

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
January 6, 2009**

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

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

Absent: Supervisor Jackson.

Present: 27. Absent: 1.

There were no citizen comments.

At this time County Executive Jim Kreuser honored the Tremper Girls Volleyball Team and their Coaches for winning the State Championship.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark congratulated the volleyball team and their families. It takes a lot of commitment and hard work to achieve this kind of success.

Chairman Clark announced that he received a report from the Regional Transportation Authority of the recommendations to the Governor and the Legislature. The report will be in the County Clerk's office if anyone would like a copy of it. He also received a resolution from Dodge County which relates to the use of vehicle registration fees and fuel tax and asked the Legislative Committee to review this.

Chairman Clark welcomed the new County Clerk. He stated the County Clerk is integral part of a smooth working County Board and wished many years of success to the new clerk.

SUPERVISOR REPORTS

Supervisor Michel stated he had the opportunity to meet with Judge Wagner, who is the chief judge for Kenosha County and discussed the 8th Circuit Court Branch. The 8th Branch will not be a criminal branch so there should not be additional costs for the District Attorney Office nor the Sheriff's Department.

Supervisor Elverman reported there has been advisory speed limits posted on areas of Hwy C, flashing lights have been installed to warn of oncoming hills, rumble strips were installed, and there has been saturation of the sheriff's department. They are awaiting a study of some of the lineage such as double yellow lines and warning lines. He also reported some of the plans for the west end park have been completed. Some of the walking trails have been designated; they have some figures in for some entry way and beach work. There is an ongoing reorganization of the Highway & Parks Departments. They are advertising for a Director of Golf Operation. Hopefully there will be someone new in place to kick the season off.

Supervisor Molinaro stated he attended a summit at Snap-on called Wind Technician Training Summit. The main purpose was to have a dialogue and discussion with Gateway Technical College, Snap-on, and members of the Francis Tuttle Technology Center out of Oklahoma City as well as representatives from the Texas Technical College system. It was moderated by a representative of the Mid-west Renewable Energy Association. The main impetus was to begin talks about partnerships between the technical colleges and Gateway's initiative to renewable energies. Also Snap-on's commitment and dedication to wind energy and their partnership with those in the industry and the tools that Snap-on provides to facilitate the construction and maintenance of wind turbines etc. He will bring more information in the future when it's available.

COUNTY EXECUTIVE APPOINTMENTS

21. Louise Principe to serve on the Racine/Kenosha Community Action Agency.
22. Mark S. Modory to serve on the Racine/Kenosha Community Action Agency.
23. Jennifer Jackson to serve on the Racine/Kenosha Community Action Agency.
24. Loran Hein to serve on the Kenosha County Commission on Aging.
25. Norma L. Carter to serve on the Kenosha County Commission on Aging.
26. Sandra K. Beth to serve on the Kenosha County Commission on Aging.
27. Ross Boone to serve on the Kenosha County Commission on Aging.
28. Dr. James C. Foster to serve on the Kenosha County Board of Health.

29. Derrell Greene to serve as Director of the Kenosha County Division of Veterans Services

Chairman Clark referred County Executive Appointments 21 - 29 to Human Services.

NEW BUSINESS

Ordinances - one reading

ORDINANCE 24

24. From the Land Use Committee regarding MIR Group LLC requesting rezoning from A-2 General Agricultural District to B-4 Planned Business District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District with the application of a PUD Planned Unit Development Overlay District in the Town of Somers.

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 #80-4-222-151-0401 located in the northeast quarter of Section 15, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District to B-4 Planned Business District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District with the application of a PUD Planned Unit Development Overlay District. For informational purposes only, this property is located on the west side of State Trunk Highway "31" (Green Bay Road) and C.T.H. "E" (12th Street).

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Joseph Clark

It was moved by Supervisor Ekornaas to adopt Ordinance 24. Seconded by Supervisor Nudo.

Motion carried.

ORDINANCE 25

25. From the Land Use Committee regarding Regency Hills/Pike Creek Crossing LLC (Owners), Town of Somers (Buyer) requesting rezoning from R-4 Urban Single-Family Residential District to I-1 Institutional District in the Town of Somers.

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 #80-4-222-103-0201 located in the southwest quarter of Section 10, Township 2 North, Range 22 East, Town of Somers be changed from R-4 Urban Single-Family Residential District to I-1 Institutional District. For informational purposes only, this property is located on the north side of County Trunk Highway "E" (12th Street) approximately 600 feet west of the intersection of 65th Street.

Description: Commencing at the southwest corner of the southwest ¼ of Section 10; thence North 89°16'47" East along the south line of said southwest ¼ section 1222.36 feet to a point; thence North 01°42'28" West 33.00 feet to a point in the north line of 12th Street, said point also the Point of Beginning of lands to be described; thence continuing North 01°42'28" West 168.66 feet to a point; thence North 89°16'47" East 179.46 feet to a point; thence South 05°02'29" West 169.49 feet to a point in the north line of 12th Street; thence South 89°16'47" West along said north line 159.54 feet to the point of beginning. Containing 28,583 square feet (0.6562 acres) more or less of land. This description is intended to extend to the center of all roads.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Joseph Clark

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

Motion carried

ORDINANCE 26

26. From the Land Use Committee Town of Randall (Sponsor), Scott and Alice Krucek (Owners) requesting rezoning from B-2 Community Business District to R-2 Suburban Single-Family Residential District 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 Tax Parcel #60-4-119-154-0450 located in the southeast quarter of Section 15, Township 1 North, Range 19 East, Town of Randall be changed from B-2 Community Business District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the north side of County Trunk Highway "F" approximately ¼ mile east of the intersection of County Trunk Highway "KD" (352nd Avenue)

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Joseph Clark

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

Resolutions - one reading

RESOLUTION 101

101. From Supervisor Terry Rose a Resolution in support of Federal Funding of Light Rail between Chicago and Milwaukee as part of the proposed Federal Economic Stimulus Program.

Chairman Clark referred Resolution 101 to the Legislative Committee

RESOLUTION 102

102. From the Human Services Committee a Resolution to approve the Appointment of Frances Petrick to the position of Administrator of Brookside Care Center.

WHEREAS, PURSUANT TO County Executive Appointment #2008/09-20, the County Executive has appointment Frances Petrick to the position of Administrator of Brookside Care Center and;

WHEREAS, the Human Services Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve in this position 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 approve the appointment of Frances Petrick to the position of Administrator of Brookside Care Center immediately upon passage of this resolution. Ms. Petrick shall be placed in Range K of the Non-Represented Pay Plan at an annual salary of \$114,113.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 102. Seconded by Supervisor Rose.

Motion carried.

COMMUNICATIONS

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

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

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

Chairman Clark referred Communications 12 - 14 to Land Use Committee.

CLAIMS

36. Luz Serrano - death of spouse caused by dangerous intersection.

37. Alfonso J. Johnson - mailbox damage.

38. AT&T - damaged pedestal and buried cable.

Chairman Clark referred Claims 36 - 38 to Corporation Counsel.

It was moved by Supervisor Ekornaas to approve the December 2, 2008 minutes. Seconded by Supervisor Morton. Motion carried.

SUPERVISOR COMMENTS

Supervisor Hallmon stated it is inspiring to be sitting in this position and he takes his job very seriously. He appreciates the opportunity to learn from the board and partner with them for a more cohesive policy making process that address the needs of the people they serve. However, he wanted to take a moment to express his disappointment with the poor conduct he has seen displayed around him. He feels only 25% of the board comes to the meeting prepared as he sees many board members opening their packets just before the meeting. To have such minimal informed perspectives is counterproductive to the democratic process and does all the constituents an extreme disservice. He is also disappointed that the women on the board are not treated equally. He has seen and heard sexist words and phrases used when women are speaking on the floor and in committee. He has seen and heard men disregard parliamentary procedure when women are speaking by talking over them. Also, the personal attacks and snide remarks on the floor of fellow supervisors must cease. He stated one of the marks of a strong leader is the ability to speak the truth particularly when it is most difficult. A number of the board has expressed their skepticism concerning working with state and federal governments. He has been very warmly received. Governor Doyle has opened his cabinet up so he can literally call any one of the folks in Doyle's cabinet or on his staff and get information or get questions answered. He wants everyone to know if it's opened to him then it's opened to them. His other concern is that if Chrysler should close, we must be prepared to meet the needs of the people. As the locally elected we are the infantry, the foot soldiers fighting to preserve the American dream. It is essential that we address the complex and ever changing nature of life. He has proposed that the economic success of Kenosha can be found in the green job sector and by addressing the nation's energy needs we can solve our need for jobs and economic growth. There can be no question that we are embarking on a journey riddled with crises the likes of which the world has never seen. Therefore, we can work together and secure the future of Kenosha. The success of Kenosha County, the holistic prosperity of our citizens, and us as the board depends our ability together to tackle these internal challenges.

Supervisor Hallmon stated he and Supervisor Jackson attended Lt. Governor Barbara Lawton's Climate Change Summit entitled "Communities Take Action" in Stevens Point, WI. The purpose was to confront Wisconsin's economic situation by developing more efficient comprehensive strategies, to mitigate climate change, reduce the carbon footprint and practice sustainability. They were given the task of visioning, designing and implementing a green or sustainable action plan for our local communities in the State of Wisconsin. Lt. Governor Lawton will then compile these requests, and will then take them to the State Legislators, Governor and Congress to be part of the upcoming stimulus package.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor Rose. Motion carried.

Meeting adjourned at 8:15 P.M.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
January 20, 2009**

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

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

Absent: Supervisors Kubicki, Marks, Nudo.

Present: 25. Absent: 3.

CITIZEN COMMENTS

Nick Paczkowski, 8200 75th Street, is a Vietnam veteran and a veteran in the United States Coast Guard. He stated the CVSO needs to reach and inform veterans of all eras and ages. The duties can be as simple as making and filing copies of separation and discharge papers to requesting replacement awards and military records. It can also be as complex and deciphering the difference between service connected and non-service connected disability. A few of things a CVSO must have a working knowledge of are; DIC benefits, VA Health Care System, the claims of judication process, the appeals system, correct preparation and requirements for filing a claim, correcting military records, loans, grants, application to a Veterans Home, etc. After reading the article in the Kenosha News, about Mr. Greene, it is apparent he has had a good military career; however there was no mention of veteran's organizations, interest in veteran's issues or specialized knowledge of veteran's services and benefits. Mr. Greene is a retired Lt. Colonel, intelligent, well educated and purposeful in his thinking, which are attributes to a military officer. However, for those who work in the veteran's community will attest, the military and the VA are as different as apples and oranges when it comes to both compiling and sharing information. He thinks Mr. Kreuser believed that a military career and working with the veteran's community would be synonymous. He feels the job should be filled by the personal they have at their disposal right now.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark stated the study in the I.T. Department is ongoing. There is going to be a work group and a steering committee put together. Supervisor Singer has been asked to serve on the work group as a county board representative.

SUPERVISOR REPORTS

Supervisor Elverman reported there are interviews set up for the Director of Golf Operations, in which 72 applications were received.

Supervisor Breunig stated today was the last day for high school students to turn in their nominations for the Youth in Governance. She also stated she challenged the department to go paperless for the Extension Education Committee meetings and they have done it. She would like to challenge the chairmen of the other committees to that with their departments also.

Vice-chair Faraone stated the Finance Committee received a report from Finance Director Dave Geersten on the status of the County's general Fund. The preliminary General Fund Analysis projects that the General Fund will increase \$900,000 from \$8.2 million in 2007 to \$9.1 million at year end 2008. The major items which had a positive impact on the general fund where \$2.6 million of reserve replenishment, \$488,000 higher than expected Brookside Intergovernmental Transfer Revenue, \$872,000 unplanned Human Services WIMCR Revenue and \$1,000,000 of anticipated health insurance surplus. The major items which are having a negative impact are \$550,000 of reserves used in the 2009 budget, \$300,000 projected shortfall in Workers Compensation, \$370,000 increase in outstanding tax delinquencies and a \$600,000 shortfall in meeting our vacancy adjustment. The Finance Committee is also working on a comprehensive Debt Management Policy. The dept policy will set forth the parameters for issuing debt and managing outstanding debt, and will provide guidance on the timing and purposes for which debt will be issued, types and amounts of

permissible debt, methods of sales that may be used and structural features that may be incorporated.

Supervisor Moore stated the Administration Committee approved the reorganization of the Golf Operation the night before. He also gave an update on the non-represented employee evaluations for 2008. There were 160 employees who reached their anniversary date, 22 were sworn so there was no step increase, 28 were at the top of their pay range, 104 received step increases, 2 did not receive a step increase due to low evaluations and 4 are in process. He reported that Kenosha County is no different than our peers in terms of risks we are exposed to. Our Risk Manager, Jim Olson is active in WMMIC, Wisconsin Municipal Mutual Insurance Company and they are developing some control plans and best practices to use in regard to risk management. He also stated they are in negotiations with 4 represented groups. The Administration Committee has heard the County Boards concerns in light of a poor economy and has asked our administrative negotiating team to be transparent in terms of the boards concerns in this area.

Supervisor Jackson reported she attended the Emergency Services Network, Emergency Food and Shelter Program board meeting. Since Kenosha County's unemployment rate is higher than the state average, we are now eligible to apply for the Mass Food and Shelter Grant. It looks like a request of \$190,000 will go in towards that grant and they will find out in February or March if it will be received. A grant was received for 1000 short term jobs for the Census Bureau late February or March. Later there will be some data entry positions that will happen in June and July.

NEW BUSINESS

Ordinances - first reading - two required

27. From Judiciary & Law, Legislative, and Finance Committees an Ordinance to Repeal and Recreate Section 4.40 (1) (a) of the Municipal Code of Kenosha County Entitled 'Jail Maintenance Costs.'

Resolutions - one reading

RESOLUTION 103

103. From the Highway & Parks and Finance Committees a Resolution to grant a permit for a pedestrian/bike path connection to the South Bike Trail to the Village of Pleasant Prairie.

WHEREAS, A request has been made by the Village of Pleasant Prairie for a pedestrian/bicycle path connection to the Kenosha County Bike Trail from The Orchard Subdivision,

WHEREAS, The Village of Pleasant prairie has agreed to pay for the cost of construction and ongoing maintenance of such pedestrian/bicycle path; and further, that the Wisconsin DNR requires a nonpermanent "land use" permission instead of an "easement" to abide by federal requirements attached to a grant used to improve the South Bike Trail; and that the Kenosha County Park Administration has no objection to providing such access and maintenance permit under the terms set forth; and

WHEREAS, The Village of Pleasant Prairie and County of Kenosha try to provide mutual benefit to each other in the best interest of the citizens in this community whenever possible, and have cooperated with each other on numerous public projects.

NOW THEREFORE BE IT RESOLVED, That the County Board of Supervisors approves the grant of a limited land use access permit to the Village of Pleasant Prairie for installation and maintenance of a pedestrian/bicycle access path over part of the South Bike Trail, under the terms of the Land Use Permit attached and as described more particularly in the legal description attached thereto as Exhibit A, for \$1.00 and other valuable consideration, and the County Clerk and County Executive are authorized to sign all necessary and related documents.

SUBMITTED BY:

Finance Committee
Anita M. Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

Highway & Parks Committee
Dennis Elverman
John O'Day
William Grady
Douglas Noble
Gordon West

It was moved by Supervisor Elverman to adopt Resolution 103. Seconded by Vice-chair Faraone.

Motion carried.

RESOLUTION 104

104. From Highway & Parks and Finance Committees regarding Emergency Purchase of Snow Plow Blades for 2008-2009 Winter Season.

WHEREAS, the Kenosha County Highway Division maintained an inventory level of snow plow blades estimated to be adequate to get through the budget year 2008, and;

WHEREAS, the Kenosha County Public Works Department - Highway Division does not have sufficient inventory of snow plow blades for the 2008-2009 winter season, and;

WHEREAS, Kenosha County experienced snowfall significantly above historic averages for the month of December 2008, and;

WHEREAS, the dollar amount for the purchase of snow plow blades would under normal circumstances require a competitive bidding process, and;

WHEREAS, due to the lack of inventory available from vendors, the leadtime for obtaining the blades could extend beyond the need to plow highways, and;

WHEREAS, the County Executive has declared an emergency exists which justifies exercise of emergency powers under this authority as County Executive under Sec. 5.03, Kenosha County Ordinances, and Ch. 166, Wis. Statutes, due to the insufficient inventory of snow blades, and

NOW THEREFORE BE IT RESOLVED that the Department of Public Works - Highway Division, together with the cooperation and assistance of other sections of Kenosha County government, shall immediately arrange for, and provide payment for, the purchase of the snow plow blades for the 2008-2009 winter season without utilizing a bid process.

SUBMITTED BY:

Finance Committee	Highway & Parks Committee
Anita M. Faraone	Dennis Elverman
John O'Day	John O'Day
Terry Rose	William Grady
Mark Molinaro, Jr.	Douglas Noble
David Singer	Gordon West

It was moved by Supervisor Elverman to adopt Resolution 104. Seconded by Vice-chair Faraone.

Motion carried.

RESOLUTION 105

105. From the Human Services Committee a Resolution to approve the appointment of Derrell Greene as Director of the Division of Veterans Services.

WHEREAS, pursuant to County Executive Appointment 2008/09-29, the County Executive has appointed Derrell Greene to the position of Director of the Division of Veterans Services, and

WHEREAS, the Human Services Committee has reviewed the County Executive's request for review and approval of his appointment of the above-named to serve in this position and is recommending to the County Board the approval of this appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approves the appointment of Derrell Greene to the position of Director of the Division of Veterans Services, effective immediately upon passage of this resolution. Mr. Greene shall be placed in pay grade E of the Non-Represented Employee Pay Plan at an annual salary of \$59,000. Mr. Greene will be succeeding Tom Lois who has retired from County service.

SUBMITTED BY:

Human Services Committee
Terry Rose
Richard A. Kessler
Jennifer Jackson
Jeffrey Gentz

It was moved by Supervisor Rose to adopt Resolution 105. Seconded by Supervisor Kessler.

Motion carried.

RESOLUTION 106

106. From Judiciary & Law Committee regarding Probationary Cabaret License for Sit 'n' Bull.

WHEREAS, the application of Mary Griggs for a probationary cabaret license for the "Sit 'N' Bull" Tavern, 39600 Bloomfield Road, Powers Lake, Wisconsin, in the Town of Wheatland, was made during the month of October, was turned over to this office on October 20th, 2008, and

WHEREAS, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

WHEREAS, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Mary Griggs for the "Sit 'N' Bull" Tavern.

SUBMITTED BY:

Judiciary & Law Enforcement Committee

William P. Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 106. Seconded by Supervisor Huff.
Motion carried.

RESOLUTION 107

107. From Judiciary & Law and Finance Committees regarding Temporary FTE Increase in the Classification of Sergeant.

WHEREAS, the Kenosha County Sheriff's Department has been authorized by the Kenosha County Board of Supervisors to maintain 12 FTE's of the position of Sergeant, and

WHEREAS, in March 2009 (exact date cannot be released) , Sgt. Frank Iovine will begin a 15 month active military deployment to Afganistan, and

WHEREAS, his departure will leave a 15 month opening in the Sergeants' classification creating a critical supervisory shortage in the Sheriff's/Police Drug Unit K-DOG.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve a temporary increase of FTEs in the classification of Sergeant from 12 to 13 to accommodate the 15 month absence of Sgt. Frank Iovine.

BE IT FURTHER RESOLVED, that the FTE's in the classification of Sergeant be reduced back to 12 upon Sgt. Frank Iovines return from active military duty in Afganistan in 2010.

SUBMITTED BY:

Judiciary & Law Enforcement Committee

William P. Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

Anita M. Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 107. Seconded by Vice-Chair Faraone.
Roll call vote.

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

Nays: Supervisors Huff, Ronald Johnson.

Ayes: 23. Nays: 2

Motion carried.

RESOLUTION 108

108. From Judiciary & Law and Finance Committees regarding Request for waiver of competitive bid process for Hazardous Device Unit Wireless Robotic Upgrade.

WHEREAS, by previous Resolution #48 in the 2008 Budget Year, \$59,883 was approved for the purchase and installation of a Robotic Wireless Upgrade for the Hazardous Device Unit, and

WHEREAS, the Robotic Wireless Upgrade is a custom piece of hardware that is specifically designed by Remotec to be installed on the Andros Robot that the Hazardous Device Unit employs, and

WHEREAS, the Robotic Wireless Upgrade hardware will provide needed improvement in range and field of use for the Andros Robot, and

WHEREAS, the Remotec Wireless Upgrade is the only product that will work with the Hazardous Device Unit's Andros Robot and is the required upgrade as specified by the OJA Grant parameters.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorize the competitive bidding process to be bypassed in this purchase only and allow Purchasing to obtain the Robotic Wireless Upgrade from Remotec.

SUBMITTED BY:

Judiciary & Law Enforcement Committee

William P. Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

Anita M. Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 108. Seconded by Vice-chair Faraone.

Motion carried.

RESOLUTION 109

109. From Judiciary & Law and Finance Committees regarding AAA of Wisconsin Safety Vest Grant.

WHEREAS, The Kenosha County Sheriff's Department has been awarded \$3,219.00 from the AAA of Wisconsin, to purchase 122 Traffic Safety Vests for the Kenosha County Sheriff's Department Patrol Division, and

WHEREAS, the equipment being purchased will be used by the Kenosha County Sheriff's Department Patrol Division to increase their safety on the roadways, and

WHEREAS, the Kenosha County Sheriff's Department will purchase this equipment utilizing the Kenosha County Purchasing Department and vendor as arranged by AAA of Wisconsin, and

WHEREAS, the AAA of Wisconsin does not require a match for this award, therefore no additional tax levy dollars are requested to implement this grant award.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept this grant and approve the revenue and expenditure line items be modified, as per the attached budget modification form, which is incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining available at the end of the year be hereby authorized for carryover to subsequent year until the grant funds are expended in accord with the grant requirements and the administration shall be authorized to modify the grant fund appropriation among various budget and appropriation expenditure units with the Sheriff's Department in accordance with all Federal and State regulations of funding in compliance with the generally accepted accounting principles.

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors express its thanks and gratitude to the AAA of Wisconsin for this Equipment Grant.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$3,219.00 and increases expenditures by \$3,219.00.

