake Placements, Pension Savings, etc., and

**WHEREAS**, the County actuary has stated that the county would experience higher than expected claims experience once every eight to ten years, and

**WHEREAS**, the total health insurance shortfall is in excess of \$2,800,000.

**NOW THEREFORE BE IT RESOLVED**, that the anticipated 2011 Budget surpluses be used to fund the \$2,000,000 shortfall and that if necessary an amount not to exceed \$500,000 be transferred from the Health Insurance Fund, and

**BE IT FURTHER RESOLVED**, that the administration make any necessary budget modifications to cover the health insurance shortfall.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

Terry Rose

David Singer

William Grady

It was moved by Supervisor Clark to adopt Resolution 72. Seconded by Supervisor J. Gentz.

Roll call vote passed unanimously.

**RESOLUTION 73**

73. From Finance/Administration Committee a Resolution to approve the Kenosha County Auditor.

**WHEREAS**, the five year term of the current contract for County auditor has been completed with the audit of calendar year 2010, and

**WHEREAS**, the County has issued an RFP for audit services under the auspices of the Division of Purchasing, and

**WHEREAS**, the result of the RFP has favored the firm of Schenck, SC to become the new County Auditor and Schenck has confirmed that they will agree to be the new County Auditor under the terms and conditions of the RFP and their proposal to the County.

**NOW THEREFORE BE IT RESOLVED**, that the Kenosha County Board does hereby resolve, that the firm Schenck SC shall serve as the County Auditor for purposes of performing the Annual Financial Audit, and for purposes of performing the Annual Report on Federal and State Awards, and that the County Board does hereby authorize the County Administration to execute the attached contract which is incorporated by reference.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

Terry Rose

David Singer

William Grady

It was moved by Supervisor Clark to adopt Resolution 73. Seconded by Vice-chairman Ekornaas.

Motion carried.

**RESOLUTION 74**

74. From Human Services Committee a Resolution to approve the appointment of Supervisor Michael Underhill to the Kenosha County Commission on Aging.

**WHEREAS**, pursuant to County Executive Appointment 2011/12-15, the County Executive has appointed Supervisor Michael Underhill to serve on the Kenosha County Commission on Aging; and

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Commission on Aging and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of Supervisor Michael Underhill to the Kenosha County Commission on Aging. Supervisor Underhill's appointment shall be effective immediately and continuing until the 31st day of October, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Underhill will serve without pay and will be filling a vacant position.

SUBMITTED BY:

Human Services Committee

Douglas Noble

Jeff Gentz

David Celebre

Erin Decker

David Arrington

Edward Kubicki

Terry Rose

**RESOLUTION 75**

75. From Human Services Committee a Resolution to approve the re-appointment of Benjamin Harbach to the Kenosha county Board of Administrative Appeals.

**WHEREAS**, pursuant to County Executive Appointment 2011-12-13, the County Executive has appointed Benjamin Harbach to serve on the Kenosha County Board of Administrative Appeals; and

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Board of Administrative Appeals and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of Benjamin Harbach to the Kenosha County Board of Administrative Appeals. Mr. Harbach's appointment shall be effective immediately and continuing until the 30th day of June, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Harbach will serve without pay and will be succeeding himself.

SUBMITTED BY:

Human Services Committee  
Douglas Noble  
Jeff Gentz  
David Celebre  
Erin Decker  
David Arrington  
Edward Kubicki  
Terry Rose

**RESOLUTION 76**

76. From Human Services Committee a Resolution to approve the re-appointment of Sandra Bisciglia to the Kenosha County Board of Administrative Appeals.

**WHEREAS**, pursuant to County Executive Appointment 2011/12-14, the County Executive has appointed Sandra Bisciglia to serve on the Kenosha County Board of Administrative Appeals; and

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Board of Administrative Appeals and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of Sandra Bisciglia to the Kenosha County Board of Administrative Appeals. Ms. Bisciglia's appointment shall be effective immediately and continuing until the 30th day of June, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Bisciglia will serve without pay and will be succeeding herself.

SUBMITTED BY:

Human Services Committee  
Douglas Noble  
Jeff Gentz  
David Celebre  
Erin Decker  
David Arrington  
Edward Kubicki  
Terry Rose

**RESOLUTION 77**

77. From Human Services Committee a Resolution to approve the appointment of Dr. R. Scott Peirce to the Kenosha County Workforce Development Board.

**WHEREAS**, pursuant to County Executive Appointment 2011/12-12, the County Executive has appointed Dr. R. Scott Pierce to serve on the Kenosha County Workforce Development Board, and

**WHEREAS**, the Human Services Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Workforce Development Board and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of Dr. R. Scott Pierce to the Kenosha County Workforce Development Board. Dr. Pierce's appointment shall be effective immediately and continuing until the 30th day of September, 2014, or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Dr. Pierce will serve without pay and will be filling a new position on the board.

SUBMITTED BY:

Human Services Committee  
Douglas Noble  
Jeff Gentz  
David Celebre  
Erin Decker  
David Arrington

Edward Kubicki  
Terry Rose

It was moved by Supervisor Noble to adopt Resolutions 74-77. Seconded by Supervisor Celebre.

Motion carried.

**RESOLUTION 78**

78. From Planning, Development & Extension Education Committee regarding appointment of William c. Martin as county representative the Voltz Lake Management District Board.

**WHEREAS**, the Voltz Lake Management District Board has been without a Kenosha County representative for quite some time; and

**WHEREAS**, the Kenosha County Executive, the Town of Salem Chairman, and the Chairman of the Voltz Lake Management District have recommended William C. Martin to serve in the vacant position due to his residency and personal interest in Voltz Lake; and

**WHEREAS**, the Kenosha County Land and Water Conservation Committee reviewed Mr. Martin's credentials and recommended approval of the appointment at its October 11, 2011 meeting; and

**WHEREAS**, the Kenosha County Planning, Development & Extension Education Committee recommended approval of the appointment at its November 16, 2011 meeting;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of William C. Martin to the Voltz Lake Management District as a representative of Kenosha County. Mr. Martin's appointment shall be effective immediately and continue until November 30, 2014 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

SUBMITTED BY:

Planning, Development & Extension Education Committee  
Kimberly Breunig  
Daniel Esposito  
Michael Underhill  
Erin Decker

It was moved by Supervisor Breunig to adopt Resolution 78. Seconded by Supervisor Underhill.

Motion carried.

**RESOLUTION 79**

79. From Supervisor Rose regarding adoption of recommendations of Velocity consulting on Golf Courses.

Chairman Molinaro referred Resolution 79 to the Public Works/Facilities Committee.

**RESOLUTION 80**

80. From Supervisor Rose regarding closure of the Brighton Dale Red Nine Course.

Chairman Molinaro referred Resolution 80 to the Public Works/Facilities Committee.

**COMMUNICATION**

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

Chairman Molinaro referred Communication 4 to Planning, Development & Extension Education Committee.

Approval of the November 15, 2011 by Supervisor Zerban. Seconded by Supervisor Arrington.

Motion carried

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

Motion carried.

Meeting adjourned at 9:04 p.m.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs  
County Clerk