SUBMITTED BY:

Judiciary & Law Enforcement Committee
William P. Michel, II
James Huff
Bob Haas
Roger Johnson
Ronald Johnson

Finance Committee
Anita M. Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Michel to adopt Resolution 109. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 110

110. From Judiciary & Law and Finance Committees regarding BOTS - Traffic Enforcement Grants.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$52,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between January 1st, 2009 and Sept. 30, 2009 to enforce high-risk driver behaviors, and

WHEREAS, the grant funds offered must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers, speeders, and enforce underage drinking laws in targeted areas and to purchase law enforcement equipment to use during these patrol efforts, and

WHEREAS, the 25% local match required is met with soft dollars within the current budget and 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 that the revenue and expenditure line items be modified, 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 \$52,000 and increases expenditures by \$52,000.

SUBMITTED BY:

Judiciary & Law Enforcement Committee
William P. Michel, II
James Huff
Bob Haas
Roger Johnson
Ronald Johnson

Finance Committee
Anita M. Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Michel to adopt Resolution 110. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

COMMUNICATIONS

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

Chairman Clark referred Communication 15 to Land Use Committee.

CLAIMS

39. Marsha Cheney - mailbox damage.

Chairman Clark referred Claim 39 to Corporation Counsel.

It was moved by Supervisor Elverman to approve the January 6, 2009 minutes. Seconded by Supervisor Huff.

Motion carried.

SUPERVISOR COMMENTS

Chairman Clark stated he feels there is not one supervisor in this room that doesn't care about Kenosha County. There were things that were said and some follow up things that were written in the paper and he takes criticism of the Kenosha County Board of Supervisors personally. When he was a new supervisor, he received a lot of advice from the members of the county board and community leaders

and he learned that you have to earn respect, it's not a right. His goals, values and objectives never changed, but his approach did. He is very proud of the accomplishments they were able to do as a team. It was said that some supervisors come to the meeting unprepared. He feels that everyone comes to the meeting prepared in different ways. Every supervisor brings to the meeting a different point of view, and he would challenge anybody to point out a time or an instance when this county board, committee or this county has passed a resolution without doing the proper due diligence. As a team, they get it right. He doesn't think anybody in the public should construe that this County Board is not prepared, that they don't do their homework. Another thing that stung a little bit is we have a newspaper that has an editor who has an opinion; this editor's opinion is that maybe this County Board doesn't do enough. At a previous meeting, Chairman Clark spoke about going on a bonding trip, and told how proud he was on what Kenosha County has done in this past year. That editor should consider that Kenosha County improved their bond rating. That didn't happen overnight, that happened by executing reserve policies, managing our debt, having budgets that come in, and showing responsibility along the way. Gordon Foods is an example of intergovernmental cooperation. We have a tentative agreement with the City for the Safety Building expansion and figured out a way to fund this to get the ball rolling. The relocation of the Medical Examiner is a situation that saves the taxpayers a lot of money. West End Park planning and initial development is moving forward, that didn't happen by sitting and doing nothing. The Legislative Committee is continuously looking at our policies and procedures and has revised the Ethic Ordinance. Waste Management, Golf Course reorganization, I.T. study, Hwy C's safety measures, \$400,000 grant for the bike path, bonding to stabilize our reserves and Budget Adoption are a few more things the board has been working on. Since 2004, on average Kenosha County's levy has been less than 3%. He would put that record up against anybody. During the meeting with Moody's, the analyst there stated that Kenosha County is a model for other counties to follow. This county has not been sitting still, and it's unfortunate we have an irresponsible editor that made a comment to the contrary. To the citizens, are you going to believe an analyst that analyzes governments everyday of their life, or are you going to take an opinion of an editor.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor Haas.
Motion carried.

Meeting adjourned at 9:10 P.M.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
February 3, 2009**

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

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

Absent: None.

Present: 28. Absent: 0.

CITIZEN COMMENTS

Anthony Kennedy 4223 29th Avenue, stated he attended a meeting which talked about the investment of transit and the payoff that investment of transit brings to community. There is a need for Regional Transportation Authority. Those areas that have a Regional Transportation Authority really have the ability to bring in those dollars to make those investments in transit. Those areas that don't, are lagging behind. So he urged the members of the County Board to continue their support for Kenosha/Racine/Milwaukee (KRM) Commuter Line.

Jeffrey Cassity, 4921 20th Avenue, stated he felt the use of the stimulus funds for the KRM is ridiculous. In order for any economic benefit to be considered stimulus, you basically have to have the project "shovel ready" at the time the funds are made available. He thinks the KRM project wouldn't be ready for another two years because of the required engineering, purchase of right of way, etc. If we are going to seek these economic stimulus funds, we should target them to programs in the community that would make a difference to those that are unemployed, or are having difficult economic times. He asked the board to defeat tonight's resolution on the KRM and to look for projects that would actually provide economic stimulus to the Kenosha area.

Bill Bensmen, 2151 N. Riverboat Road, Milwaukee, stated he was here on behalf of the Creative Community Sprinkler in Milwaukee, which has organized a group of young professionals and entrepreneurs who are all in favor of the RTA's recommendations. Being a creative young professional, he feels it is important to have a regional transit system that is in place that will link people to jobs and would also allow people to live and work anywhere in the region. He believes we need a dedicated source of funding for transit, which should come from an increase in sales tax and the RTA should manage the funding.

Amy Schneider, 1533 112th Street, she is a board member of Transit Now which is a group that is committed to development of commuter rail or KRM. She applauded Supervisor Rose and the Legislative Committee for their proactive effort to gain federal stimulus funding for KRM in an investment for job creation and economic prosperity. She also urged the supervisors to support the resolution to use federal stimulus funding to invest in KRM commuter rail as highly effective means to create jobs, to connect workers and employers, reduce our dependence on oil, spur sustainable economic development and strengthen our economic base in Kenosha County. A study by the University of Wisconsin, Milwaukee Institute for Policy and Research found that KRM will during construction, create over 3,160 jobs and have a \$425,000,000 impact on our area economy. During operation and maintenance, it will create 126 jobs and have a \$24,000,000 annual impact on our economy.

Lou Ruganni, 4526 29th Avenue, stated he works at a radio station and the morning host put out some polls. One was in March 2008, and at that point 84% of the respondents supported the KRM line. Last week the same host started another poll, 92% supported the KRM line. It is crucial to get the RTA to find funding for this, and when they do it will take Kenosha, Racine and Milwaukee transit off the property taxes and put them on sales taxes which every visitor of Kenosha will pay.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark asked the Committee Chair-people to make sure the committee minutes are getting to the County Clerk's Office and on the County's web site.

Chairman Clark presented a County Executive Proclamation to NAACP. This week represents the 100th Anniversary of the National Association for the Advancement of Colored People (NAACP).

SUPERVISOR REPORTS

Supervisor Elverman reported Highway & Parks received a report from a traffic engineering firm which came up with many more safety recommendations to add to HWY C. Gary Sipsma is looking into the feasibility and cost of some of these recommendations. The committee approved a resolution for a Jurisdictional Transfer Agreement between the State of Wisconsin, Department of Transportation and Kenosha County. It would be for each site where there are ramps in Kenosha County to I-94. This allows the DOT to reconfigure these ramps and it takes the maintenance and upkeep of those stretches of roads out of our hands, but still allows Kenosha County to be paid for plowing and mowing. He also stated that they are down to two candidates for the Director of Golf Operations, and hopes to have someone in place by February 16th. Supervisors Elverman and Noble attended the County Highway Conference. Every county is very interested in the Stimulus Package. Speakers reported Wisconsin will be in line for between 2 billion and 3.5 billion dollars. The largest fear in the Counties Association is with the States new record deficit of 5.7 billion dollars. The money that will come down to the counties may be seriously affected by the state's budget problems. He also found out that Kenosha County is in the top 6 counties for how well we do with fuel procurement.

Supervisor Huff reported after an 8 month study by the Legislative Committee, they are in the final stages of presenting their findings regarding the sex offender ordinance to the State Legislators. They are not recommending an ordinance at this time; they are going to recommend changes within the state law. He also reported the Contracting Policy went through the Legislative Committee and is currently with the County Executive and his administration and will be back before the committee for approval and then before the county board for passage. The Ethics Policy is also with the County Executive and his administration, it will then come back before the committee and then to the county board. Sustainable living is still with the city, and he will keep the board updated on that. The Legislative Committee has decided not to recommend a county wide referendum or resolution regarding the mute swan issue. Instead they will present a letter to the State Legislators, DNR and other appropriate people that they are going to protest the shooting of adult mute swans. The Pickens's Plan was tabled. The WCA Legislators will be coming before the committee in February and they'll find out what their plans are for the state budget. In March the State Legislators will be at their meeting and he encourages everyone to attend and at that time they will present the Legislators with their findings regarding the sex offender ordinance, mute swan & other issues they have been working on for the past several months.

Supervisor Ekornaas attended the December meeting of the WCA Board of Directors. Executive Director Mark O'Connell and the President of the WCA went to Washington to lobby for stimulus funds to come directly to the counties instead of the state. The Governor and his staff are keeping their plans for the budget very close to the vest, but they did hint that revenue sharing with the counties may go away and that the counties may have to consider raising funds with the sales tax. Walworth County notified WCA that they are dropping out, they are now an eleven member board and they don't have enough people to staff committees so they act as a committee of the whole and they don't have time to attend any events outside of the county. Lee Holloway, Chairman of Milwaukee County Board reported that the Milwaukee County Transit System will be falling completely apart come 2010 unless they can get an infusion of tax dollars which would take 1% sales tax to just make them whole. Milwaukee will not even consider RTA until they make their transit system work the way it should. The Board of Directors passed a motion to lobby the legislature for legislative authority for all 72 counties to raise sales tax by another 1/2%, and an additional 1% for Milwaukee County for their transit difficulties.

Supervisor Breunig stated the Extension Education Committee received 110 nominations for the Youth in Governance Program. They will be meeting to go over how they're going to put the program together and work on the interview process.

COUNTY EXECUTIVE APPOINTMENTS

30. Mary Sue Lux, D.V.M. to serve on the Kenosha County Board of Health.
31. Sharon Acerbi to serve on the Kenosha County Library System Board.

Chairman Clark referred County Executive Appointment 30 to Human Services and Appointment 31 to the Finance Committee.

OLD BUSINESS

Ordinance - second reading - two required

ORDINANCE 27

27. From Judiciary & Law, Legislative, and Finance Committees an Ordinance to Repeal and Recreate Section 4.40 (1) (a) of the Municipal Code of Kenosha County Entitled "Jail Maintenance Costs."

4.40 JAIL INMATE MAINTENANCE COSTS.

The cost per day for the maintenance of the inmates in the County Jail shall be as follows:

- (a) The charge for confinement of prisoners from municipalities or towns in Kenosha County shall be \$13.

SUBMITTED BY:

Judiciary and Law Committee

William Michel, II

James Huff

Ronald Johnson

Bob Haas

Roger Johnson

It was moved by Supervisor Michel to adopt Ordinance 27. Seconded by Supervisor Huff.

Motion carried.

Resolutions - one reading

RESOLUTION 101

101. From Supervisor Rose and the Legislative Committee a Resolution in support of Federal Funding of Commuter Rail between Chicago and Milwaukee as part of the proposed Federal Economic Stimulus Program.

WHEREAS, this economy of the United States is currently experiencing the worst recession since the Great Depression and whereas the local economy in Kenosha County bears witness to this national economic downturn with unemployment at 5.3% as of October, 2008; in addition Sheriff sales of properties due to foreclosure have tripled in the past year, and there has been an increase of 1386 additional public assistance cases in 2008 for a total of 13,666 cases, and whereas an economic stimulus is needed to benefit the local economy, and

WHEREAS, in 1998 the Southeastern Regional Planning Commission completed a feasibility study (Community Assistance Planning Report Number 239) which predicted a population increase of 93,500 in Kenosha, Racine and Milwaukee Counties between 1998 and 2020 and concluded that establishing a 33 mile commuter rail service from Kenosha - through Racine - to Milwaukee (KRM) was technically and financially feasible, and

WHEREAS, a need for such a service has been demonstrated, and whereas in the Spring of 2003 public hearings were conducted with more than 1,280 people indicating there support for commuter rail with only 20 people speaking in opposition, and

WHEREAS, a study advisory committee has recommended that the proposed commuter rail be funded by Federal and State dollars; and whereas as Intergovernmental Partnership (IGP) has been formed between the various counties involved and the State Department of Transportation and the Southeastern Regional Planning Commission for the purpose of conducting technical and environmental studies; and whereas local business leaders have expressed their support for this project and for the steering committee formed to provide direction and oversight for this project; and whereas the state legislature enacted legislation in 2005 to create a Regional Transit Authority (RTA), and

WHEREAS, Governor Doyle has recently indicated to the President-elect Obama transition team that the Kenosha to Milwaukee project would be at or near the top of his priorities for utilizing the Obama Administration's economic stimulus funds, and

WHEREAS, one of the foundations of sound economic development is a full service mass transit system that can provide high quality and attractive transit service which will stimulate desirable and positive economic

opportunity and growth, positive land use development and re-development, investment in our communities and sound environmental initiatives, and

WHEREAS, the proposed KRM project to link Milwaukee to Chicago, employers to employees for job opportunities and to further link residents to more educational, commercial and cultural activities will not only provide during this time of economic crisis an immediate and needed stimulus in its construction phase but also long-term support for continued economic progress and opportunity for the Kenosha area while at the same time reducing automobile traffic volume and congestion, as well as reducing transportation-related air pollutants and energy consumption;

NOW THEREFORE BE IT RESOLVED THAT the Kenosha County Board of Supervisors does hereby support and encourage the efforts of Governor Doyle to seek federal stimulus funds for the KRM project, and

BE IT FURTHER RESOLVED THAT a copy of this Resolution in Support be forwarded to Governor Doyle, United States Senators Kohl and Feingold, State of Wisconsin Congressional Representatives, President-elect Obama, the United States Secretary of Transportation nominee, Ray LaHood, and local State Assembly and Senate representatives.

SUBMITTED BY:

Legislative Committee

James Huff

Mark Modory

William Michel, II

Bob Haas

Dayvin Hallmon

It was moved by Supervisor Huff to adopt Resolution 101. Seconded by Supervisor Michel.

Roll call vote.

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

Nays: Supervisor Haas, Breunig, Ekornaas.

Ayes: 25. Nays: 3.

Motion carried.

NEW BUSINESS

Ordinance - first reading - two required

28. From the Legislative Committee an Ordinance to amend Section 3.01(1)(g) of the Municipal Code of Kenosha County Pertaining to the Filling of Vacancies in the Office of Kenosha County Board Supervisor.

Resolutions - one reading

RESOLUTION 111

111. From Supervisor Molinaro and the Legislative Committee a Resolution in support of the planning and development of Economic Development Strategies to further Wind and Sustainable Energy in Kenosha County.

WHEREAS, the wind energy industry is the fastest growing segment of renewable energy production and the U.S. commercial wind industry is experiencing annual growth of 25%, and

WHEREAS, wind energy production could provide as much as 30% of our nations energy needs in ten years, and

WHEREAS, twenty-five states have already adopted State-level Renewables Portfolio Standards (RPS) requiring electricity providers to obtain a minimum percentage of their power from renewable energy resources by a certain date, and

WHEREAS, 180,000 technicians will be required to support the wind energy industry in ten years, and

WHEREAS, Kenosha schools such as Gateway Technical College have committed to green education and training, and

WHEREAS, Kenosha has core industry knowledge in manufacturing related to the needs of wind turbine manufacturing and whereas, Kenosha businesses are investing in clean energy resources, and

WHEREAS, there is an opportunity to manufacturers such as Snap-on Inc. to manufacture products and tools associated with the wind industry, educate and train workers, and re-tool suppliers of the automotive industry, and

WHEREAS, Horizon Center has developed a national model of excellence for automotive technician training in engine diagnostics through a public/private partnership between Gateway Technical college, Snap-on Inc and others, and

WHEREAS, Horizon Center has seen a dramatic increase in student participation, quality of job placements of our graduates and support from automotive dealerships in training current and future employees.

NOW THEREFORE BE IT RESOLVED THAT Kenosha County Board of Supervisors support a similar public/private partnership with Gateway Technical College and Snap-on Inc for the creation of Wind Technician/Torque Certificate programs and continue to provide leadership in fostering a climate for industry growth in this emerging cluster, and

BE IT FURTHER RESOLVED THAT Kenosha County encourage the Wisconsin Legislature to support the request of Gateway Technical College for funding of a Torque Certification Program, and support the planning and development of economic development strategies to further wind and sustainable energy for it's citizens, and further that That Kenosha County demonstrate a commitment to sustainable energy and evaluate ways to achieve 25% of its energy use from renewable energy sources by 2025.

It was moved by Huff to adopt Resolution 111. Seconded by Supervisor Michel. Motion carried.

RESOLUTION 112

112. From the Finance Committee an Initial Resolution authorizing the issuance of General Obligation Refunding Bonds in an amount not to exceed \$2,735,000 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 \$2,735,000 for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's outstanding General Obligation Detention Facility Bonds, Series 1998A, dated October 1, 1998, maturing in the years 2010 through 2017 (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 \$2,735,000 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 TWO MILLION SEVEN HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$2,735,000) 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 TWO MILLION SEVEN HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$2,735,000), which bonds shall be designated "General Obligation Refunding Bonds" (the "Bonds"). The County shall offer the Bonds for public sale on or about February 24, 2009.

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.

SUBMITTED BY:

It was moved by Vice-chair Faraone to adopt Resolution 112. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

RESOLUTION 113

113. From the Human Services Committee a Resolution to approve the appointment of Jack Rose to the Kenosha County Aging and Disability Resource Center Board (ADRCB).

WHEREAS, pursuant to County Executive Appointment 2008-09-19, the County Executive has appointed Jack Rose to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Jack Rose to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Mr. Rose's appointment shall be effective immediately and continuing until the 31st day of December, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Rose will serve without pay and will be filling a new position on this Board.

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler

Jennifer Jackson

Jeffrey Gentz

RESOLUTION 114

114. From the Human Services Committee a Resolution to approve the appointment of Dr. James Foster to the Kenosha County Board of Health.

WHEREAS, pursuant to County Executive Appointment 2008/09-28, the County Executive has appointed Dr. James Foster to serve on the Kenosha County Board of Health, 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 Health 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. James Foster to the Kenosha County Board of Health. Dr. Foster's appointment shall be effective immediately and continuing until the 4th day of February, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Dr. Foster will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Dr. Foster will be succeeding himself.

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler

Jennifer Jackson

Jeffrey Gentz

RESOLUTION 115

115. From the Human Services Committee a Resolution to approve the appointment of Loran Hein to the Kenosha County Commission on Aging.

WHEREAS, pursuant to County Executive Appointment 2008/09-24, the County Executive has appointed Loran Hein 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 Loran Hein to the Kenosha County Commission on Aging. Mr. Hein's appointment shall be effective immediately and continuing until the 31st day of December, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Hein will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Mr. Hein will be succeeding himself.

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler

Jennifer Jackson

Jeffrey Gentz

RESOLUTION 116

116. From the Human Services Committee a Resolution to approve the appointment of Norma Carter to the Kenosha County Commission on Aging.

WHEREAS, pursuant to County Executive Appointment 2008/09-25, the County Executive has appointed Norma Carter 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 Norma Carter to the Kenosha County Commission on Aging. Ms. Carter's appointment shall be effective immediately and continuing until the 31st day of December, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Carter will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Ms. Carter will be succeeding herself.

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler

Jennifer Jackson

Jeffrey Gentz

RESOLUTION 117

117. From the Human Services Committee a Resolution to approve the appointment of Sandra Beth to the Kenosha County Commission on Aging.

WHEREAS, pursuant to County Executive Appointment 2008/09-26, the County Executive has appointed Sandra Beth 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 Sandra Beth to the Kenosha County Commission on Aging. Ms. Beth's appointment shall be effective immediately and continuing until the 31st day of December, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Beth will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Ms. Beth will be succeeding herself

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler
Jennifer Jackson
Jeffrey Gentz

RESOLUTION 118

118. From the Human Services Committee a Resolution to approve the appointment of Ross Boone to the Kenosha County Commission on Aging.

WHEREAS, pursuant to County Executive Appointment 2008/09-27, the County Executive has appointed Ross Boone 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 Ross Boone to the Kenosha County Commission on Aging. Mr. Boone's appointment shall be effective immediately and continuing until the 31st day of December, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Boone will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Mr. Boone will be succeeding himself.

SUBMITTED BY:

Human Services Committee
Terry Rose
Richard A. Kessler
Jennifer Jackson
Jeffrey Gentz

RESOLUTION 119

119. From the Human Services Committee a Resolution to approve the appointment of Supervisor Jennifer Jackson to the Racine/Kenosha Community Action Agency Board.

WHEREAS, pursuant to County Executive Appointment 2008/09-23, the County Executive has appointed Supervisor Jennifer Jackson to serve on the Racine/Kenosha Community Action Agency Board, and

WHEREAS, the Human Services Committee has reviewed the request of the County Executive's request for review and approval of his appointment of the above-named to serve in this position 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 Jennifer Jackson to the Racine/Kenosha Community Action Agency Board. Supervisor Jackson's appointment shall be effective immediately and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Supervisor Jackson will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Supervisor Jackson will be filling a vacancy.

SUBMITTED BY:

Human Services Committee
Terry Rose
Richard A. Kessler
Jennifer Jackson
Jeffrey Gentz

RESOLUTION 120

120. From the Human Services Committee a Resolution to approve the appointment of Supervisor Mark Modory to the Racine/Kenosha Community Action Agency Board

WHEREAS, pursuant to County Executive Appointment 2008/09-22, the County Executive has appointed Supervisor Mark Modory to serve on the Racine/Kenosha Community Action Agency Board, and

WHEREAS, the Human Services Committee has reviewed the request of the County Executive's request for review and approval of his appointment of the above-named to serve in this position 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 Mark Modory to the Racine/Kenosha

Community Action Agency Board. Supervisor Modory's appointment shall be effective immediately and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Supervisor Modory will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Supervisor Modory will be filling a vacancy.

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler

Jennifer Jackson

Jeffrey Gentz

RESOLUTION 121

121. From the Human Services Committee a Resolution to approve the appointment of Louise Principe to the Racine/Kenosha Community Action Agency Board.

WHEREAS, pursuant to County Executive Appointment 2008/09-21, the County Executive has appointed Louise Principe to serve on the Racine/Kenosha Community Action Agency Board, and

WHEREAS, the Human Services Committee has reviewed the request of the County Executive's request for review and approval of his appointment of the above-named to serve in this position 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 Louise Principe to the Racine/Kenosha Community Action Agency Board. Ms. Principe's appointment shall be effective immediately and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Principe will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Ms. Principe will be filling a vacancy.

SUBMITTED BY:

Human Services Committee

Terry Rose

Richard A. Kessler

Jennifer Jackson

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolutions 113 - 121. Seconded by Supervisor Rose.
Motion carried.

RESOLUTION 122

122. From Supervisors Molinaro and Rose a Resolution regarding Federal Economic Stimulus Legislation.

WHEREAS, the United States economy is experiencing some of the worst economic conditions since the Great Depression, including high unemployment, a rise in home foreclosures, a loss of consumer confidence, and record breaking state and local government deficits and budgetary problems, and

WHEREAS, the United States Congress and the Obama Administration are seeking to enact an economic stimulus package to create up to 4 million jobs and reinvest money into infrastructure and energy projects and social services like Medicaid and K-12 education, as well as create some tax relief, and

WHEREAS, the United States Congress is ignoring the gravity of the situation and the needs of its constituents and has become embroiled in petty bickering over what stimulus monies should be used for, and whereas members of Congress are burdening this legislation with spending that is unrelated to job creation, reinvestment, and tax relief with funding such matters as: \$870 million dollars to combat the flu, \$400 million dollars to combat sexually transmitted diseases, \$40 million dollars to convert the way health statistics are collected, \$1 billion dollars to deal with census problems, \$650 million dollars for TV converter boxes and \$88 million dollars to move the Public Health Service into a new building, and

WHEREAS, time is of the essence in enacting this necessary economic stimulus legislation so as to address the immediate needs of the unemployed, the needs of families facing foreclosure and those in need of medical care as well as to take the steps necessary to begin to address long term needs that have been

neglected, such as rebuilding the nation's infrastructure and ensuring energy independence;

NOW TDHEREFORE BE IT RESOLVED THAT THE Kenosha County Board of Supervisors protest the actions of members of Congress who have delayed the passage of this needed economic stimulus legislation by the introduction of funding initiatives unrelated to job creation, foreclosure assistance, reinvestment of monies into infrastructure and energy projects and tax relief.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senators Kohl and Feingold and Congressman Ryan as well as to the Obama Administration.

It was moved by Supervisor Molinaro to adopt Resolution 122. Seconded by Supervisor Rose.

It was moved by Supervisor Singer to refer Resolution 122 to committee. Motion dies for lack of a second.

Roll call vote on Resolution 122.

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

Nay: Supervisor Singer.

Motion carried.

CLAIMS

40. Gloria Mayer - use of excessive force and denied medical treatment while being arrested.

41. Ron Henning - mail box damage.

Chairman Clark referred Claim 40 & 41 to Corporation Counsel.

It was moved by Vice-Chair Faraone to approve the January 6, 2009 minutes. Seconded by Supervisor Haas.

Motion carried.

It was moved by Supervisor Gentz to adjourn. Seconded by Supervisor Kessler. Motion carried.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

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

February 24, 2009

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

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

Absent: None.

Present: 28. Absent: 0.

CITIZEN COMMENTS

Jeffrey Cassity, 4921 20th Avenue, stated he is the president of the League of United Latin American Citizens Council 320 for Kenosha/Racine. He spoke against the policy of the Sheriff's Department and Immigration Customs Enforcement (ICE) to flag criminal illegal aliens. This involves the referring of any individual booked into the county jail who lists a foreign place of birth automatically to ICE. He feels this is profiling an individual based their on place of birth. The Sheriff maintains this practice allows the jail to find out if there is an immigration hold or a foreign warrant for foreign born individuals that are taken into custody. If checking on foreign warrants are the true purpose of this policy, then why aren't all arrestees subject to this procedure. Couldn't U.S. born individuals have pending foreign warrants? This is not a question of a Hispanic civil rights group trying to coddle criminals or not supporting law enforcement, but rather making sure those charged with enforcing our laws respect the rights of the individuals and the legal process while performing that job.

Mark O'Connell, Director of the Wisconsin County Association, stated the budget is going to be a very difficult budget, not just in its introduction now, but when it runs through the process. This is very difficult times we are facing. We will all need to participate in solving our State's fiscal challenges. This budget addresses our current two year period. There is a lot of work to do in addressing our future challenges and putting our State in a position so we are able to succeed and not repeat the same kinds of challenges we face today. The State is very opened to working with County Government as they look at innovated creative ways to collaborate to change the course of business. The challenges we face as a State will require less expenditures in some areas as well as additional revenue in some areas. It cannot be done by looking at one side of the ledger. It will take a lot of leadership and vision to get a budget through that puts us in a better position for the future. The decisions we have to make as a State, County, City, Town, Village, or School District may not be popular, but difficult decisions will have to be made to put us in a position as a State and as a County to succeed in the future. As people involved in the arena of public policy, we have a duty, an obligation, and a responsibility to engage in behavior, thinking, functions and programs that will assist people we will never meet and help generations we will never see.

THERE WERE NO ANNOUNCEMENTS OF THE CHAIR

SUPERVISOR REPORTS

Supervisor Michel stated the Joint Services Board met and he congratulated Supervisor Gentz for being the Chairman of that board. The biggest issue they dealt with was the Sheriff and Police Departments will no longer be doing employee back round checks for them due a shortage of man power. They are looking for other individuals to do the back round checks. He also stated he feels their board, the new mayor and the new county executive are working excellently on the intergovernmental agreement and it will show by the work that is being done within this organization.

Supervisor Elverman reported Highway & Parks will be meeting next Monday to review and approve the 2009 golf rates. Daniel Drier was hired as the General

Manager of the Division of Golf Operations. He brings a private sector knowledge and business back round to the golf operation.

Supervisor Breunig stated the Youth in Governance received 122 nominations from the district schools. They started the interview process tonight for the 18 positions. This year they will open it up to alternates so if a youth member misses three meetings, they can be removed and have another youth appointed to the committee.

Vice-Chair Faraone stated the Finance Committee approved a capital outlay modification for Information Services. The Finance Committee received four reports in addition to the standard report. Two reports were presented by Human Services, one on the analysis of Brookside Care Center and the other an update report on W-2 funding. The committee received the fourth quarter revolving loan fund update from Todd Battle of KABA and a year end 2008 report from the Register of Deeds. The Finance Committee continues to work on a comprehensive debt management policy and is hopeful that they will be doing the final review at the May 12th meeting. The Finance Committee will be getting an update on Information Services and a report from the County Treasurer at the next meeting and prior to the meeting there will be a joint meeting with the Administration Committee to go over contract negotiations.

Supervisor Moore stated there will be a joint meeting on March 12th with Administration and Finance Committees. He encourages board members to attend the meeting to participate in the discussion of the contract negotiations with the four bargaining units they are currently negotiating with.

OLD BUSINESS

Ordinance - second reading - two required

ORDINANCE 28

28. From the Legislative Committee an Ordinance to amend Section 3.01(1)(g) of the Municipal Code of Kenosha County Pertaining to the Filling of Vacancies in the Office of Kenosha County Board Supervisor.

The Kenosha County Board of Supervisors does hereby ordain that section 3.01(1)(g) of the Municipal Code of Kenosha County be, and hereby is, amended to read as follows:

"(g) Filling of Vacancies Occurring Within A Term. Vacancies in the office of County Supervisor shall be filled in the following manner: .

- If the vacancy occurs prior to December 1 of an even numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the odd-numbered year; prior to such an election the County Board ~~Chairman~~ **Chair** shall appoint a successor, in accordance with the provision set forth in section 4, who shall be confirmed by the County Board and shall serve until his successor is elected at such non-partisan election in the odd numbered year;
- Except as hereinafter provided, if the vacancy occurs after December 1 of an even numbered year the vacancy shall be filled by an election in the Spring non-partisan election of the next even-numbered year; prior to such an election the County Board ~~Chairman~~ **Chair** shall appoint a successor, in accordance with the provision set forth herein, who shall be confirmed by the County Board and shall serve until his successor is elected at such non-partisan election in the next even- numbered year;
- If the vacancy occurs after December 1 of an odd-numbered year and prior to the Spring election in an even numbered year, the vacancy shall be filled by an election in the Spring non-partisan election of the next ~~odd-numbered~~ year; prior to such an election the County Board ~~Chairman~~ **Chair** shall appoint a successor;
- Prior to making an appointment pursuant to the provision set forth herein, the County Board ~~Chairman~~ **Chair** shall advertise for the position in the County's official publication for legal notices; he shall interview all interested candidates and report the qualifications of all such interested persons to the County Board along with the qualifications of his or her appointee.

Persons appointed shall be qualified electors and residents of the supervisory district in which the vacancy occurred.

It was moved by Supervisor Huff to adopt Ordinance 28. Seconded by Supervisor Modory.

Motion carried.

NEW BUSINESS

Resolutions - one reading

RESOLUTION 123

123. From the Finance Committee a Resolution awarding the sale of \$2,735,000 General Obligation Refunding Bonds, Series 2009.

RESOLUTION AWARDING THE SALE OF

\$2,735,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009

WHEREAS, on February 3, 2009, the County Board of Supervisors of Kenosha County, Wisconsin (the "County") adopted a resolution entitled: "Initial Resolution Authorizing the Issuance of General Obligation Refunding Bonds in an Amount Not to Exceed \$2,735,000 and Providing for the Sale of the Bonds" (the "Initial Resolution") authorizing the issuance of general obligation refunding bonds in an amount not to exceed \$2,735,00 for the purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's outstanding General Obligation Detention Facility Bonds, Series 1998A, dated October 1, 1998, maturing in the years 2010 through 2017 (the "Refunded Obligations") (hereinafter the refinancing of the County's Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the Refunded Obligations for the purpose of achieving debt service cost savings;

WHEREAS, counties are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations;

WHEREAS, pursuant to the Initial Resolution, the County has directed its financial advisor, Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell its General Obligation Refunding Bonds, Series 2009 (the "Bonds");

WHEREAS, none of the proceeds of the Bonds shall be used to fund operating expenses of the general fund of the County or to fund operating expenses of any special revenue fund of the County that is supported by property taxes;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on February 24, 2009;

WHEREAS, the County Clerk (in consultation with Ehlers) caused notice of the sale of the Bonds to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described in the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County that the Bonds be issued in the aggregate principal amount of \$2,735,000.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials

prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds, Series 2009"; shall be issued in the aggregate principal amount of \$2,735,000; shall be dated March 12, 2009; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum; and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 2009. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2009 through 2016 for the payments due in the years 2009 through 2017 in the amounts set forth on the Schedule. The amount of tax levied for the year 2009 shall be the total amount of debt service due on the Bonds in the years 2009 and 2010; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2009.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The County hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on October 1, 2009 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$2,735,000 General Obligation Refunding Bonds, Series 2009, dated March 12, 2009" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County,

charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and their ownership, management and use will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to

satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 16. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to Bank of America, N.A., New York, New York at Closing for further distribution as directed by Ehlers.

Section 17. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 19. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on April 1, 2009 at a price of par plus accrued interest to the date of redemption.

The County hereby directs the County Clerk to work with Ehlers to cause timely notice of redemption, in substantially the form attached hereto as Exhibit F and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the

Notice. All actions heretofore taken by the officers and agents of the County to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 20. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 21. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 22. 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.

SUBMITTED BY:

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-Chair Faraone to adopt Resolution 123. Seconded by Supervisor Molinaro.

Roll call vote passed unanimously.

RESOLUTION 124

124. From the Highway & Parks and Finance Committees regarding Jurisdictional Transfer Agreement between the Wisconsin Department of Transportation and Kenosha County.

WHEREAS, as part of the State's I-94 Corridor Preservation Project, at each I-94 interchange with a County Trunk Highway in Kenosha County the State requests having the jurisdictional responsibility of the intersecting highway segment between the I-94 relocated frontage roads including for approximately 500 feet on either side of the I-94 relocated frontage roads, and

WHEREAS, Section 84.02(8), Wisconsin Statutes, enables the State to enter into jurisdictional transfer agreements with local units of government, thereby facilitating alterations in jurisdictional highway systems, and

WHEREAS, Section 83.025, Wisconsin Statutes, enables the County to enter into jurisdictional transfer agreements with the Wisconsin Department of Transportation, thereby facilitating alterations in jurisdictional highway systems.

THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors hereby approves the transfer of jurisdictional responsibility between the Wisconsin Department of Transportation and Kenosha County under the conditions and route descriptions as described below, and

BE IT FURTHER RESOLVED, that the Kenosha County Highway Commissioner is authorized to process the jurisdictional transfer with the Wisconsin Department of Transportation as indicated in the Wisconsin Statutes.

CONDITIONS:

The Wisconsin Department of Transportation Shall:

- A. Accept improvement, operational and maintenance responsibility of the County Trunk Highway as described in ROUTE DESCRIPTIONS.
- B. Establish on transportation project plats the access control for all parcels of land adjacent to the jurisdictionally transferred highway limits. The Wisconsin Department of Transportation and the current property owners shall negotiate the value of the access rights. The access shall be included on the transportation project plats as filed with the Kenosha County Clerk.

The County Shall:

- A. Transfer the improvement, operational and maintenance responsibility of the County Trunk Highway as described in ROUTE DESCRIPTIONS.

ROUTE DESCRIPTIONS:

County Trunk Highway ML, beginning at the I-94 west frontage road to a point approximately 500 feet east of the relocated I-94 east frontage road located in Section 36, Town 1 North, Range 21 East, in the Town of Bristol and Section 31, Town 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County.

County Trunk Highway Q, beginning 500 feet west of the relocated I-94 west frontage road to State Highway 165 located in Sections 24 and 25, Town 1 North, Range 21 East, in the Town of Bristol and Sections 19 and 30, Town 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County.

County Trunk Highway C, beginning at a point approximately 500 feet west of the relocated I-94 west frontage road to a point approximately 500 feet east of the relocated I-94 east frontage road located in Section 13, Town 1 North, Range 21 East, in the Town of Bristol and Section 8, Town 1 North, Range 22 East, in the Village of Pleasant Prairie, Kenosha County.

County Trunk Highway S, beginning at State Highway 142 to a point approximately 500 feet east of the relocated I-94 east frontage road located in Section 19, Town 2 North, Range 22 East in the Town of Somers.

County Trunk Highway E, beginning at a point approximately 500 feet west of the relocated I-94 west frontage road to a point approximately 500 feet east of the relocated I-94 east frontage road located in Sections 12 and 13, Town 2 North, Range 21 East in the Town of Paris, and in Sections 7 and 18, Town 2 North, Range 22 East in the Town of Somers, Kenosha County.

Southern portion of County Trunk Highway KR beginning at a point 500 feet west of the relocated I-94 West Frontage Road to a point 500 feet east of the relocated I-94 east frontage road located in Section 1, Town 2 North, Range 21 East in the Town of Paris and in Section 6, Town 2 North, Range 22 East in the Town of Somers, Kenosha County.

SUBMITTED BY:

Highway & Parks Committee	Finance Committee
Dennis Elverman	Anita Faraone
John O'Day	John O'Day
William Grady	Terry Rose
Gordon West	Mark Molinaro, Jr.
Douglas Noble	David Singer

It was moved by Supervisor Elverman to adopt Resolution 124. Seconded by Vice-Chair Faraone.
Motion carried.

RESOLUTION 125

125. From Highway & Parks Committee regarding Kenosha Public Snowmobile Trail (Existing Trail 76.9 miles).

WHEREAS, Kenosha County has at the present time a public snowmobile trail which is 76.9 miles in length and is maintained by contract service with the Kenosha County Snowmobile Club Alliance, and

WHEREAS, Kenosha County wants to retain the same number of miles in the trail system for the 2009-2010 winter season, and

WHEREAS, the Kenosha County Public Snowmobile Trail is eligible for 100% reimbursable funds under Sec. 23.09(26), Wis. Stats., for such eligible maintenance acquisition, insurance and development costs.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County board of Supervisors hereby authorizes the Department of Public Works to act on behalf of Kenosha County to:

Submit an application to the State of Wisconsin Department of Natural Resources for 100% reimbursable financial aid that is available; sign Documents, and take necessary action to undertake, direct and complete the approved project.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Elverman to adopt Resolution 125. Seconded by Supervisor Noble.

Motion carried.

RESOLUTION 126

126. From Human Services and Finance Committees a Resolution to convert one full-time Economic Support Program Manager position to two full-time Economic Support Supervisor Positions.

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development has one recently vacated full time Economic Support Program Manager position, and

WHEREAS, this position provided oversight of Economic Support worker's and supervisor's activities in the Economic Support Program, and

WHEREAS, the unduplicated caseloads in Economic Support have increased by more than 100% between January 2002 and January 2009, and with the state of the current economy this trend is expected to continue, and

WHEREAS, the Economic Support program currently has additional State performance reports, contract and program monitoring, and staff training requirements for Economic Support workers that supervisors are responsible for, and

WHEREAS, the Economic Support Supervisors were reduced by one FTE in 2004 through the budget process due to levy constraints at the time, and

WHEREAS, it is beneficial both programmatically and fiscally to convert the Program Manager position to two full time supervisory positions to address the additional training, monitoring and management responsibilities, and

WHEREAS, having two supervisors would better serve the current needs of clients, staff and the internal operations by having more management available to respond to staff questions, public complaints and correspondence, provide necessary training, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County for 2009; and

WHEREAS, if this request for modification of the management staff positions is not approved, the Division of Workforce Development would continue to operate with one full time Economic Support Program Manager.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Department of Human Services, Division of Workforce Development be authorized to increase expenses by \$23,083 and to increase revenue by \$23,083, to convert one full time Economic Support Program Manager to two Economic Support Supervisors per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeff Gentz

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Kubicki to adopt Resolution 126. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 127

127. From Human Services and Finance Committees a Resolution to modify Division of Aging & Disability Services 2009 Budget for a State Prevention Grant to Coordinate a Local Campaign, "Physical Activity: the Arthritis Pain Reliever".

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services was awarded funds by the State of Wisconsin to implement 'Physical Activity: The Arthritis Pain Reliever' campaign to increase public awareness of physical activity as a way to manage arthritis pain and increase function and to also increase awareness of local resources for physical activity and chronic disease management; and

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services is receiving \$25,000 from the Department of Health Services, Division of Public Health to implement 'Physical Activity: The Arthritis Pain Reliever'; and

WHEREAS, no local match is required;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services budget be modified as follows:

Authorize increase of expenditures of \$25,000 and to increase revenues by \$25,000, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeff Gentz

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Kubicki to adopt Resolution 127. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 128

128. From Judiciary & Law and Finance Committees regarding Kenosha County Crane Collapse Exercise Series Grant.

WHEREAS, Kenosha County Division of Emergency Management is being awarded an Exercise Training Grant totaling \$32,184.00 from the State of Wisconsin Office of Justice Assistance (OJA), and

WHEREAS, this grant will be used to pay for supplies, operating expenses, consultants/contractual expenses and personnel costs of those participating in the Functional and Full-scale Exercises, and

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

WHEREAS, the Kenosha County Emergency Management Budget will require a FY09 Budget Modification of \$32,184,

NOW THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve that the FY09 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 the Grant Criteria.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

Jim Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 128. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 129

129. From Judiciary & Law Committee regarding Regular Cabaret License for Hawg Heaven Bar.

WHEREAS, the application of Michael Frost for a probationary cabaret license for the Hawg Heaven Bar, 10306 Antioch Road, Salem, Wisconsin, in the Town of Salem, was made during the month of June, was turned over to this office on June 3rd, 2008, and

WHEREAS, the establishment known as for the Hawg Heaven Bar was granted a Probationary Cabaret License per County Board Resolution on August 5th, 2008, and

WHEREAS, the establishment known as the Hawg Heaven Bar was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Michael Frost, for the Hawg Heaven Bar.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 129. Seconded by Supervisor Huff.

Motion carried.

RESOLUTION 130

130. From Judiciary & Law Committee regarding Regular Cabaret License for The Annex.

WHEREAS, the application of Connie Georges for a probationary cabaret license for The Annex tavern, 39918 93rd Street, Genoa City, Wisconsin, in the Town of Randall, was made during the month of June, was turned over to this office on June 19th, 2008, and

WHEREAS, the establishment known as The Annex tavern was granted a Probationary Cabaret License per County Board Resolution on September 16th, 2008, and

WHEREAS, the establishment known as The Annex tavern was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Connie Georges, for The Annex tavern.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 130. Seconded by Supervisor Huff.

Motion carried.

RESOLUTION 131

131. From Land Use Committee regarding Final Plat of Bristol Trails Estates, Berryville Development company LLC (Developer) in the Town of Bristol.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee on February 11, 2009, review was given to the Final Plat of Bristol Trails Estates Subdivision located on Tax Parcels #35-4-121-091-0205, #35-4-121-091-0300 and #35-4-121-093-0410 in the northeast and southwest quarter of Section 9, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, these properties are located on the south side of State Trunk Highway "50" (75th Street) immediately west of Bristol Oaks golf course; and

WHEREAS, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

WHEREAS, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

WHEREAS, the Town of Bristol recommended approval of Bristol Trails Estates Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) reviewed the subject plat and recommended approval of the plat; and

WHEREAS, Ruekert-Mielke, an engineering firm working as a consultant for Kenosha County with regards to stormwater and erosion control, recommended approval of the plat;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the Final Plat of Bristol Trails Estates Subdivision subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolution 131. Seconded by Supervisor Breunig.

Motion carried.

COMMUNICATION

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

Chairman Clark referred Communication 16 to the Land Use Committee.

It was moved by Grady to approve the February 3, 2009 minutes. Seconded by Supervisor Morton.

Motion carried.

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

Motion carried.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs

County Clerk

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

March 17, 2009

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

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

Excused: Supervisors Hallmon, Noble, Elverman.

Present: 25. Excused: 3.

CITIZEN COMMENTS

Bob Danbeck, 7626 27th Avenue, Kenosha, stated the two county golf courses are probably the only two golf courses in SE Wisconsin that are not opened yet. Last year, as part of a group of 9 season pass holders, they spent over \$24,000 at the County's Courses. Several people that were part of that group have decided not to continue to use the County Courses because the county has raised some of their rates. He believes people should not have to pay for a reservation on a public course. No other courses in Kenosha County charges for reservations except for the two County Courses that are being managed now by a PGA Pro. In this economy, you don't raise rates in order to make money. Other courses are holding the line 100% on their rates. He felt Tami Wisnefski was doing a fabulous job managing both golf courses, yet she's gone. Now they hired someone from the outside who is treating these courses like a County Club. He would like to continue golfing two times a week at the county courses but can't because they're not being run correctly.

Jim Niccolai, 4006 5th Avenue, Kenosha, thanked the Board of Supervisors for their ongoing commitment to the Department of Health in Kenosha. He also urged Supervisors to approve the proposed contract for the Nurses & Health Professionals. By accepting the proposed contract it promotes the retention of quality staff and employees, which enhances the quality of care and ultimately consumer satisfaction.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark stated that Gateway Technical College Board has 3 openings. One is slotted for Kenosha, an employee position. Though, it could be employee or employer. Application packets are available in the County Clerk's Office and at the Gateway offices. Deadline for the application is 12 Noon April 7th. Interviews will be April 29th at 5 p.m. at the Burlington Gateway Campus. There is also a School Administrator position rotating every 3 years. The position rotates between Racine, Walworth & Kenosha Counties. He encourages Kenosha School districts to get on board and has notified several school administrators. 1988 was the last time Kenosha County was on the board as an Administrator, this applicant must be K12 certified.

He also addressed the issue of Supervisors carrying on conversations while other Supervisors are speaking and to be considerate of others while they are speaking.

SUPERVISOR REPORTS

Supervisor Huff reported that the Legislative Committee meeting has been changed to Monday 3/30 @ 7 p.m., 2nd Floor Conference Room. They have invited the State Representatives to attend, 4 have confirmed, to give an update of the State Budget. He read a letter from County Executive Kreuser to Representative Paul Ryan regarding a Federal Issue, Bill HR 7335, Amended Title 13 US Tax Code to allow certain local tax debt to be collected by reducing the Federal Tax refund for anyone who owes pass due tax to a local unit of government. This would make it legally enforceable for a tax intercept. It would allow for the ability to do a tax intercept on the Federal Level for County owed taxes. He urged everyone who has signed up for a County email address, to use this address, and that all County correspondence will go thru the County Email system.

In regard to the Mute Swan Issue - DNR has contacted them via writing and voicemail that they would not be attending because they have no new information or updates in regard to this issue.

Supervisor Ekornaas reported that Supervisor Johnson, County Executive Kreuser, George Melcher and himself attended the NACo Conference in Washington DC and would like to share a report of what was discussed. Secretary of Housing & Urban Development spoke of 3 goals: interest rates; the refinancing at a lower rate, help in staying in homes (not those who own investment properties), and bringing home payments down to 31% of family income. To use Government projects to get people back to work. Nothing to tell about the Housing Stimulus package, it is so new they don't really understand it yet. Secretary of Interior spoke about energy, creating CCC camps, a better life for Native Americans by creating projects to help them and dealing with water issues. Secretary of Energy spoke of the fact that 60% of our oil is from imports, their mission is to reduce our dependence on oil, create new industries, and pushing weatherization programs to eliminate waste. He received the definition of "Shovel Ready", it is that the planning and engineering is complete and the approval process of all agencies involved, that it is ready to go in 90 days of the grant being given. The purpose of the Recovery & Reinvestment Act is to get funds to people in need of them as quickly as possible. You can read about the Recovery & Reinvestment Act at recovery.com. There will be a Webinar on April 2nd. It also looks like the Fuel Bill Tax will not likely be passed this year. There was a lot of talk about a possible Vehicle Mileage Tax to come in the future to raise transportation revenue.

Supervisor Ron Johnson reported about his trip to the NACo Conference in Washington DC. He is a member of the Energy & Environmental Sub Committee of NACo. He attended a meeting of the Resolution Committee to be fully aware of what was going before the Committee meeting at which time they would need to act on the resolutions brought before them. The resolutions are all grouped by content. He attended several committee meetings, open session meetings, workshops and ended the conference with a Presidential Reception on Tuesday night. It was all very interesting and educational. He gave thanks for being allowed to attend the conference.

COUNTY EXECUTIVE APPOINTMENTS

32. Jeanne Sanchez-Bell to represent the City of Kenosha on the Kenosha County Board of Health.

33. Dr. Lane R. Earns to serve on the Kenosha County Workforce Development Board.

34. Jennie A. Tunkieicz to serve on the Kenosha County Workforce Development Board.

Chairman Clark referred County Executive Appointments 32 - 34 to Human Services.

NEW BUSINESS

Ordinances - one reading.

ORDINANCE 29

29. From the Land Use Committee regarding Central High School, District of Westosha requesting rezoning from R-3 Urban Single-Family Residential District, R-4 Urban Single-Family Residential District and C-2 Upland Resource Conservancy District to I-1 Institutional District and C-2 Upland Resource Conservancy District in the Town of Salem.

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 Tax Parcel #65-4-120-113-0100 located in the southeast quarter of Section 10 and the southwest quarter of Section 11, Township 1 North, Range 20 East, Town of Salem be changed from R-3 Urban Single-Family Residential District, R-4 Urban Single-Family Residential District and C-2 Upland Resource Conservancy District to I-1 Institutional District and C-2 Upland Resource Conservancy District. For informational purposes only, this property is located at the intersection of 81st Street and 248th Avenue.

Central High School (Owner)

Description: Part of the Southwest Quarter of Section 11 and part of the Southeast Quarter of Section 10, all in Township 1 North, Range 20 East of the

Fourth Principal Meridian, Township of Salem, County of Kenosha, State of Wisconsin and more particularly described as follows: Beginning at the west quarter corner of said Section 11; thence South 89°30'20" East along the north line of the Southwest Quarter of Section 11, 840.89 feet; thence South 19°47'00" West 498.31 feet; thence South 69°47'00" West 301.90 feet; thence North 20°13'00" West 187.80 feet; thence South 69°47'00" West 330.00 feet; thence North 19°46'41" West 61.56 feet; thence South 73°40'00" West 123.44 feet; thence North 16°20'00" West 22.00 feet; thence South 72°23'00" West 66.02 feet; thence North 16° 20'00" West 131.98 feet; thence South 72°23'00" West 265.43 feet; thence South 16°20'00" 16.50 feet; thence South 72°23'00" West 132.00 feet; thence North 16°20'00" West 527.51 feet to the north line of the Southeast Quarter Section 10; thence east along the north line of the Southeast Quarter of Section 10, 752.65 feet to the point of beginning, EXCEPTING THAT PART DESCRIBED AS FOLLOWS: Commencing at the west quarter corner; thence North 90°00'00" West 752.65 feet; thence South 16°20'00" East 527.51 feet; thence North 72°23'00" 132.00 feet; thence North 16°20'00" West 16.50 feet; thence North 72° 23'00" East 265.43 feet; thence South 16°20'00" East 131.98 feet; thence North 72°23'00" East 66.02 feet to the point of beginning; thence North 16°29'31" West 48.00 feet; thence North 73°30'29" East 123.44 feet; thence South 16°29'31" East 70.00 feet to a point on the north line of Lot 17 in Salem East Unit "A" Subdivision; thence North 73° 40'00" West along the north line of said Lot 17, 123.44 feet to a point on the east right-of-way line of 248th Street; thence North 16°29'31" West along the east right-of-way line, 22.00 feet to the point of beginning, all in the County Kenosha, Wisconsin. This description is intended to extend to the center of all roads.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 29. Seconded by Supervisor Nudo.
Motion carried.

ORDINANCE 30

30. From the Land Use Committee regarding Land Use Committee (Sponsor), Herschel Jr. and Judith C. Thomas (Owners) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy 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 Tax Parcel #30-4-220-274-0300 located in the southeast quarter of Section 27, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District. This rezoning is considered a zoning map amendment to reflect actual field conditions. For informational purposes only, this property is located on the east side of State Trunk Highway "75" approximately 450' north of the intersection of County Trunk Highway "PH".

Herschel, Jr. and Judith C. Thomas (Owners)

Description: Presented in Exhibit #1 (attached).

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 30. Seconded by Supervisor Morton.
Motion carried.

ORDINANCE 31

31. From the Land Use Committee regarding Land Use Committee (Sponsor), Charles E., Jr. and Valerie L. Schroeder (Owners) requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy 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 Tax Parcel #30-4-220-312-0100 located in the northwest quarter of Section 31, Township 2 North, Range 20 East, Town of Brighton be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy District. This rezoning is considered a zoning map amendment to reflect actual field conditions. For informational purposes only, this property is located on the east side of 308th Avenue at the intersection of 45th Street.

Charles E., Jr. and Valerie L. Schroeder (Owners)

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 31. Seconded by Supervisor Breunig.
Motion carried.

ORDINANCE 32

32. From the Land Use Committee regarding American Land Development LLC (Owner) requesting an amendment to a previously approved (August 10, 2005) PUD Planned Unit Development Overlay District in the Town of Bristol.

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 Tax Parcel #35-4-121-122-0110 located in the northwest quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol have the PUD Planned Unit Development Overlay District applied as an amendment to a previously approved (August 10, 2005) PUD Planned Unit Development Overlay District for Bristol Ridge Estates Subdivision. For informational purposes only, this property is located on the southwest corner of the intersection of State Trunk Highway "50" (75th Street) and 128th Avenue.

American Land Development LLC (Owner)

Description: Outlot 1 of CERTIFIED SURVEY MAP NO. 2473, recorded in the Kenosha County Register of Deeds office on June 15, 2005 as Document No. 1437056, and being part of the Northeast $\frac{1}{4}$, Southeast $\frac{1}{4}$, Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and Northeast $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, and the Northeast $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11, EXCLUDING THEREFROM road right-of-way as in CERTIFIED SURVEY MAP NO. 2640, all in Town 1 North, Range 21 East of the Fourth Principal Meridian, lying and being in the Town of Bristol, County of Kenosha and State of Wisconsin.

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

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo

Kimberly Breunig
Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 32. Seconded by Supervisor West.
Motion carried.

ORDINANCE 33

33. From the Land Use Committee regarding Andrew and Zoriana Kolomayets, Nikolay and Eva Senchishak, Katherine Senchyshak, et al. (Owners) requesting rezoning from A-1 Agricultural Preservation District, and C-2 Upland Resource Conservancy District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District in the Town of Bristol

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 Tax Parcels #35-4-121-274-0401, #35-4-121-274-0402 and #35-4-121-274-0100 located in the southeast quarter of Section 27, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District and C-2 Upland Resource Conservancy District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District. For informational purposes only, these properties are located on the west side of County Trunk Highway "MB" (152nd Avenue) approximately 400' north of the intersection of County Trunk Highway "CJ" (Horton Road).

Andrew and Zoriana Kolomayets, Nikolay and Eva Senchishak, Katherine Senchyshak, et al. (Owners)

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 33. Seconded by Supervisor West.
Motion carried.

Resolutions - one reading

RESOLUTION 132

132. From Supervisor Kimberly Breunig a regarding THINK Signs Posted in Kenosha County ion Lieu of Roadside Memorials.

Chairman Clark referred Resolution 132 to Highway & Parks Committee and Traffic Safety Commission.

RESOLUTION 133

133. From the Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between the County of Kenosha and Kenosha County Federation of Nurses and Health Professionals, Local 5061.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and Local 5061, were recently concluded, and

WHEREAS, the negotiations have culminated in a three-year labor agreement ending December 31, 2011; 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 Committee 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.

SUBMITTED BY:

Administration Committee
David Singer
Mark Modory
Fred Ekornaas

Finance Committee
John O'Day
Terry Rose
Mark Molinaro, Jr.

Shavonda Marks

David Singer

It was moved by Supervisor Moore to adopt Resolution 133. Seconded by Vice-chair Faraone.

Roll call vote.

Ayes: Supervisors Zerban, Kessler, Rose, Huff, Kubicki, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Jackson, West, Roger Johnson, Haas, Ekornaas.

Nays: Supervisors Clark, Grady, Faraone, Moore, Breunig.

Motion carried.

RESOLUTION 134

134. From the Judiciary and Law and Finance Committees regarding Kenosha County PreTrial Intensive Supervision Program XII.

WHEREAS, the Kenosha County Sheriff's Department had submitted a grant application to the WI Dept. of Transportation (DOT) requesting \$47,162 of funding to support the expenditures for the "2009 Kenosha County Sheriff's Department DUI Intensive Supervision Program" now in its 12th year, and

WHEREAS, the State DOT office recognizes the funding level for 2009 at \$47,162, and has given authority to **fund the first 6 months of the program at \$23,581**, and

WHEREAS, it is anticipated that the State DOT will present a second award prior to July 1st of 2009 at which time the Sheriff will request authority through a second resolution to continue the program through year end, and

WHEREAS, the total operating budget for the 2009 Intensive Sanctions program is funded by four sources: (1) State DOT grant \$47,162 , (2) anticipated Client Fees collected by Wisconsin Community Services, Inc. totaling \$82,565 (3) Sheriff's Dept. in-kind match of \$23,214, and (4) Sheriff's Department hard match of \$49,000 authorized in 2009 budget, for a total operating budget of \$201,941, and

WHEREAS, the project will be facilitated by the Wisconsin Community Services, Inc. out of Milwaukee, WI (WCS) for which a contract for services has been processed through Administration, and

WHEREAS, repeat DWI offenders will be screened by WCS, Inc. to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the partial award for \$23,581 and approve the Revenue and Expenditure line item modifications as per the attached budget modification form, which are incorporated herein by reference.

SUBMITTED BY:

Judiciary and Law Committee

William Michel, II

James Huff

Roger Johnson

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michael to adopt Resolution 134. Seconded by Supervisor Huff.

Roll call vote passed unanimously.

RESOLUTION 135

135. From Human Services Committee a Resolution to approve the Re-Appointment of Mary Sue Lux to the Kenosha County Board of Health.

WHEREAS, pursuant to County Executive Appointment 2009-09-30, the County Executive has appointed Mary Sue Lux to serve on the Kenosha County Board of Health, 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 Health 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 Mary Sue Lux to the Kenosha County Board of Health. Ms. Lux's appointment shall be effective immediately and continuing until the 4th day of February, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Lux will serve without pay. She will be succeeding herself.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 135. Seconded by Supervisor Rose.

Motion carried.

COMMUNICATION

17. From George E. Melcher regarding future rezonings.

Chairman Clark referred Communication 17 to Land Use.

CLAIMS

42. Paul Taulu - mail box damage.

43. Marcus J. Henry - mistreated while incarcerated.

44. Badger Mutual Ins. Co. - vehicle damage.

Chairman Clark referred Claims 42 - 44 to Corporation Counsel

It was moved by Haas to approve the February 24, 2009 minutes. Seconded by Supervisor Gentz.

Motion carried.

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

Motion carried.

Meeting Adjourned at 9:10 p.m.

Prepared by: Regi Bachochin

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs

County Clerk

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

April 14, 2009

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

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

Excused: Supervisors Grady, Marks, Michel.

Present: 25. Excused: 3.

At this time, State Treasurer Dawn Marie Sass made a presentation to the County Board to let the public know what is being done in their name and with their money.

CITIZEN COMMENTS

Jack Spencer 17320 Winfield Rd. Bristol, stated he was here with Wally Zirbel and Todd Peyron representing Lakeland Little League. They just completed their second venture with Kenosha County Parks Department with the completion of the Little League Diamonds at Brighton Dale Golf Course. They encouraged the board to vote in favor of the resolution on tonight's agenda to keep baseball strong in Kenosha County.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark announced that there will be a Council of Governments meeting on Saturday at 8:30 a.m. at the Kenosha County Center. Kemper Center will be holding their annual meeting tomorrow. Kemper Center needs a County Board liaison to be on their board. Pringle Nature Center is also looking for a liaison to be on their board. If anyone is interested in either position they can contact Chairman Clark by next week. Wisconsin County Association is putting out a call for anyone interested in the nursing home to attend lobby day in Madison on April 22nd to meet with our Legislator's Joint Finance Committee. If interested, contact Fran Petrick at Brookside or Bob Pitts. On Thursday, May 14 on the 7th hole at Petrified Springs Golf Course there will be a presentation of the tree planted in honor of former Supervisor Richard Lindgren who passed away 1 year ago followed by a small reception in the club house.

SUPERVISOR REPORTS

Supervisor Ekornaas stated the Directors of the Wisconsin Counties Association met to adopt which positions they're going to take on various items of the Governor's budget. He placed a copy of those positions on the supervisor's desks.

Supervisor Elverman reported there was an update placed in the supervisor's packets on what Mr. Drier has been doing with the golf operations. Most of the changes have been well received. The golf courses opened on March 20th and are off to a good start. They hired a new Supervisor of Golf Course Conditions, who is also a turf specialist. The parks are also in full swing, crews are working on the soft spots on the bike trails. Living Land and Waters Million Trees project donated 600 oak trees which will be lined out in our own nursery with some being planted directly into the parks. Two men being paid out of the W-2 program will be working 15 hours per week at Fox River Park, they are here to gain experience at no cost to us. One of the biggest benefactors to the parks, Mr. Paul Swartz passed away last month. He started his nursery near Silver Lake next to the Fox River Park in 1949 and his father was one of the first caretakers of Fox River Park. He quietly donated \$4,000 to \$5,000 in trees per year for the past 60 years. The Highway and Parks Committee would like to honor Mr. Swartz by naming the road that enters into Fox River Park, "The Paul Swartz Parkway".

Supervisor Breunig stated Extension Education met on April 1st. She thanked Supervisors Grady and Molinaro for coming out to hear what the Youth In Governance Representative had to say regarding the feed back they received from the Youth in Governance Members. She has a copy of the report if anyone is

interested. There will be a reception next Tuesday at 7:00 p.m. in the lobby for the new Youth In Governance Members.

Supervisor Noble reported the Building and Grounds Committee met and one of the topics was regarding the Public Safety Building addition. Riley Construction was picked to be the construction manager with Zimmerman Architectural Studio being the architect. The rough time line of the plan is as follows; the programming, the design and information gathering is to completed in May, the footings, foundation and design is projected to be done by the end of June, the building construction to commence in the summer of 2009 and the interior design is expected to be complete in late 2009. The building addition, and remodeling should be complete by late 2010. Another topic they discussed is the public address system and voting system in the county board room as well the sound system out at the County Center at 45 & 50. They talked with the president of Professional Audio Designs and he will bring a proposal to the committee next month with a not to exceed number as well as an estimate of what our projected needs are. As a committee they will consider the proposal and may bring back a resolution to the County Board for the 2010 budget. He also stated the Branch 8 remodeling project is expected to be finished by June 15th and the Corporation Counsel garage was demolished on April 6th.

Supervisor Huff stated the Legislative Committee met last month along with our local State Representatives. The Representatives were supposed to give a presentation on the State Budget, however they just received that information several days earlier so they weren't able to give many details but that didn't prevent the committee or other supervisors that were in attendance from asking questions and having a very good exchange. The Representatives will be invited back again in 6 months, in which Supervisor Huff hopes to make into a bi-annual event.

Vice-chair Faraone stated the Finance Committee met on March 26th and Corporation Counsel reported on the County contract with Midwest Fiber Networks LLC. Kenosha County along with Kenosha Unified School District and Gateway Technical College formed a consortium and issued an RFP for creation and maintenance of an optical fiber network in Kenosha County to provide a reliable and durable medium for high speed, high volume transmission of digital data. Under the contract, the county is provided 16 strands of fiber for a 20 year term with a renewable option. The contract will provide for the connecting of all county buildings with fiber and will allow the county to purchase additional strands at a discounted rate if necessary. This fiber contract has been included in the county capital budget over a number of years. They also received a report from Gina Turner of Maximus on the Information Services reorganization. The division has secured data, implemented a new project management approach and created a steering committee for division oversight. The steering committee members are Dave Geersten, Ray Arbet, Charles Smith, John Jansen and Joe Clark. The County is in the process of hiring staff which will provide for a smooth transition back to the county after Maximus leaves. The transition is expected to conclude in June. The Finance Committee also concluded work on a comprehensive debt management policy. This policy will be brought forth to the full board at next Tuesday's meeting. The committee also developed an administrative process to report on grant functions and effectiveness as an attachment to any resolution of a grant renewal brought forward to the County Board.

NEW BUSINESS

Ordinance - one reading

ORDINANCE 34

34. From the Land Use Committee regarding Ventura Family Limited Partnership (Owner), Joe Malucha, MSI General Corporation (Agent) requesting rezoning from A-1 Agricultural Preservation District to B-3 Highway Business District in the Town of Paris.

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 #45-4-221-244-0400 located in the southeast quarter of Section 24, Township 2 North, Range 21 East, Town of Paris be changed from A-1

Agricultural Preservation District to B-3 Highway Business District. For informational purposes only, this property is located on the southwest corner of State Trunk Highway "142" (Burlington Road) and 120th Avenue (the west frontage road of I-94).

Ventura Family Limited Partnership - Owner

Description: PART OF THE NORTHEAST ¼ AND SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 24, TOWN 2 NORTH, RANGE 20 EAST, IN THE TOWN OF PARIS, KENOSHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST ¼; THENCE N01°42'50"W ALONG THE EAST LINE OF SAID ¼ SECTION 603.00 FEET; THENCE S88°17'10"W 276.80 FEET TO THE SOUTHEAST CORNER OF LANDS CURRENTLY OWNED BY VENTURA FAMILY LIMITED PARTNERSHIP; THENCE N01°42'50"E ALONG THE EAST LINE OF SAID OWNED LANDS 141.76 FEET TO THE FUTURE REFERENCE LINE OF PARIS PARKWAY AND THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE S88°34'14"W ALONG SAID FUTURE REFERENCE LINE 394.55 FEET TO A POINT ON THE WEST LINE OF SAID OWNED LANDS, SAID POINT BEING N01°42'50"W 143.74 FEET FROM THE SOUTHWEST CORNER OF SAID OWNED LANDS; THENCE N01°42'50"W ALONG THE WEST LINE OF SAID OWNED LANDS 960.27 FEET TO THE EXISTING REFERENCE LINE OF STATE TRUNK HIGHWAY (S.T.H.) "142"; THENCE S64°11'22"E ALONG SAID REFERENCE LINE 445.19 FEET TO THE EAST LINE EXTENDED OF SAID OWNED LANDS; THENCE S01°42'50"E ALONG SAID EAST LINE 756.51 FEET TO THE POINT OF BEGINNING. LANDS CONTAINING 338,772 SQUARE FEET OF 7.7771 ACRES.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 34. Seconded by Supervisor Morton.

Motion carried.

Resolutions - one reading

RESOLUTION 136

136. From Highway & Parks Committee regarding Agreement with Lakeland Little League for Ball Fields at Brighton Dale.

WHEREAS, Kenosha County owns the property commonly known as Brighton Dale Park, and

WHEREAS, Lakeland Little League proposes to donate money, time and labor to assist in the construction of baseball fields at Brighton Dale Park, and

WHEREAS, Lakeland Little League has generously contributed to baseball field and has been a user of the ball field at this park for many years, and

WHEREAS, Lakeland Little League has recently generously and competently performed upgrades to the baseball field facility at Kenosha County's "Old Settler's Park," and has a plan for future amenities at Brighton Dale to accommodate the needs of their expanding little league program and benefiting the public, and

WHEREAS, Lakeland Little League and Kenosha County are desirous of setting forth the terms and conditions of this arrangement in a written agreement.

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

In recognition of the value to be provided to a Kenosha County facility by Lakeland Little League, hereby authorizes that the terms of the County of Kenosha-Lakeland Little League Agreement attached to this Resolution be accepted, and the Agreement be executed by the County Executive.

SUBMITTED BY:

Highway and Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Elverman to adopt Resolution 136. Seconded by Supervisor Noble.

Motion carried.

CLAIMS

- 45. Amber Elizabeth Cornwell - broken windshield.
- 46. Scott Shulda - vehicle damage.
- 47. Randall Piant - tire and wheel damaged by pothole.
- 48. Lauren Malecki - broken windshield.
- 49. Humana Insurance Company - payment made on behalf of insured.

Chairman Clark referred Claims 45 - 49 to Corporation Counsel

It was moved by Huff to approve the March 17th, 2009 minutes. Seconded by Supervisor Elverman.

Motion carried.

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

Motion carried.

Meeting Adjourned at 8:07 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

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

April 21, 2009

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

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

Excused: Supervisors Morton, West.

Present: 26. Excused: 2.

At this time County Executive Jim Kreuser gave the State of the County Address.

CITIZEN COMMENTS

Kathleen Barta expressed her sincere appreciation for the support the Board has shown for the Youth In Governance program. They are very proud of their students and are fortunate to have so many talented youth in our county.

Justin Kasorf 6215 64th St., Kenosha stated he represents the Strengthening Humanity Networks Community in Kenosha and also works for the Shalom Center as the Eligibility Manager for the INNS Homeless Shelter. He wanted to invite everyone to attend a meeting on Tuesday April 28th from 3-4:30 at Grace Lutheran Church, 2006 60th St.

ANNOUNCEMENTS OF THE CHAIRMAN

Tedi Winnett and Supervisor Kim Breunig Recognized the 2008-2009 Youth In Governance members and announced the appointments of the new 2009-2010 Youth In Governance members.

Chairman Clark offered his congratulations to the Youth In Governance members and to their families. We have quality youth in our community and they should be recognized and that doesn't happen without having quality parents being in their lives.

Chairman Clark announced Supervisor Nudo has accepted the position on the Kemper Center Board, and there is still a vacancy on the Pringle Board.

SUPERVISOR REPORTS

Vice-Chair Faraone stated the Finance Committee scheduled a meeting tomorrow night to review a resolution to modify the 2009 American Recovery and Reinvestment Act and to get an update in closed session on the negotiations with the City on the Joint Services Intergovernmental Agreement.

Supervisor Grady stated he attended a meeting with the State Department of Transportation where they detailed some of the changes along Green Bay Rd. They will be reconstructing the intersections at 52nd St. and Green Bay Rd., and 75th St. (Hwy 50) and Green Bay Rd. It will involve the elimination of the dedicated right hand turn lanes and there will be three full lanes of traffic both north and southbound on Green Bay Rd. when the construction is complete. Time line is middle of July through the end of August.

NEW BUSINESS

Resolutions - one reading

RESOLUTION 137

137. From the Finance Committee regarding 2009 Carryover and Annual Closeout Resolution.

WHEREAS, certain projects were authorized by the County Board in the prior year's budget, and

WHEREAS, it is necessary to carryover these funds to complete these projects, and

NOW, THEREFORE BE IT RESOLVED, that these funds be carried over from 2008 to 2009, and that the 2009 budget be adjusted as shown in the attached fiscal notes which are incorporated by reference, and

BE IT FURTHER RESOLVED, that the attached fiscal notes details the source and application of funds to be carried forward, and

BE IT FURTHER RESOLVED, that the cash deficit within the Golf Fund (\$328,064) be funded by a transfer from the Highway Fund (\$328,064), and

BE IT FURTHER RESOLVED, that the cash deficit within the Brookside Fund (\$415,920) be funded by a transfer from the Human Services Fund (\$415,920), and

BE IT FURTHER RESOLVED, that it is the policy, desire, and intent of the County Board that each appropriation unit of this budgetary amendment for which monies have been appropriated be carried out as if adopted by separate resolution and as necessary to carry out the public intent. The funds are made available and, unless amended by law or action by the County Board through budgetary transfers, no monies appropriated for any other purpose in any one appropriation unit can be used for any other purpose in any one appropriation unit without prior approval of the Kenosha County Board. The Finance Committee is authorized to approve transfers no to exceed \$1,000, and

BE IT FURTHER RESOLVED, that all expenditures appropriated are not to exceed funded monies in the budget or this amount without prior approval of the County Board.

SUBMITTED BY:

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-Chair Faraone to adopt Resolution 137. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

RESOLUTION 138

138. From the Finance Committee regarding Kenosha County Department of Public Works - Facilities Division, 2008 Budget Modification.

It was moved Supervisor Elverman to adopt Resolution 138. Seconded by Vice-Chair Faraone.

Resolution 138 was referred to the Building and Grounds Committee.

RESOLUTION 139

139. From the Highway and Parks and Finance Committee regarding Approval to Modify the 2009 Budget for the KRM State Commuter Rail Grant.

WHEREAS, the Counties and Cities of Kenosha, Racine and Milwaukee have entered into a grant agreement with the Wisconsin Department of Transportation for the Kenosha-Racine-Milwaukee Commuter Rail (KRM) project; and

WHEREAS, the Wisconsin Department of Transportation has approved to enter into the advanced development phase of the KRM project which will be funded with \$1,080,000 Federal funds, \$135,000 State funds, and \$135,000 local funds; and

WHEREAS, the \$135,000 local share is to be divided equally between the Counties and Cities of Kenosha, Racine and Milwaukee. This amounts to \$22,500 per County and City to be provided in in-kind services or cash to meet the matching requirements of the secured State and Federal funds; and

WHEREAS, Kenosha County will continue to be the administrator of the KRM Grant funds, in which Kenosha County will have no liability in the event that the aforementioned Counties and Cities fail to pay their portion of the local share.

NOW THEREFORE BE IT RESOLVED, that the County Board of Supervisors approves to increase the 2009 Budget for the \$135,000 local share for the KRM grant

SUBMITTED BY:

Highway and Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Elverman to Adopt Resolution 139. Seconded by Vice-Chair Faraone.

Roll call vote.

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

Nays: Supervisors Haas, Ekornaas.
Ayes: 24. Nays: 2
Motion carried

RESOLUTION 140

140. From Brookside Trustees and Human Services and Finance Committees regarding Resolution to Modify Brookside Care Center 4th Quarter, 2008 Budget.

WHEREAS, the Kenosha County Department of Human Services, Brookside Care Center has an adopted expenditure budget in the amount of \$12,896,978 and

WHEREAS, the Kenosha County Department of Human Services, Brookside Care Center has overspending within the 2008 Personnel budget in the amount of \$339,668 and

WHEREAS, the Kenosha County Department of Human Services Brookside Care Center has overspending within the 2008 Utilities budget in the amount of \$38,192, and

WHEREAS, the Kenosha County Department of Human Services, Brookside Care Center has overspending within the 2008 Medicare services budget in the amount of \$9,618 for additional high cost Medicare patients during 2008, and

WHEREAS, the Kenosha County Department of Human Services, Brookside Care Center has overall 2008 budget underspending amount of \$49,354 and

WHEREAS, the Kenosha County Department of Human Services, Brookside Care Center has received additional Operating Revenue of approximately \$183,198, and

WHEREAS, the Kenosha County Department of Human Services, Brookside Care Center has received additional prior year revenue of \$4,000 and rental income of \$250, and

WHEREAS, the Kenosha County Department of Human Services, Division of Aging & Disability Services has 2008 underspending in Purchased Services in the amount of \$150,676, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Brookside Care Center and Division of Aging & Disability Services, budgets be modified as follows:

Authorize net increase of expenditures of \$187,448 and net increase of revenues by \$187,448, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee	Finance Committee
Edward Kubicki	Anita Faraone
Terry Rose	John O'Day
Richard Kessler	Terry Rose
Jennifer Jackson	Mark Molinaro, Jr.
Jeffrey Gentz	David Singer

It was moved by Supervisor Kubicki to adopt Resolution 140. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 141

141. From Human Services and Finance Committees regarding Division of Health: Resolution to Modify 2009 Budget to reflect funding awarded by US Department of Housing and Urban Development (HUD) for the Kenosha Communities Partnership Program.

WHEREAS, the Kenosha County Division of Health, as the lead agency and fiscal agent for the Kenosha Communities Partnership, has applied for and received grant funding in the amount of \$875,000 from the U.S. Department of Housing and Urban Development for a 36 month period, and

WHEREAS, this funding has been granted through the U.S. Department of Housing and Urban Development and is subject to the grant provisions of the American Recovery and Reinvestment Act of 2009, and

WHEREAS, this program will be implemented, in cooperation with the City of Kenosha and a number of other community organizations within Kenosha County, and

WHEREAS, all grant-funded positions created through the US Department of Housing and Urban Development (HUD) Healthy Homes Demonstration Grant are solely supported by this grant and thus eliminated if the grant funding ceases, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County,

NOW, THEREFORE LET IT BE RESOLVED, that the Department of Human Services, Division of Health budget be modified, at no cost to the county, as follows: Revenue increases by \$875,000 and expenditures increase by \$875,000 as indicated in the attached budget modification, which is incorporated into this resolution by reference, and any unexpended dollars as of December 31, 2009 should be rolled over into the preceding years until the grant expiration date of April 14, 2012.

SUBMITTED BY:

Human Services Committee	Finance Committee
Edward Kubicki	Anita Faraone
Terry Rose	John O'Day
Richard Kessler	Terry Rose
Jennifer Jackson	Mark Molinaro, Jr.
Jeffrey Gentz	David Singer

It was moved by Supervisor Kubicki to adopt Resolution 141. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 142

142. From Human Services and Finance Committees regarding Resolution to increase Revenues and Expenses for Family Care Contribution to State of Wisconsin.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services on February 1, 2007 entered into an agreement with the State of Wisconsin to become a Family Care county served by a regional Managed Care Organization with Kenosha County providing an annual contribution through a reduction of the Community Aids allocation for Family Care services provided for county residents, and

WHEREAS, due to State operational complications associated with a reduction of in Kenosha County's funding, the State is requesting Kenosha County submit a check for the annual contribution due to State, and

WHEREAS, a direct payment would require less administrative time and accounting procedures for both the State and Kenosha County, and

WHEREAS, during 2008 the Division of Aging Disability Services received the full amount of Community Aids including the portion of the family care contribution due to the State, and

WHEREAS, during 2009 the Division of Aging and Disability Services received the full amount of Community Aids in the State and County Contract including the portion of the family care contribution due to the State, and

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services, will need to reimburse the State of Wisconsin \$1,908,851 for the Family Care Contribution for 2008, and for 2009 reimburse the State of Wisconsin \$1,980,619 for the Family Care Contribution, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County,

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Department of Human Services, Division of Aging and Disability Services be authorized to increase expenses and revenues, per the attached budget modifications incorporated herein by reference.

SUBMITTED BY:

Human Services Committee	Finance Committee
Edward Kubicki	Anita Faraone
Terry Rose	John O'Day
Richard Kessler	Terry Rose
Jennifer Jackson	Mark Molinaro, Jr.
Jeffrey Gentz	David Singer

It was moved by Supervisor Kubicki to adopt Resolution 142. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 143

143. From Finance and Land Use Committees regarding request to modify 2009 Department of Planning & Development budget to cover the costs of extended warranty for large format scanner/copier.

WHEREAS, Kenosha County has a Geographical Information System (GIS) section in the Department of Planning and Development - Planning Operations Division, and

WHEREAS, this GIS system provides land information and mapping utilized by Planning and Development, other County Departments, developers, and the general public, and

WHEREAS, the warranty for the HP820MFP multi-function machine for large format copy, scanning and printing requires renewal at a cost of \$2,245 which was not provided for in FY2009 budget, and

WHEREAS, funds are available in the Department of Planning and Development - Planning Operations Division budget which could be used for the renewal of said extended warranty, and

WHEREAS, the requested transfer of funds within this 2009 adopted budget would assure repairs can be made if needed to keep the equipment in service,

NOW, THEREFORE, BE IT RESOLVED that funds are transferred within the Department of Planning and Development budget business units 18280 Planning Operations/Long Range County-wide Planning and 18300 Office of the Director per the attached budget modification form.

SUBMITTED BY:

Finance Committee	Land Use Committee
Anita Faraone	Fred Ekornaas
John O'Day	Gabe Nudo
Terry Rose	Kimberly Breunig
Mark Molinaro, Jr.	Gordon West
David Singer	Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolution 143. Seconded by Vice-Chair Faraone.

Roll call vote.

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

Nays: Supervisors Zerban, Moore, Jackson, Elverman.

Ayes: 22. Nays: 4

Motion carried.

RESOLUTION 144

144. From Judiciary & Law and Finance Committees regarding Hazard Mitigation Planning Grant.

WHEREAS, Kenosha County Division of Emergency Management has been awarded a Hazard Mitigation Planning Grant totaling \$40,000 from the Federal Emergency Management Agency (FEMA) through Wisconsin Emergency Management (WEM), and

WHEREAS, the Hazard Mitigation Planning Grant will be used to update the "Kenosha County Hazard Mitigation Plan," for Kenosha County which will look at and evaluate all hazards, natural and technological, that exist throughout Kenosha County's twelve municipalities, and

WHEREAS, if by January 6, 2011, the County and each municipality does not adopt the Kenosha County Hazard Mitigation Plan, the governments that do not adopt it will not be eligible for any federal pre-disaster mitigation or hazard mitigation grant money, and

WHEREAS, this grant is 75% federally funded, \$30,000, 12.5% State funded, \$5,000, requiring a 12.5%, \$5,000 local match, and

WHEREAS, Kenosha County will sub-contract out the Grant to the South Eastern Regional Planning Committee (SEWRPC) for \$40,000 with SEWRPC providing the \$5,000 local/in-kind match, and

WHEREAS, the cost of this grant will require no tax levy and will need to be carried over into the FY10 Budget

NOW THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve that the FY09 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

SUBMITTED BY:

Judiciary & Law Committee	Finance Committee
William Michel, II	Anita Faraone
James Huff	John O'Day
Roger Johnson	Terry Rose
Ronald Johnson	Mark Molinaro, Jr.
	David Singer

It was moved by Supervisor Michel to adopt Resolution 144. Seconded by Vice-Chair Faraone.
Roll call vote passed unanimously.

RESOLUTION 145

145. From Judiciary & Law and Finance Committees regarding BOTS - Traffic Enforcement Grants.

WHEREAS, the Kenosha County Sheriff's Department has been awarded an additional \$25,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between January 1st, 2009 and Sept. 30, 2009 to enforce high-risk alcohol-related driver behaviors, and

WHEREAS, the grant funds offered must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers, and

WHEREAS, the 25% local match required is met with soft dollars within the current budget and 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 that the revenue and expenditure line items be modified, 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

William Michel, II

James Huff

Roger Johnson

Ronald Johnson

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 145. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 146

146. From Human Services Committee a Resolution to approve the Appointment of Jeanne Sanchez-Bell to the Kenosha County Board of Health.

WHEREAS, pursuant to Resolution #92, passed by the Kenosha County Board of Supervisors on December 2, 2008, the Mayor of the City of Kenosha nominated Jeanne Sanchez-Bell to represent the City of Kenosha on the Kenosha County Board of Health, and

WHEREAS, pursuant to County Executive Appointment 2008/09-32, the County Executive concurred with said nomination and appointed Jeanne Sanchez-Bell to serve on the Kenosha County Board of Health, 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 Health 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 Jeanne Sanchez-Bell to the Kenosha County Board of Health. Ms. Sanchez-Bell's appointment shall be effective immediately and continuing until the 17th day of March, 2014 or until a successor is nominated by the Mayor, appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Sanchez-Bell will be filling a new position on the Board, created by Resolution #92 and will serve without pay.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 146. Seconded by Supervisor Gentz.

Motion carried.

RESOLUTION 147

147. From Human Services Committee a Resolution to approve the Appointment of Jennie Tunkieicz to the Kenosha County Workforce Development Board.

WHEREAS, pursuant to County Executive Appointment 2008/09-34, the County Executive has appointed Jennie Tunkieicz 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 Jennie Tunkieicz to the Kenosha County Workforce Development Board. Ms. Tunkieicz' appointment shall be effective immediately and continuing until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Tunkieicz will serve without pay as defined under Resolution 65 (1982-83) and will be succeeding Kenn Yance.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 147. Seconded by Supervisor Kessler.

Motion carried.

COMMUNICATIONS

18. From Michael K. Higgins, City Clerk-Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

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

Chairman Clark referred Communications 18 & 19 to the Land Use Committee.

CLAIMS

50. Hastings Mutual Insurance Company - vehicle damage

Chairman Clark referred Claim 50 to Corporation Counsel

It was moved by Hallmon to approve the April 14, 2009 minutes. Seconded by Supervisor Marks.

Motion carried.

It was moved by Supervisor Kessler to adjourn sine die. Seconded by Supervisor Rose.

Motion carried.

Meeting adjourned at 9:47 P.M.

Prepared by:

Eddie LaMothe

Deputy Clerk

Submitted by:

Mary T. Schuch-Krebs

County Clerk

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

April 21, 2009

The **Organizational Meeting** was called to order by Chairman Clark immediately following the Regular Meeting, in the County Board Room located in the Administration Building.

Roll call was taken.

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

Excused: Supervisors Morton, West.

Present: 26. Excused: 2.

There were no Citizen Comments.

There were no Announcements of the Chairman.

There were no Supervisor Reports.

NEW BUSINESS

Policy Resolution - first reading, two required.

1. From the Finance Committee Policy Resolution to Approve the Financial County of Kenosha Debt Management Policy.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor Hallmon. Motion carried.

Meeting Adjourned at 9:50 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

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

May 5, 2009

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

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

Excused: Supervisors Huff, Ronald Johnson, Breunig.

Present: 25. Excused: 3.

CITIZEN COMMENTS

Glen Stark, 7308 4 Mile Rd., Franksville, stated he is the president of Local 72. He encouraged the Board to adopt the Resolution opposing the Chrysler plant closing, and he thanked Supervisor Rose for starting the resolution.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark stated Supervisor Breunig has agreed to be on the Pringle Center Board. Tuesday, May 12th at noon there will be the Law Enforcement Memorial down by the Museum. Thursday, May 14th at 12:30 there will be the memorial for Supervisor Lindgren at Pets on the 7th hole with a short gathering afterwards. He thanked Supervisor Elverman for donating the tree for Lindgren's memorial. Tonight there are Boy Scouts from Troup 520 in attendance working on their citizen badges. Wisconsin County Association is looking for some nominations for some of their steering committees. The deadline to submit the application is August 7th. They are also looking for nominations for the Vice President of WCA. Application deadline for that is in July. WCA is going to be having their annual conference September 13, 14 & 15 in LaCrosse. Any Supervisors that are interested in going can let the County Clerk know prior to the first meeting in June.

SUPERVISOR REPORTS

Supervisor Kubicki stated they had a presentation at the Human Services Committee by the new Kenosha Medicaid Navigator Nellie Musignac and Audra Brennan from the Southeastern Wisconsin Medicaid Liaison. Medicaid Navigator serves as liaison between Medicaid patients connecting them with Physicians, Hospitals and other programs to ensure healthy pregnancy outcomes for women in Kenosha. This presentation will be added to the next County Board Meeting agenda on May 19th.

Supervisor Kessler stated there are a couple of Boy Scouts in attendance representing Troop 522, one of them being his grandson. They are working towards one of their merit badges.

Supervisor Moore stated the Administration Committee continues their work handling grievances and labor contract negotiations. They also passed a resolution regarding re-authorization of the continuance of our self insurance workers compensation program. An update on non-represented employee reviews for the first quarter of 2009 is as follows; in January 25, employees were due for review, 1 was sworn, 10 received positive reviews, 14 remain outstanding. In February, 18 were due for review, 2 were sworn, 7 received a positive review and 9 remain outstanding. In March, 19 were due, 3 are sworn, 7 received a positive review and 9 remain outstanding. With the Information Services reorganization, 5 of the 7 open positions have been filled and interviews are winding down for the Business System Analyst and Directors posts. Also, they reviewed the first quarter of the personnel related budgets that are under the oversight of the Administrative Committee, and they believe they are on track with those budgets at this point in time. We will have some significant unemployment compensation related expenses due to some of our reorganization in various departments, and also our Health Insurance Plan looks to be well on track and hopefully will give us positive numbers at the end of the year.

Supervisor West stated Brookside Care Center will be having a Pancake Breakfast on May 13th from 8:00 - 11:00 and all the Supervisors are invited.

Supervisor Jackson stated on Saturday, May 16th at 8:30 a.m. at Veterans Park, the Shalom Center Food Pantry will be having a walk to fill the food pantry and she hopes every supervisor will attend.

OLD BUSINESS

Policy Resolution - second reading, two required.

POLICY RESOLUTION 1

1. From the Finance Committee Policy Resolution to Approve the Financial County of Kenosha Debt Management Policy.

WHEREAS, it is in the best interest of the County to adopt a debt management policy, and

WHEREAS, THE Finance Committee has completed substantial due diligence in regard to reviewing and recommending a new policy.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors does hereby adopt the County of Kenosha Debt Management Policy which is attached herein and incorporated by reference, and that the effective date of this policy coincide with the date of enactment of this resolution.

SUBMITTED BY:

Finance Committee

Anita Faraone

David Singer

Terry Rose

John O'Day

Mark Molinaro

It was moved by Vice-chair Faraone to adopt Policy Resolution 1. Seconded by Supervisor Singer.

Motion carried

NEW BUSINESS

Resolutions - one reading

RESOLUTION 1

1. From Administration and Finance Committees a Resolution to Approve the Successor Labor Agreement between Kenosha County and Local 990 Professional.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and Local 990 Professional were recently concluded, and

WHEREAS, the negotiations have culminated in a three-year labor agreement ending on December 31, 2011, 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, and

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

Mark Modory

Fred Ekornaas

Shavonda Marks

Finance Committee

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Moore to adopt Resolution 1. Seconded by Supervisor Rose.

Roll call vote.

Ayes: Supervisors Zerban, Kessler, Rose, Kubicki, Hallmon, Marks, Gentz, Modory, Michel, O'Day, Singer, Nudo, Molinaro, Jackson, West, Haas, Ekornaas.

Nays: Grady, Clark, Faraone, Moore, Morton, Noble, Roger Johnson, Elverman.

Ayes: 17. Nays: 8

Motion carried.

RESOLUTION 2

2. From Building and Grounds and Finance Committees regarding Kenosha County Department of Public Works - Facilities Division, 2008 Budget Modification.

WHEREAS, the Facilities Division of the Kenosha County Department of Public Works developed a 2008 budget based on its best estimate of utility costs to be incurred, and

WHEREAS, the actual utility costs at the Detention Center were significantly higher than anticipated with the remodeled space that opened in 2008 which allowed Kenosha County to house additional inmates; and

WHEREAS, the actual utility costs within the 2008 Facilities Budget were also higher than anticipated due to the Municipalities adding storm water fees based upon an estimate of storm water runoff at each facility, and

WHEREAS, the Pretrial Building had overruns in contractual services due to the unanticipated replacement of the condenser and compressors for one of the air conditioning units, and

WHEREAS, the shortage within Facilities contractual appropriation unit can be covered by the transfer of available funds within the Facilities personnel appropriation unit.

THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors authorize the transfer of funds with the Division's budget and transfer \$47,589 from the Personnel appropriation unit to the Contractual appropriation unit.

SUBMITTED BY:

Finance Committee	Building & Grounds Committee
Anita Faraone	Douglas Noble
John O'Day	Mark Molinaro, Jr.
Terry Rose	Gabe Nudo
Mark Molinaro, Jr.	Roger Johnson
David Singer	Robert Zerban

It was moved by Supervisor Noble to adopt Resolution 2. Seconded by Vice-Chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 3

3. From Finance Committee a Resolution to Modify 2009 Budget for ARRA.

WHEREAS, the American Recovery and Reinvestment Act (ARRA) provides funding for local government programs through a series of grants and loans distributed by various federal agencies, sub-allocated by the state; and

WHEREAS, many of the funds will be distributed only for "shovel ready" projects and must be applied for, started and completed within a specific time period; and

WHEREAS, in addition, the ARRA has sets forth some other broad requirements, first no funds may be allocated for zoos, aquariums, golf courses, swimming pools, or casinos. Second, contractors and subcontractors working on projects funded by the ARRA must be paid the prevailing wage rate, set forth in the Davis Bacon Act. Finally, the new law requires that a preference be given to American-made goods in construction and infrastructure projects financed by the Act; and

Whereas, It is important that Kenosha County take the following actions in order to attain, coordinate, implement and comply with all the requirements so as to maximize the stimulus the County receives; and.

- Review the current status of grants which have been applied for and awarded. Determine additional grant programs to apply for, coordinate deadlines, timetables and provide additional support resources, if necessary for all County Departments/Divisions.
- Access information regarding eligibility for the specific grant distributions and understand how to apply for the grant. Begin a dialogue with designees in the appropriated agency as some grants are distributed by formula as well as through a competitive bid process.
- Work with the governor's office to understand the governor's priorities in allocating recovery dollars and to make known the needs, concerns and desires of Kenosha County.
- Work with the local State Legislatures and Wisconsin Counties Association to make the needs of Kenosha County known, and

WHEREAS, the County has surplus revenue of \$86,603 received in 2009 from state funds allocated for 911 wireless implementation which is completed, and

WHEREAS, no tax levy or general fund dollar will be required, and

NOW THEREFORE BE IT RESOLVED, that \$86,603 be appropriated for the purpose of maximizing Kenosha County's efforts to attain stimulus funds, coordinating the efforts of departments and divisions and complying with all requirements of the ARRA; and

BE IT FURTHER RESOLVED, that the funds be transferred per the budget modification which is attached and incorporated by reference.

It was moved by Vice-Chair Faraone to adopt Resolution 3. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

RESOLUTION 4

4. From Supervisor Terry Rose a Resolution to Oppose the Planned Closing of the Kenosha Chrysler Plant.

WHEREAS, the current crisis and downturn in the national economy has resulted in not only Chrysler filing bankruptcy but also their announcement to permanently close their Kenosha plant as early as October, 2010, and

WHEREAS, Chrysler's surprise announcement will not only end more than a century of automobile production in Kenosha but will also result in a permanent loss of approximately 800 jobs for the Kenosha community that will not be transferred to the "new Chrysler" that will be co-owned by Italian carmaker Fiat Group SpA, and

WHEREAS, Chrysler has announced its intentions to build a new plant in Saltillo, Mexico, and whereas, local Chrysler workers are skilled and experienced in automotive production, and

WHEREAS, Kenosha union workers adopted concessions in 2006 to encourage Chrysler to invest in Kenosha for the purpose of building a new, more fuel efficient engine in Kenosha, and as recently as last week agreed to more concessions, including a six-year wage freeze and loss of vision and dental insurance and reduced prescription drug coverage for retirees with 89% of its workers voting in favor of the concessions so that bankruptcy could be avoided and future federal money could be received, and

WHEREAS, Chrysler had given assurances to Congressman Paul Ryan that a plant-closing in Kenosha would not occur, and

WHEREAS, the Federal government agreed to give Chrysler up to 8 billion dollars in additional financing and whereas, both the State of Wisconsin and Kenosha County have been willing to assist Chrysler financially in the past, and whereas public money is aiding Chrysler's bankruptcy and merger with Fiat, and

WHEREAS, permanently closing the Kenosha plant will have an adverse effect on the local community and local economy, and whereas, plans to offer those employees who have lost their jobs in Kenosha employment at other facilities will be disruptive and will still result in other economic loss for Kenosha County, and

WHEREAS, the plan to permanently close Chrysler is part of the company's bankruptcy plan which must be approved by the bankruptcy court;

NOW THEREFORE BE IT RESOLVED That the Kenosha County Board of Supervisors oppose the closing of Chrysler's Kenosha Plant, and

BE IT FURTHER RESOLVED That a copy of this Resolution be forwarded to James Doyle, Governor of the State of Wisconsin, the Congressional delegation for the State of Wisconsin, and President Barack Obama as well as to the Board of Directors for Chrysler and Fiat Group SpA.

SUBMITTED BY:

Terry Rose	William Grady
Edward Kubicki	William Michel, II
Jennifer Jackson	Roger Johnson
David Singer	Gabe Nudo
Richard Kessler	Fred Ekornaas
Bob Haas	Jeffrey Gentz
Anita Faraone	Dayvin Hallmon
Shavonda Marks	Robert Zerban

It was moved by Supervisor Rose to adopt Resolution 4. Seconded by Supervisor Kubicki.

It was moved by Supervisor Jackson to amend Resolution 4. Seconded by Supervisor Hallmon.

The motion to amend Resolution 4 was withdrawn by Supervisors Jackson and Hallmon.

Motion carried to adopt Resolution 4 as written.

CLAIMS

1. Kathy LaChapelle - vehicle damage.

Chairman Clark referred Claim 1 to Corporation Counsel

It was moved by Jackson to approve the April 21st, 2009 minutes (Regular and Organizational Meetings). Seconded by Supervisor Zerban.

Motion carried.

It was moved by Supervisor Jackson to adjourn. Seconded by Supervisor Morton.

Motion carried.

Meeting adjourned at 9:12 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

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

May 19, 2009

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

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

Excused: Supervisors Gentz, Haas.

Present: 26. Excused: 2.

CITIZEN COMMENTS

Bob Danbeck 7626 27th Avenue, stated he has golfed at County Courses for 20 years and is running into all kinds problems this year that he's never seen on these courses. In the past, Petrified Springs Golf Course was booked solid on Sundays until about 3 o'clock in the afternoon. The last two Sundays, there were openings before noon. He also stated the City, County and voters recommended the casino to be built. That's 3000 jobs waiting to happen. In this economy, and with Chrysler closing, we need jobs.

Ken Krenz 102 Katie Dr., Silver Lake, stated he is a Deputy Sheriff and the President of Kenosha County Deputy Sheriff's Association. The contract negotiation committees from the Deputy Sheriff's Association and the County worked very hard to come up with the agreement which is on the agenda. He believes it was always the intention of both sides to come up with a negotiated agreement that would satisfy the needs of the employees as well as the needs of the Kenosha County Taxpayers. He asked for the boards support.

Barb Hanson 8212 160th Avenue, Bristol, asked the board to support Resolution 19 regarding statewide legislation regarding sex offenders. Victim's organizations do not consider residency ordinances for sex offenders to be victim friendly. Kenosha has a good tradition of being victim sensitive and being victim smart. We were the first county in the State of Wisconsin to have a Victim Witness Coordinator. This is an opportunity for the County Board to be a leader in the State by doing the smart thing, and the right thing by asking the State Legislature to address this problem so that smaller municipalities are not pitted one against each other, or one county against each other in a misguided effort to keep children safe.

There were no announcements of the Chairman.

At this time there was a presentation by Audra Brennan, Southeastern Wisconsin Medicaid Liaison and Nellie Musignac, Medicaid Navigator.

SUPERVISOR REPORTS

Supervisor Huff stated two weeks ago on a Sunday, him and his brother-in-law went golfing at Pets at the last minute without a tee time. They made every accommodation possible at the club house to fit them in with another twosome. His only complaint is that their 18 hole round took 6½ hours because they followed a 71 year old named Bob.

Supervisor Breunig stated she attended a Public Issues and Leadership Development Conference in Washington D.C. This is the first time in over 10 years someone from Kenosha County attended this conference. She was sent out there on non-tax levy dollars. She along with other supervisors from the State of Wisconsin went out there to talk about public issues that are happening in their counties. They then went Capital Hill and talked with Congressman Ryan and Senator Feingold about the Smith Lever Act and the funding they receive from it. The funding from the Smith Lever Act is used for Cooperative Extension in the State of Wisconsin and with that funding they provide programs such as the Master Gardner, 4-H Program and Nutrition Education.

Supervisor Noble asked the Chairman to invite the US Representatives to address this Board relative to the closing of the Chrysler Plant and the moving of production to Mexico subsidized by tax dollars. He would like one question

explained. What exactly are they doing? We would be remiss if we don't ask them to come and address this board.

Vice-chair Faraone reported the Finance and Legislative Committees met jointly to review the Contracting Policy. The committee members on both sides made numerous suggestions in which Corporation Counsel has been asked to incorporate those recommendations and suggestions into the Contracting Policy and bring it back to both committees as soon as possible. The Finance Committee received 5 reports and adopted 12 resolutions. Rich Rodenbeck and Todd Battle presented the Kenosha Area Business Alliance first quarter report. We have no delinquencies on the loan fund reports. Sara Carpenter from Wisconsin Community Services gave the committee an overview of the Sheriff's Department Intensive Sanctions Program and reported on the effectiveness of the program. Register of Deeds gave her report; the activity in that office isn't as fruitful as it has been in the past years. Dave Geersten and Gina Turner gave a status report on Information Services. The Finance Committee reviewed the County Level projection and if we look at a 3% levy cap, at this point in time, we are \$5,000,000 in the hole on meeting our budget.

Supervisor Molinaro stated he agrees with Supervisor Noble, we need to have the Congressman and Senator here with some answers.

NEW BUSINESS

Ordinances - first reading two required

1. From Highway and Parks Committee to Create Ordinance's on speed limits for CTH "E" from 0.25 miles west of the West Frontage Road to 0.31 miles east of the East Frontage Road.

2. From Highway and Parks Committee to repeal and recreate an Ordinance on speed limits for CTH "K" from CTH "H" to 0.18 miles west of 128th Avenue.

Ordinances - one reading

ORDINANCE 3

3. From the Land Use Committee regarding Estate of Carol Mae Barrows, Daniel P. Kirschnik (Agent/Counsel) requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Somers.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 3. Seconded by Supervisor Morton.

Motion carried.

ORDINANCE 4

4. From the Land Use Committee regarding Daniel and Helen Kozie; Lee, John and Shirley Kozie, Trustees of Living Trust (Owners) requesting rezoning from A-2 General Agricultural District, C-1 Lowland Resource Conservancy District and R-4 Urban Single-Family Residential District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District in the Town of Randall.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 4. Seconded by Supervisor Nudo.

Motion carried.

Resolutions - one reading

RESOLUTION 5

5. From Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between the County of Kenosha and the Kenosha County Deputy Sheriff's Association.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and the Kenosha County Deputy Sheriff's Association, were recently concluded; and

WHEREAS, the negotiations have culminated in a three-year labor agreement ending December 31, 2011, 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 Committee 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 an on file in the County Clerk's Office.

SUBMITTED BY:

Administration Committee

Finance Committee

David Singer

John O'Day

Mark Modory

Terry Rose

Fred Ekornaas

Mark Molinaro, Jr.

Shavonda Marks

David Singer

It was moved by Supervisor Moore to adopt Resolution 5. Seconded by Supervisor Molinaro.

Roll call vote.

Ayes: Supervisors Zerban, Kessler, Huff, Rose, Kubicki, Hallmon, Marks, Modory, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Jackson, West, Roger Johnson, Breunig, Ekornaas.

Nays: Supervisors Grady, Clark, Faraone, Moore, Noble, Elverman.

Ayes: 20. Nays: 6.

Motion carried

RESOLUTION 6

6. From Administration and Finance Committees a Resolution to Reauthorize Self-Insurance.

WHEREAS, the County of Kenosha, is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the Wisconsin Worker's Compensation Act (ACT) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, the Administration Committee and Finance Committee of the Kenosha County Board of Supervisors have reviewed and approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors does ordain as follows:

- 1) Provide for the continuation of a self-insured worker's compensation program that is currently in effect.
- 2) Authorize the Risk Manager to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

SUBMITTED BY:

Administration Committee

Finance Committee

James Moore

Anita Faraone

David Singer

John O'Day

Mark Modory

Terry Rose

Fred Ekornaas

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Moore to adopt Resolution 6. Seconded by Vice-chair Faraone.

Motion carried.

RESOLUTION 7

7. From the Finance Committee regarding Appointment 2008-09-31 Appointment of Sharon Acerbi to the Kenosha County Library System Board.

WHEREAS, pursuant to County Executive Appointment 2008/09-31, the County Executive has appointed Sharon Acerbi to serve on the Kenosha County Library System Board; 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 System Board 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 System Board. Ms. Acerbi's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31st day of December, 2011, 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. Ms. Acerbi will be succeeding herself.

SUBMITTED BY:

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-chair Faraone to adopt Resolution 7. Seconded by Supervisor Singer.

Motion carried.

RESOLUTION 8

8. From Highway & Parks and Finance Committee a Resolution for approval of grant funding from National Oceanic and Atmospheric Administration (NOAA) for the Coastal and Marine Habitat Restoration Project Grant (CFDA #11.463 Habitat Conservation)

WHEREAS, Kenosha County Parks Division requests approval to accept Coastal and Marine Habitat Restoration Project Grant funding from the National Oceanic and Atmospheric Administration (NOAA) for Pike River Fish Passage Dam Removal pursuant to CFDA number 11.463, Habitat Conservation for the purpose of funding the dam removal to allow fish passage and restore fish habitat in the upper Pike River, and

WHEREAS, the current dam was rendered obsolete in 1976 when an irrigation pond was built on the Pets golf course; the dam currently contributes to flooding events that washout playgrounds, trails, closes shelters thus decreasing parks revenue, and closes sections of the parks to the general public; and

WHEREAS, the grant in the amount of \$517,000 includes the dam removal, installation of a bridge include an 8 foot bike lane, restoration of the stream banks and stream bed, with no local match required, and

WHEREAS, this dam being the last impediment to fish passage in the Pike River, has support for being removed from the Root-Pike River WIN Network, Wisconsin Department of Natural Resources, the Wisconsin Department of Administration, the US Department of Fish and Wildlife, and local DNR Wildlife Specialists..

THEREFORE, BE IT RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf to accept the Coastal and Marine Habitat Restoration Project Grant funds if awarded to Kenosha County for the Pike River Fish Passage Dam Removal; and

BE IT FURTHER RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to accept the grant funds if awarded to Kenosha County in the amount of \$517,000, and

BE IT FURTHER RESOLVED that the appropriation in the 2009 Budget be modified upon approval of the Grant award from the National Oceanic and Atmospheric Administration.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

Finance Committee

Anita Faraone

John O'Day
Gordon West
Douglas Noble

John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Elverman to adopt Resolution 8. Seconded by Vice-chair Faraone.
Roll call vote passed unanimously.

RESOLUTION 9

9. From Highway & Parks and Finance Committee a Resolution to approve the application and acceptance of grant funding from the Federal Land and Water Conservation Program.

WHEREAS, Kenosha County Parks Division requests approval to apply for grant funding from the Federal Land and Water Conservation program pursuant to Ch. NR 50.06, NR 50.21, Subchapters XI-XV, Wis. Adm. Code for the purpose of funding a restroom building project at Brighton Dale Park, and

WHEREAS, the current restroom facility within the Park area is not sufficient to accommodate vistors of the park during special events; and

WHEREAS, the grant in the amount of \$132,800 for the restroom building project is a fifty percent local match, whereby the Lakeland Little League would contribute the total amount of \$66,400 for the local match through financial and labor donations.

THEREFORE, BE IT RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf to submit an application to the Department of Natural Resources for financial assistance under Ch. NR 50.06, NR 50.21, Subchapters XI-XV, Wis. Adm. Code; and

BE IT FURTHER RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to accept the grant funds in the amount of \$132,800, and

BE IT FURTHER RESOLVED that the appropriation in the 2009 Budget be modified upon approval of the Grant award from the Department of Natural Resources

SUBMITTED BY:

Highway & Parks Committee
Dennis Elverman
John O'Day
Gordon West
Douglas Noble

Finance Committee
Anita Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Elverman to adopt Resolution 9. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 10

10. From Human Services and Finance Committees a Resolution To Modify Division of Aging & Disability Services 2009 Budget for Wisconsin Public Health Association Funds to Conduct Living Well Classes in Conjunction with the Arthritis Campaign.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services was awarded \$8,538 by the Wisconsin Public Health Association to run Living Well classes in conjunction with the Arthritis Campaign - 'Physical Activity: The Arthritis Pain Reliever' and

WHEREAS, no additional levy is required;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services budget be modified as follows:

Authorize increase of expenditures of \$8,538 and to increase revenues by \$8,538, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee
Edward Kubicki
Terry Rose
Richard Kessler
Jennifer Jackson
Jeffrey Gentz

Finance Committee
Anita Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Kubicki to adopt Resolution 10. Seconded by Vice-chair Faraone.
Roll call vote passed unanimously.

RESOLUTION 11

11. From the Human Services and Finance Committees a Resolution to Modify Division of Aging & Disability Services 2009 Budget for Wisconsin Department of Transportation Grant to enhance Transportation Services

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services was awarded New Freedom Grant funds by the Wisconsin Department of Transportation to purchase benches, software, bus stop signs and mobility management for Western Kenosha County Transit; and

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services is receiving \$77,362 New Freedom Grant funding from the Wisconsin Department of Transportation to enhance transportation services; and

WHEREAS, no additional County Levy is required;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services budget be modified as follows:

Authorize increase of expenditures of \$77,362 and to increase revenues by \$77,362, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Kubicki to adopt Resolution 11. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 12

12. From the Human Services and Finance Committees Resolution to Modify the Department of Human Services, Division of Workforce Development 2009 Budget for the American Recovery and Reinvestment Act Grants for Youth, Adult and Dislocated Worker Program.

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development acting as the Tri-County Consortium fiscal agent was awarded American Recovery and Reinvestment Act grants for Youth, Adult and Dislocated Worker Programs, and

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development is receiving \$2,136,831 from the State of Wisconsin Department of Workforce Development with the requirement to supplement, not supplant existing WIA State formula funds, and

WHEREAS, these funds have been allocated through June 30, 2010 to Kenosha County in the amount of \$803,448, Racine County \$1,041,705 and Walworth County \$291,678 for the purpose of planning and providing job skills training and job placement support services,

WHEREAS, this budget modification poses no additional levy-funded costs to the County,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services budget be modified as follows:

Authorize increase of expenditures of \$2,136,831 and increase revenues by \$2,136,831, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2009 will be carried over into the 2010 budget.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Kubicki to adopt Resolution 12. Seconded by Vice-chair Faraone.
Roll call vote passed unanimously.

RESOLUTION 13

13. From Judiciary & Law and Finance Committees regarding FY09 Law Enforcement Justice Assistance Grant (JAG).

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$108,227.00 for a Law Enforcement Justice Assistance Grant (JAG), for the period July 1st, 2009 through June 30th, 2012, and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department after an agreed upon split of a total award of \$289,133.00 with the City of Kenosha and Village of Pleasant Prairie after, as part of the 2009 Federal Reinvestment and Recovery Act through the US Dept of Justice, Office of Justice Programs, and

WHEREAS, these funds will be used to purchase law enforcement equipment for the Department that has been so designated by the Sheriff for law enforcement purposes, and

WHEREAS, this grant will not require any local match, and

WHEREAS, this budget modification will not require any additional tax levy dollars.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and that the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the JAG grant requirements, and that the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by \$108,227.00 and increases expenditures by \$108,227.00.

Judiciary & Law Committee

Finance Committee

William Michel, II

Anita Faraone

Bob Haas

John O'Day

Roger Johnson

Terry Rose

Ronald Johnson

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 13. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 14

14. From Judiciary & Law and Finance Committees regarding Homeland Security/Law Enforcement Specialty Team Equipment 2009.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$59,944.00 through the State of WI, Office of Justice Assistance, 2009 Homeland Security Funding program.

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

WHEREAS, the funding will allow for the purchase of a Rapid response vehicle for the Bomb Squad to utilize to respond to Incidents and Transport Equipment to Incidents, and

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 \$59,944.00 and increases expenditures by \$59,944.00.

Judiciary & Law Committee	Finance Committee
William Michel, II	Anita Faraone
Bob Haas	John O'Day
Roger Johnson	Terry Rose
Ronald Johnson	Mark Molinaro, Jr.
	David Singer

It was moved by Supervisor Michel to adopt Resolution 14. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 15

15. From Judiciary & Law and Finance Committees regarding Additional Money for Siren Repairs.

WHEREAS, Kenosha County Division of Emergency Management originally budgeted \$16,000 for siren repairs/maintenance, and

WHEREAS, a bid for an "18-month" inspection is now underway to lubricate and inspect all of the Counties 35 outdoor warning sirens, and

WHEREAS, \$10,000 was carried over from Emergency Management's FY08 budget for additional siren repairs/maintenance, and

WHEREAS, to date five sirens have already been found to have both minor and major repairs, requiring two of the siren heads to be replaced and at least three other sirens having been found defective, and

WHEREAS, during the rest of the siren inspection and for the rest of the year, it is unknown as to how many other outdoor warning sirens may have problems and/or not engage when sounded during the monthly test, and

WHEREAS, it is anticipated that an additional \$10,000 from the General Fund will be needed for future siren repairs during the 2009 budget year, and

WHEREAS, the Kenosha County Emergency Management budget will require a FY09 Budget Modification of \$10,000,

NOW THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve that the FY09 Emergency Management expenditure line item be modified, as per the attached budget modification form.

Judiciary & Law Committee	Finance Committee
William Michel, II	Anita Faraone
Bob Haas	John O'Day
Roger Johnson	Terry Rose
Ronald Johnson	Mark Molinaro, Jr.
	David Singer

It was moved by Supervisor Michel to adopt Resolution 15. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously. (Supervisor Elverman was not in the room at the time of voting)

RESOLUTION 16

16. From Judiciary & Law and Finance Committees regarding Hazardous Materials Emergency Preparedness (HMEP) Grant.

WHEREAS, Kenosha County Division of Emergency Management has been awarded a Hazardous Materials Emergency Preparedness (HMEP) grant totaling \$9,895.70 for FY09 from the State of Wisconsin Division of Emergency Management (WEM), and

WHEREAS, the HMEP grant will be used to hire a temp to update and enhance the County's emergency management software, CAMEO, which is used by the County's HazMat team, all Countywide Fire Departments, Sheriff's Department Tactical Response Unit, the Regional HazMat Team and Emergency Management, and

WHEREAS, the grant was originally budgeted for the utilization of an outside contractor to perform the grant work; who is no longer available to perform such work, and

WHEREAS, Kenosha County Emergency Management's budget will now need to be modified from "Other Professional Services" to "Salaries-Temporary", "FICA", and "Retirement", and

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

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve that the FY09 Emergency Management expenditure line items be modified, as per the attached budget modification form, which are incorporated herein by reference.

Judiciary & Law Committee

William Michel, II

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor Michel to adopt Resolution 13. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 17

17. From Legislative Committee a Resolution Opposing 2009 Senate Bill 20.

WHEREAS, 2009 Senate Bill 20 is currently pending before the Senate Labor, Election and Urban Affairs Committee; and

WHEREAS, Senate Bill 20 would have a dramatic financial impact on counties by changing employment discrimination laws as follows:

- Allowing claimants to collect unlimited punitive damages against counties contrary to current state and federal law;
- Forcing counties to pay a punitive 10% surcharge to the court system in addition to unlimited damages;
- Forcing counties to litigate issues of compensatory and punitive damages years after the initial discrimination complaint was filed;
- Creating an irrational and inefficient complaint process where both parties have an incentive to litigate claims to the fullest extent possible; and

WHEREAS, Kenosha County faces significant budgetary challenges related to the provision of critical state and county services at a time when state and federal financial support for such services is decreasing and the burden placed on Kenosha County taxpayers is growing; and

WHEREAS, adding new costs for counties and forcing counties to increase their tax levies during our current economic downturn would be devastating to property taxpayers who can ill afford increased taxes or increased insurance costs.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors hereby opposes the Governor's proposed changes to employment discrimination laws in 2009 Senate Bill 20 and strongly encourages its senators and representatives in the Wisconsin State Legislature to reject the Governor's proposals and Senate Bill 20.

SUBMITTED BY:

Legislative Committee

Mark Modory

William Michael, II

Dayvin Hallmon

It was moved by Supervisor Modory to adopt Resolution 17. Seconded by Supervisor Hallmon.

Roll call vote.

Ayes: Supervisors Kessler, Huff, Kubicki, Hallmon, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Morton, Noble, West, Clark, Roger Johnson, Breunig, Ekornaas.

Nays: Supervisors Grady, Zerban, Marks, Molinaro, Jackson, Rose.

Abstain: Supervisors Singer Elverman.

Ayes: 18. Nays: 6. Abstain: 2.

Motion carried.

RESOLUTION 18

18. From Legislative Committee a Resolution Opposing the Governor's Proposed Changes to Insurance Laws.

WHEREAS, Governor Jim Doyle's 2009 Executive Budget Bill (2009 Assembly Bill 75) contains several anti-tort proposals including, but not limited to:

- Changing comparative negligence laws to force a defendant to pay one hundred percent of the damages when they have as little as one percent of liability;
- Forcing individuals, companies and local governments to pay for higher levels of insurance by increasing mandatory minimum auto liability insurance limits;
- Changing the definition of an "underinsured motorist" in a way that increases insurance claims;
- Requiring insurance companies to cover "uninsured motorist" insurance claims when no contact was made between the insured's car and another car, thereby increasing the risk of fraudulent claims;
- Allowing "stacking" of coverage for "underinsured motorists" such that the coverage limits for an accident are not limited to the policy relating to the particular vehicle involved in the accident;
- Forcing excess or umbrella insurers to offer to cover certain claims when the coverage was not requested by the insured; and

WHEREAS, the aforementioned anti-tort reform proposals would significantly increase the cost of providing insurance in Wisconsin; and

WHEREAS, Kenosha County would see a substantial increase in its liability insurance premiums if the Governor's anti-tort reform proposals are enacted; and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors hereby opposes the Governor's proposed changes to insurance laws included in his 2009 Executive Budget and strongly encourages its senators and representatives in the Wisconsin State Legislature to reject the Governor's proposals.

SUBMITTED BY:

Legislative Committee

Mark Modory

William Michael, II

Dayvin Hallmon

It was moved by Supervisor Modory to adopt Resolution 18. Seconded by Supervisor Hallmon.

Motion carried.

RESOLUTION 19

19. From Legislative Committee a Resolution in support of Legislation regarding Sex Offenders.

WHEREAS, Congress has passed the Adam Walsh Child Protection and Safety Act of 2006 which authorizes a comprehensive national system for managing sex offenders which includes registration of offenders and community notification of their whereabouts, and whereas this Act further provides for a three tier classification system for sex offenders and, based on their risk of re-offending, determines who must register, for how long, and whether they are to be listed on the Internet, and

WHEREAS, as a result of these requirements the public is increasingly aware of the potential for released registered sex offenders living in close proximity to areas where children congregate, and

WHEREAS, state and local laws vary greatly, and sometime conflict with each other, and do not always recognize the various risk levels of a sex offender re-offending; and whereas many municipalities in Wisconsin have enacted local ordinances restricting where registered sex offenders may live, and

WHEREAS, the Kenosha County Board Legislative Committee has been charged with the task of determining the suitability of enacting a county ordinance restricting the residency of registered sex offenders; and whereas the Legislative Committee has conducted hearings on the matters and solicited comments from the Wisconsin Department of Corrections, the District Attorney's Office, law enforcement agencies, social workers and others involved in the

monitoring and treatment of sex offenders and whereas the Committee has had the benefit of reviewing various national studies on the effectiveness of such ordinances, and

WHEREAS, the Committee is advised that in 2007 there were approximately 20,000 individuals in Wisconsin who were registered sex offenders, of whom 5741 were still incarcerated, 5133 were supervised, and 8860 were unsupervised; and whereas, Wisconsin law does not adequately classify sex offenders and registers not only sexual predators of children but individuals whose crime involved non-violent activity; and whereas some of the registered offenders were juveniles who were treated locally within the community; and whereas on average only 7% of sex crimes are perpetrated by strangers and 60% of such crimes are committed in the home of the victim or in the home of a friend, neighbor or relative; and whereas most sex offenders are undetected and 1 in 5 fail to register; and whereas, national studies conclude that most victims are not targeted based upon their proximity to the residence of the offender, and

WHEREAS, there are limited resources for monitoring sex offenders and for notifying the community; and whereas, many offenders who fail to register become homeless and therefore difficult to trace and whereas law enforcement agencies are not adequately informed when out-of-state offenders cross state lines, and whereas, law enforcement notification generally deal with notice of an offender being released and not always with where they are being re-located, and whereas, municipalities that enact local ordinances restricting the residency of sex offenders are being increasingly challenged and whereas these municipalities are encountering significant costs in defending such ordinances, and

WHEREAS, knowledge of future residency restrictions has reduced plea bargains resulting in cases not being adjudicated and offenders being released back into the community and furthermore whereas such restriction prohibit many offenders from being reunited with their families or other support networks and often times force offenders from being able to afford housing or force them into rural areas far from treatment facilities and employment, and whereas, there is no definitive research on the effectiveness of such restrictions, and whereas the Wisconsin Coalition Against Sexual Assault has expressed concerns about the effectiveness of residency requirements and the National Sex Offender Treatment / Assault Prevention Group has opposed residency restrictions, and whereas, such restrictions have generally created a false sense of security, and

WHEREAS, alternative solutions to restricting the residency of sex offenders include shared living arrangements with other offenders thereby allowing for better monitoring, increased use of GPS tracking and use of polygraph testing, increased mandatory incarceration, civil commitments, creation of child safety zones where offenders are not allowed unless specifically authorized by a supervising agent, more funding for monitors and for treatment, support groups and risk analysis, a more meaningful system for classification of offenders and determining who should be on the registry with concentration on high-risk offenders and those likely to re-offend, greater emphasis on educating parents and mandatory protective behavior lessons in both public and private schools, and more support for victims;

NOW THEREFORE BE IT RESOLVED that the Kenosha County Board, in lieu of enacting a local ordinance restricting the residency of sex offenders, go on record in support of state-wide legislation prohibiting the enactment of such local ordinances which are generally unenforceable and ineffective and give residents a false sense of security and be it further resolved that Kenosha County support state-wide legislation creating more meaningful classification of sex offenders and allowing limited resources to concentrate on the increased monitoring of high risk offenders and more funding for GPS tracking, increased mandatory incarceration, civil commitments, the creating of child safety zones and more funding for monitors, treatment, and study of offenders as well as increased funding for the needs of victims and be it further resolved that the Kenosha County Board support state legislation mandating protective behavior lessons in both public and private schools, and

BE IT FURTHER RESOLVED That a copy of this Resolution be forwarded to James Doyle, Governor of the State of Wisconsin, Kenosha County State Legislators and the Wisconsin Counties Association.

It was moved by Supervisor Huff to adopt Resolution 19. Seconded by Supervisor Michel.

It was moved by Supervisor Moore to amend Resolution 19 to add that Resolution 10 also be sent to DOC Officials and other Counties. Seconded by Supervisor Jackson.

Motion carried.

Roll call vote on Resolution 19 as amended.

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

Nay: Supervisor Molinaro.

Ayes: 25. Nays: 1.

Motion carried.

20. From Legislative Committee a Resolution in Support of Senate Substitute Amendment 1 to the 2009 Senate Bill 3 and Assembly Bill 15.

It was moved by Supervisor Modory to adopt Resolution 20. Seconded by Supervisor Michel.

It was moved by Supervisor Rose to refer Resolution 20 back to the Legislative Committee. Seconded by Supervisor Nudo.

Roll call vote on referring Resolution 20 back to the Legislative Committee.

Ayes: Supervisors Grady, Kessler, Huff, Rose, Kubicki, Marks, Faraone, Michel, O'Day, Nudo, Moore, Molinaro, Morton, Noble, West, Clark, Elverman, Ekornaas.

Nays: Zerban, Hallmon, Modory, Ronald Johnson, Singer, Jackson, Roger Johnson, Breunig

Ayes: 18. Nays: 8

Motion carried.

COMMUNICATIONS

1. From County Executive Jim Kreuser and Chairman Joseph Clark; Proclamation regarding the 2010 Census.

Chairman Clark received Communication 1 for filing in the County Clerk's Office.

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

Chairman Clark referred Communication 2 to the Land Use Committee.

CLAIMS

2. Jeanette Rath - damage to rental units due to Law Enforcement search with warrant.

3. Aaryan Tortoriello - damage to property due to Law Enforcement search with warrant.

4. David L. Gregorski - car damaged by debris in road on Hwy.

Chairman Clark referred Claims 2-4 to Corporation Counsel

It was moved by Roger Johnson to approve the May 5, 2009 minutes. Seconded by Supervisor Nudo.

Motion carried.

It was moved by Supervisor Jackson to adjourn. Seconded by Supervisor Morton.

Motion carried.

Meeting adjourned at 10:15 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

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

June 2, 2009

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

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

Present: 28. Excused: 0.

At this time, Representatives for Senators Herb Kohl, Russ Feingold and Representative Paul Ryan addressed the County Board regarding the Chrysler Plant Closing.

Chairman Clark summed up the Board Members comments and ideas; That we get a coordinated strategy if there isn't one or enhance it if there is one. If our jobs are going to be moved to Mexico then we should get our tax money back. That we introduce legislation to stop jobs from leaving this country, especially those companies that are receiving federal assistance. Legislation should be introduced to assure that our pensions are funded and that health care is being addressed. We work with Fiat to access those funds that are already available. We receive responses to the letters the Representatives wrote and be updated to what is going on. That we call on the President to act in the best interest of U.S. jobs.

CITIZEN COMMENTS

Glen Stark, 7308 4 Mile Rd., Franksville, stated he is the President of Local 72. He thanked the representatives that came here to speak. Last Friday, Chrysler was on a closing list. On Monday they had an amendment for an opportunity to repurchase Kenosha Engine Plant to the new Chrysler. He asked that no one be discouraged by what you see; he thinks the ray of light is there. Kenosha Engine Plant, just like Janesville has the opportunity to be back on their feet again. He believes the meetings they've had with the Mayor, County Executive and the Representatives have not failed. They took them from a closing list and put them on a chance to survive list. He asked that we not bash the people who are here tonight as representatives, they're here because Sens. Feingold & Kohl and Rep. Ryan are in Washington doing the things we need them to do. Everyone is working towards a common goal; for Kenosha Engine Plant to survive.

Curt Wilson, 7525 28th Ave. stated he is the Chairman of Local 72 Retirees. He is worried about the 10,000 retirees from American Motors and Chrysler. Through concessionary agreements they have given up 4 or 5 times what Fiat is buying the company for. Their health care is at risk come January. He agrees with Supervisor Rose, he doesn't believe our congressional delegation has done enough. Throughout this whole thing, neither Mexico nor Canada has lost any jobs. Kenosha Engine stands to lose a lot.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Clark stated the County Executive keeps him updated as to what is going on. He has reason to believe from that discussion there is a coordinated effort with the County Executive, Mayor, Local 72, Governor and our Legislative Representatives. The cards are not being played out in public as they are trying to negotiate. The United Way report said Chrysler is very important in the multiplier that it has on our economy.

Chairman Clark received a letter from the Department of Natural Resources to inform us the State is going to be purchasing point 2.9 acres of land for the Chiwaukee Prairie in Carol Beach area.

SUPERVISOR REPORTS

Supervisor Elverman reported Highway Department received correspondence from the Department of Transportation regarding the priorities on county work on state roads. The new guidelines slow down the maintenance process they've been doing in the previous years. One of the largest concerns is the reduced mowing

efforts on state highways. Mowing is now reduced to one shoulder cut once per season with one mower pass and no esthetic cleanup. There is an exception for spot locations where vision is of a safety issue. Along with the safety issues, Kenosha County, as the Gateway to Wisconsin shouldn't look poor. They are working on putting a letter together for our state representatives.

Supervisor Elverman stated the Golf Division had a very good month, they're up on rounds, up on revenue and down on expenses. There will be an outdoor theater in the Silver Lake Park on June 26. It will run from dusk to 4:00 a.m. There will be camping allowed, the concession stand will be opened until 2:00 a.m. There will no alcohol allowed. They are hoping to do more of these throughout the summer.

Supervisor Breunig stated she dropped of a 2009 Farm Fresh Atlas on everyone's desk. She hopes everyone will be able to get out this summer and attend some of the Farmer's Markets that are going on in our county.

COUNTY EXECUTIVE APPOINTMENT

1. Martin Lacock to serve as the Director of the Kenosha County Division of Information Services.

Chairman Clark referred County Executive Appointment 1 to the Finance Committee.

OLD BUSINESS

Ordinances - second reading, two required.

ORDINANCE 1

1. From Highway and Parks Committee to Create Ordinance's on speed limits for CTH "E" from 0.25 miles west of the West Frontage Road to 0.31 miles east of the East Frontage Road.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

(9) County Trunk Highway "E", Somers

(e) 45 m.p.h. from a point 0.09 miles east of the East Frontage Road easterly to a point 0.31 miles east of the East Frontage Road.

Section 7.02 Speed Limits

(9.1) County Trunk Highway "E", Town of Paris

(a) 45 m.p.h. from a point 0.25 miles west of the West Frontage Road easterly to a point 0.09 miles west of the West Frontage Road.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Ekornaas to adopt Ordinance 1. Seconded by Supervisor West.

Motion carried.

ORDINANCE 2

2. From Highway and Parks Committee to repeal and recreate an Ordinance on speed limits for CTH "K" from CTH "H" to 0.18 miles west of 128th Avenue.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby repealed:

Section 7.02 Speed Limits

(19) County Trunk Highway "K"

(a) 45 m.p.h. from its intersection with County Trunk Highway "H" westerly to its intersection with I-94.

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

(19) County Trunk Highway "K"

(a) 45 m.p.h. from its intersection with County Trunk Highway
"H" westerly to a point 0.18 miles west of 128th Avenue.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Ekornaas to adopt Ordinance 1. Seconded by
Supervisor West.

Motion carried.

CLAIM

5. The Hartford Ins. Co. - vehicle damage (David Gregorski)

Chairman Clark referred Claim 5 to Corporation Counsel

It was moved by Ronald Johnson to approve the May 19, 2009 minutes. Seconded
by Supervisor Roger Johnson.

Motion carried.

It was moved by Supervisor Jackson to adjourn. Seconded by Supervisor
Morton.

Motion carried.

Meeting adjourned at 8:40 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
June 16th, 2009**

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

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

Excused: Supervisor Marks, Kubicki, Jackson, Breunig, Haas.

Present: 23. Absent: 5

There were no citizen comments

ANNOUNCEMENTS OF THE CHAIR

Chairman Clark announced he is contemplating having a committee chairman meeting next Tuesday, 7:00 at the County Building at Hwys 45 & 50. He will put an agenda out on Friday.

There were no supervisor reports

NEW BUSINESS

Ordinances - first reading, two required.

5. From Highway and Parks Committee to create an Ordinance on speed limits for County Trunk Highway "MB" from State Trunk Highway 50 to County Trunk Highway "K" in the City of Kenosha and Town of Bristol.

6. From Highway and Parks Committee to repeal and recreate an Ordinance on speed limits for County Trunk Highway "ML" from State Trunk Highway "165" to 0.10 miles southwesterly of its intersection with 47th Avenue, Village of Pleasant Prairie.

7. From Highway and Parks Committee to repeal an Ordinance on speed limits for County Trunk Highway "N" from County Trunk Highway "S" to its intersection with the West Frontage Road of I-94, Towns of Somers and Paris.

Ordinances - one reading.

ORDINANCE 8

8. From the Land Use Committee regarding Mark and Kristine Harger (Owners) requesting rezoning from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Bristol.

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 Tax Parcel #35-4-121-351-0400 located in the northeast quarter of Section 35, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of County Trunk Highway "U" (136th Avenue) approximately ¼ mile south of the intersection of 116th Street.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 8. Seconded by Supervisor Morton.

Motion carried.

At this time, Chairman Clark handed the gavel over to Vice-chair Faraone.

ORDINANCE 9

9. From the Land Use Committee regarding Eric, Robert Jr., Karl and John Heilgeist, Gisela Heilgeist (Owners), Mills Enterprises LLC (Buyer/Agent)

requesting rezoning from A-2 General Agricultural District, R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-2 Suburban Single-Family Residential District, PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District, as well as a shoreland area refinement in the Town of Salem.

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 Tax Parcels #65-4-120-054-0320 and #65-4-120-054-0338 located in the southeast quarter of Section 5, Town of Salem be changed from A-2 General Agricultural District, R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-2 Suburban Single-Family Residential District, PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District, as well as a shoreland area refinement. For informational purposes only, these properties are located on the north side of State Trunk Highway "50" (75th Street) immediately east of 284th Avenue and Salem Hills Subdivision.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 9. Seconded by Supervisor Nudo.

Roll call vote.

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

Nays: 0

Abstain: Supervisor Clark.

Ayes: 22. Nays: 0. Abstain: 1

Motion carried.

Vice-chair Faraone handed the gavel back to Chairman Clark.

Resolutions - one reading.

RESOLUTION 21

21. From the Finance Committee regarding 2010 Kenosha County Budget - Advisory Levy Objective.

Be it resolved, that the Kenosha County Board of Supervisors does hereby advise that the 2010 Kenosha County general purpose property tax levy shall increase in an amount of 3%, over the 2009 Kenosha County general purpose property tax levy. This levy objective shall apply to the operating levy, and the debt levy, in accord with Kenosha County Financial Policy Management Statement-Annual County Budget Advisory Levy Objective as approved by the County Board.

SUBMITTED BY:

Finance Committee

Anita Faraone

John O'Day

Terry Rose

David Singer

Mark Molinaro, Jr.

It was moved by Vice-chair Faraone to adopt Resolution 21. Seconded by Supervisor Singer.

It was moved by Supervisor Moore to amend Resolution 21 to remove 3% and replace with "not to exceed 2.5%". Seconded by Supervisor Elverman.

Roll call vote on amendment.

Ayes: Supervisors Grady, Huff, Michel, Moore, Molinaro, Morton, Noble, Elverman.

Nays: Supervisors Clark, Zerban, Kessler, Gentz, Modory, Faraone, Ronald Johnson, O'Day, Singer, Nudo, Ekornaas, West, Roger Johnson, Rose.

Abstain: Supervisor Hallmon.
Ayes: 8. Nays: 14. Abstain: 1.
Motion failed.
Roll call vote on Resolution 21.
Ayes: Supervisors Grady, Zerban, Rose, Kessler, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Clark, Noble, West, Roger Johnson, Ekornaas.
Nays: Supervisors Huff, Moore, Elverman.
Abstain: Supervisor Hallmon.
Ayes: 19. Nays: 3. Abstain: 1.
Motion carried.

RESOLUTION 22

22. From Judiciary & Law and Finance Committees regarding I-94 Project Patrol Agreement between Wis DOT and KSD.

WHEREAS, the Wisconsin Department of Transportation (DOT) has offered an agreement to provide funding for the Kenosha Sheriff's Department to provide extra patrol on I94 in the Construction Zone during 2009 and 2010, and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department after an agreed upon reimbursement for labor costs of \$66,480.00 for 2009, and \$88,232.00 for 2010, and \$6,000.00 for communications expenses and supplies, and

WHEREAS, these funds will be used to reimburse the Department for 1 Deputy Sheriff and expenses incurred to provide extra patrol on I94 in the construction zone 7 days a week, 8 hours a day, for the periods of May 26, 2009 to Dec. 1st, 2009, and April 1st, 2010, to Dec. 1st, 2010 (Dates subject to change), and

WHEREAS, the Sheriff's Department will invoice the DOT Monthly representing the actual hours worked and any other authorized costs incurred, and

WHEREAS, this grant will not require any local match, and

WHEREAS, this budget modification will not require any additional tax levy dollars, but will result in a reduction in levy regarding the labor costs of this project as the Officer assigned will be a straight time posting to the construction zone, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the Agreement and that the revenue and expenditure line items be modified, as per the attached budget modification form and agreement, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the funds are expended in accord with the Agreement requirements, and that the administration shall be authorized to modify the Agreement fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the Agreement and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by (\$160,712.00) and increases expenditures by \$6,000.00.

SUBMITTED BY:

Judiciary & Law Committee
William Michel
James Huff
Roger Johnson
Ronald Johnson

Finance Committee
Anita Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Michael to adopt Resolution 22. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 23

23. From Judiciary and Law Committee regarding Probationary Cabaret License for Bristol 45 Diner.

WHEREAS, the application of Glen Nelson for a probationary cabaret license for the Bristol 45 Diner, 8321 200th Avenue, Bristol, Wisconsin, in the Town of Bristol, was made during the month of September, was turned over to this office on September 22nd, 2008, and

WHEREAS, the establishment known as the Bristol 45 Diner was granted a Probationary Cabaret License per County Board Resolution on December 2nd, 2008, and

WHEREAS, the establishment known as the Bristol 45 Diner was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Glen Nelson, for the Bristol 45 Diner.

SUBMITTED BY:

Judiciary & Law Committee

William Michel

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michael to adopt Resolution 23. Seconded by Supervisor Huff.

Motion carried.

RESOLUTION 24

24. From Judiciary and Law Committee regarding Probationary Cabaret License for Towne Square.

WHEREAS, the application of Richard Cordvan for a probationary cabaret license for the Towne Square, 11338 258th Court, Trevor, Wisconsin, in the Town of Salem, was made during the month of October, was turned over to this office on October 3rd, 2008, and

WHEREAS, the establishment known as the Towne Square was granted a Probationary Cabaret License per County Board Resolution on December 2nd, 2008, and

WHEREAS, the establishment known as the Towne Square was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Richard Cordvan, for the Towne Square.

SUBMITTED BY:

Judiciary & Law Committee

William Michel

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 24. Seconded by Supervisor Ron Johnson.

Motion carried.

RESOLUTION 25

25. From Judiciary and Law Committee regarding Activity Control License for Quiddity Entertainment/County Thunder USA.

WHEREAS, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application from Quiddity Entertainment, for an Activity Control License for Country Thunder USA, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, made during the month of May, 2009 and

WHEREAS, the Sheriff's Department has reviewed the documentation of the applicant, and

WHEREAS, an actual physical inspection of said property indicates that all items that could be, have been complied with pursuant to Chapter 8.01 of the Municipal Code of Kenosha County.

NOW, THEREFORE BE IT RESOLVED, by the Kenosha County Board of Supervisors that an Activity Control License for Country Thunder USA be granted to Quiddity Entertainment for the dates of July 15th, 2009 through July 18th, 2009.

SUBMITTED BY:

Judiciary & Law Committee

William Michel

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Supervisor Michel made a friendly amendment to Resolution 25 to replace Quiddity Entertainment/Country Thunder USA with County Thunder East LLC.

It was moved by Supervisor Michael to adopt Resolution 25 as amended. Seconded by Supervisor Roger Johnson. Motion carried.

RESOLUTION 26

26. From Finance Committee Resolution to approve the Appointment of Martin Lacock to the position of Director of the Division of Information Services.

WHEREAS, pursuant to County Executive Appointment #2009/10-1, the County Executive has appointed Martin Lacock to the position of Director of the Division of Information Services and;

WHEREAS, the Finance Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve in this position 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 approve the appointment of Martin Lacock to the position of Director of the Division of Information Services immediately upon passage of this resolution. Mr. Lacock shall be placed in Range K of the Non-Represented Pay Plan at an annual salary of \$110,000.

SUBMITTED BY:

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-chair Faraone to adopt Resolution 26. Seconded by Supervisor Singer.

Motion carried.

COMMUNICATIONS

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

4. From Michael K. Higgins, City Clerk/Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

5. From Michael K. Higgins, City Clerk/Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Bristol.

Chairman Clark referred Communications 3-5 to Land Use Committee.

CLAIMS

6. Mr. & Mrs. Michael Decaro - driveway damaged by snowplow.

Chairman Clark referred Claims 6 to Corporation Counsel.

It was moved by Supervisor Richard Kessler to approve the June 2, 2009 minutes. Seconded by Supervisor Rose.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:14 P.M.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
July 7th, 2009**

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

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

Excused: Supervisor Singer.

Present: 27. Absent: 1.

There were no citizen comments

ANNOUNCEMENTS OF THE CHAIR

Chairman Clark stated he has a thank you card from the Richard Lindgren family thanking the county board for the plaque and Supervisor Elverman for the memorial tree. Chairman Clark received a letter from Senator Wirsch which enclosed an article from the Milwaukee Journal regarding recent action on the Dane County Regional Transit Authority. On July 20th in Pewaukee WCA is holding a workshop on arbitration and employee negotiation. Anyone interested can let him know. He also received a letter from Chief Justice Shirley Abrahamson; there are various committees that the Supreme Court has in which 1/3 are comprised of non lawyers. If anyone has an interest serving on any of those committees Chairman Clark has the correspondence. At prior meetings, there have been conversations by supervisors when the meetings are ongoing, Chairman Clark asked that everyone gives their fellow supervisors their undivided attention while they're trying to make their point.

SUPERVISOR REPORTS

Supervisor Elverman reported the Highway & Parks Committee held their meeting at the Pringle Nature Center. The Pringle Nature Center just hired a new naturalist, they're giving the Highway & Parks Committee their monthly report, and they have new events for children and adults. Golf is doing well, they're down 1904 rounds, but are ahead in their budget, and they've spent \$147,000 less than in 2008. They are ahead in rounds at Brighton Dale, but behind at Petrifying Springs, due to that whole area being under water because of the rains we had in June. The flooding at Petrifying Springs Park caused the State to close the #1 & #4 wells for e coli counts. The damage has been repaired and is being treated with chemicals. The Youth Hiring Program has begun, 50 people began training last week in the county parks. They've got a lot of work done with that group and they'll be there until August.

OLD BUSINESS

Ordinances - second reading, two required.

ORDINANCE 5

5. From Highway and Parks Committee to create an Ordinance on speed limits for County Trunk Highway "MB" from State Trunk Highway 50 to County Trunk Highway "K" in the City of Kenosha and Town of Bristol.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby rerated:

Section 7.02 Speed Limits

(23.2) County Trunk Highway "MB", City of Kenosha and Town of Bristol.
45 m.p.h. from its intersection with State Trunk Highway 50 Northerly to its intersection with County Trunk Highway "K".

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Ekornaas to adopt Ordinance 5. Seconded by Supervisor Noble.

It was moved by Supervisor Rose to table Ordinance 5,6 & 7 until the next meeting. Seconded by Supervisor Zerban.

Roll call vote.

Ayes: Supervisors Rose, Grady, Zerban, Kessler, Marks, Moore, Jackson, West, Elverman.

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

Ayes: 9. Nays: 18.

Motion failed.

Motion to adopt Ordinance 5 carried.

ORDINANCE 6

6. From Highway and Parks Committee to repeal and recreate an Ordinance on speed limits for County Trunk Highway "ML" from State Trunk Highway "165" to 0.10 miles southwesterly of its intersection with 47th Avenue, Village of Pleasant Prairie. The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby repealed:

Section 7.02 Speed Limits

(23.1) County Trunk Highway "ML", Village of Pleasant Prairie

(a) 35 m.p.h. for all vehicles from its intersection with 89th Street, southerly and westerly to a point 0.09 of a mile southwest of its intersection with 93rd St.

(b) 35 m.p.h. for all vehicles from a point 0.09 of a mile southwest of its intersection with 93rd Street, southwesterly to a point 0.10 of a mile southwesterly from its intersection with State Trunk Highway 165.

(c) 35 m.p.h. for all vehicles from its intersection with County Trunk Highway "H", easterly to its intersection with State Trunk Highway 31.

(d) 35 m.p.h. for all vehicles from a point 0.10 miles southwesterly from its intersection with State Trunk Highway 165, southwesterly to a point 0.10 miles southwesterly of its intersection with 47th Avenue.

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

(23.5) County Trunk Highway "ML", Village of Pleasant Prairie

(a) 35 m.p.h. for all vehicles from its intersection with State Trunk Highway 165, southwesterly to a point 0.10 miles southwesterly of its intersection with 47th Avenue.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Elverman to adopt Ordinance 6. Seconded by Supervisor O'Day.

Motion carried.

ORDINANCE 7

7. From Highway and Parks Committee to repeal an Ordinance on speed limits for County Trunk Highway "N" from County Trunk Highway "S" to its intersection with the West Frontage Road of I-94, Towns of Somers and Paris.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby repealed:

Section 7.02 Speed Limits

(24) County Trunk Highway "N", Towns of Somers and Paris.

45 m.p.h. from its intersection with State Trunk Highway 142
westerly to its intersection with the West Frontage Road of I-94.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

John O'Day

William Grady

Gordon West

Douglas Noble

It was moved by Supervisor Elverman to adopt Ordinance 7. Seconded by Supervisor Grady.

Motion carried.

NEW BUSINESS

Resolutions - one reading.

27. Initial Resolution Authorizing the Issuance of General Obligation Bonds or Promissory Notes in an amount not to Exceed \$15,345,000 for Public Safety Building II Projects and Remodeling and Improvement Projects at the Existing Public Safety Building.

It was moved by Vice-chair Faraone to adopt Resolution 27. Seconded by Supervisor Rose.

It was moved by Supervisor Rose to amend Resolution 27 to add the condition that the City & County pass an IGA within 60 days, if no agreement is reached then the Resolution is to come back to the County Board for review. Seconded by Supervisor Hallmon.

It was moved by Supervisor Michel to call the question on the amendment. Seconded by Supervisor Jackson.

Roll call vote.

Ayes: Supervisors Grady, Rose, Kessler, Kubicki, Hallmon, Marks, Ronald Johnson, Michel, O'Day, Morton, Jackson, Clark, Noble, Breunig, Ekornaas.

Nays: Supervisors Zerban, Huff, Gentz, Modory, Faraone, Nudo, Moore, Molinaro, West, Roger Johnson, Haas, Elverman.

Ayes: 15. Nays: 12

Motion failed.

It was moved by Supervisor Elverman to amend the amendment of Resolution 27 from 60 days to 30 days for the IGA to be in place. Seconded by Supervisor Moore.

Roll call vote.

Ayes: Supervisors Grady, Rose, Kessler, Hallmon, Marks, Faraone, Nudo, Moore, Haas, Elverman.

Nays: Supervisors Clark, Zerban, Huff, Kubicki, Gentz, Modory, Ronald Johnson, Michel, O'Day, Molinaro, Morton, Jackson, Noble, West, Roger Johnson, Breunig, Ekornaas.

Ayes: 10. Nays: 17.

Motion failed.

Roll call vote on the amendment of 60 days.

Ayes: Supervisors Grady, Rose, Hallmon, Faraone, Nudo, Morton, Haas, Elverman.

Nays: Supervisors Clark, Zerban, Kessler, Huff, Kubicki, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Moore, Molinaro, Jackson, Noble, West, Roger Johnson, Breunig, Ekornaas.

Ayes: 8. Nays: 19.

Motion failed.

It was moved by Supervisor Hallmon to call the question on the amendment for Resolution 27. Seconded by Supervisor Grady.

2/3 vote required.

Roll call vote.

Ayes: Supervisors Grady, Kessler, Kubicki, Hallmon, Marks, Modory, Ronald Johnson, Michel, O'Day, Nudo, Morton, Noble, West, Roger Johnson.

Nays: Supervisors Rose, Clark, Zerban, Huff, Gentz, Faraone, Moore, Molinaro, Jackson, Breunig, Haas, Elverman, Ekornaas.

Ayes: 14. Nays: 13.

Motion failed.

It was moved by Supervisor Hallmon that the Board take a 4 minute recess. Motion dies for lack of a second.

Roll call vote on Resolution 27 as presented.

3/4 vote required.

Ayes: Supervisors Grady, Zerban, Kessler, Huff, Kubicki, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Molinaro, Morton, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Ekornaas.

Nays: Supervisors Rose, Hallmon, Faraone, Nudo, Moore, Haas, Elverman.

Ayes: 20. Nays: 7.

Motion failed.

It was moved by Supervisor Rose to adjourn. Seconded by Supervisor Elverman.

Roll call vote.

Ayes: Supervisors Grady, Rose, Marks, Moore, Jackson, Haas, Elverman.

Nays: Supervisors Zerban, Kessler, Huff, Kubicki, Hallmon, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Nudo, Molinaro, Morton, Clark, Noble, West, Roger Johnson, Breunig, Ekornaas.

Ayes: 7. Nays: 20.

CLAIMS

7. Brian Threlkeld - violation of patient rights while incarcerated.

Chairman Clark referred Claim 7 to Corporation Counsel.

It was moved by Supervisor Kubicki to approve the June 16, 2009 minutes. Seconded by Supervisor Moore.

Motion carried.

It was moved by Supervisor Rose to adjourn. Seconded by Supervisor Elverman.

Motion carried.

Meeting adjourned at 9:45 P.M.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
July 21, 2009**

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

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

Excused: Supervisors Zerban, Roger Johnson.

Present: 26. Absent: 2.

There were no citizen comments

ANNOUNCEMENTS OF THE CHAIR

Chairman Clark wanted to publicly apologize to Supervisor Hallmon for not getting back to him during the last meeting when he had the floor. With various different motions on the floor, Supervisor Hallmon was not given the opportunity to finish his comments.

Chairman Clark stated in the Governor's Budget a committee was created; Southeastern Wisconsin Regional Transit Authority (SERTA). That committee is going to be comprised of nine members, two to be appointed by the Mayor of Milwaukee, two by the County Board Chair of Milwaukee, one each by the Mayor of Racine and Kenosha, 1 each by the County Board Chairs of Racine and Kenosha. If anyone has any interest, thoughts or comments please contact Chairman Clark.

Regarding the Intergovernmental Agreement, the city and county met all day Friday, and Tuesday afternoon. They are making good progress, they are down to some minor issues, so they're very hopeful it will be done in short order.

SUPERVISOR REPORTS

Supervisor Moore reported the Administration Committee is in the process of completing the Jailers negotiation process. In September they'll open contact negotiations with 990 Clerical, 168 Custodians and 1392 Brookside. He encourages anyone wishing to communicate on these to make it sooner rather than later. With regards to the non-rep evaluations through May; 78 employees reached their anniversary date, 8 of which have been sworn, 51 evaluations have been received positively, and 16 are still outstanding. There is a summary of the Accident and Sickness plan on the supervisor's desks. It is used concurrently with the Family Medical Leave Act (FMLA). We have approximately 1000 employees which used an average of 5.6 days per year. About 10% of the workforce used 1 day per month of the plan which is the standard average use of any kind of plan such as this. This is a net savings to the county relative to having accrued sickness plan and paying for sick days and budgeting those accordingly as well as short and long term disability. All of the budgets that are under the oversight of the Administration Committee are projected within parameters with two exceptions. The Health Insurance Plan is doing well again this year with a surplus of approximately a million dollars by year end. The worker's compensation budget line projects a deficit of 100K - 250K at the end of the year.

Supervisor Noble reported the Branch 8 remodeling project is completed. There is a working, design, programming workgroup that consists of members of the Kenosha Police and Sheriff Departments, Joint Services and I.S. Department, they're refining the floor plan of the Public Safety Building Project. There is also a steering committee which meets every two weeks and they serve above the workgroup. The steering committee is very fortunate to have Supervisor Molinaro on the committee. He brings a wealth of knowledge not only to the committee but also reports back to the Building and Grounds Committee. They also had an informative discussion on L.E.E.D. green design on the new building. They project the new building will meet the L.E.E.D. certification standards although at this point they're not seeking a certification only a compliance with certification. Bids are being requested for site preparation as well as foundation. The facilities budget is expected to be within budget at the end of the year.

Supervisor Elverman reported on August 1st at 10:00 a.m. the Highway and Parks Committee is going to be doing a dedication to longtime benefactor to the Parks Department, Mr. Paul Swartz. They will be dedicating a roadway at Fox River Park with a reception following. The group of youth workers from Human Services have been working out well in all of the county parks. The Highway and Parks Department sent a letter to our local representatives regarding the States guidelines for mowing and maintenance for the state roads we care for. We received responses from Representatives Barca, Steinbrink and Wirch with copies of letters they have sent expressing our concerns and their concerns.

Vice-chair Faraone reported the Finance Committee had members of the YMCA Board appear before them to present a plan to have the county act as a conduit for 8.3 million dollars Wisconsin Facility Revenue Bond which the YMCA would use to refinance existing debt and finance their aquatic center currently being constructed. The tax exempt bonding would save the YMCA \$130,000 - \$135,000 in debt service annually. There is no risk to the county and no impact on the county dept rating according to our finance director. The Finance Committee will review the request at its August 13th meeting.

Supervisor Jackson wanted to remind everyone this Friday evening is the Shalom Center Gala Building Fund Raiser at the Women's Club and she hopes to see everyone there.

NEW BUSINESS

Ordinances - one reading.

ORDINANCE 10

10. From the Land Use Committee Wisconsin Natural Gas (Owner), John M. Hogan (Agent) 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 Tax Parcel #30-4-220-063-0300 located in the southwest quarter of Section 6, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, this property is located on the east side of County Trunk Highway "J" (312th Avenue) approximately 1/3 mile north of the intersection of C.T.H. "BB" (7th Street).

Description: All that part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 2 North, Range 20 East, located in the Town of Brighton, Kenosha County, Wisconsin, bounded and described as follows: Commencing and beginning at the Northwest corner of said Southwest $\frac{1}{4}$ section; thence North 87°05'26" East long the north line of said Southwest $\frac{1}{4}$ section, 1215.77 feet; thence South 01°18'30" East, 358.30 feet; thence South 87°05'26" West, 1216.69 feet to the west line of said Southwest $\frac{1}{4}$ section; thence North 01°09'40" West along said west line 358.32 feet to the point of beginning.

In addition, commencing at the Northwest corner of said Southwest $\frac{1}{4}$ section; thence South 01°09'40" East along the west line of said Southwest $\frac{1}{4}$ section, 358.32 feet to the point of beginning; thence North 87°05'26" East, 1216.69 feet; thence South 01°18'30" East, 481.66 feet; thence South 87°05'26" West, 1217.93 feet to the west line of said Southwest $\frac{1}{4}$ section; thence North 01°09'40" West along said west line 481.69 feet to the point of beginning.

In addition, commencing at the Northwest corner of said Southwest $\frac{1}{4}$ section; thence South 01°09'40" East along the west line of said Southwest $\frac{1}{4}$ section, 840.01 feet to the point of beginning; thence North 87°05'26" East, 1217.93 feet; thence South 01°18'30" East, 481.91 feet; thence South 87°06'11" West, 1219.16 feet to the west line of said Southwest $\frac{1}{4}$ section; thence North 01°09'40" West along said west line 481.69 feet to the point of beginning. All descriptions include the east 33 feet of 312th Street (County Trunk Highway "J").

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 10. Seconded by Supervisor Morton.
Motion carried.

ORDINANCE 11

11. From the Land Use Committee Renaissance Entertainment Products, Inc. (Lessor), Michels Materials (Lessee), Bob Bingen (Agent) requesting rezoning from PR-1 Park and Recreational District to A-2 General Agricultural District in the Town of Bristol.

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 #35-4-121-364-0100 located in the northeast quarter of Section 36, Township 1 North, Range 21 East, Town of Bristol be changed from PR-1 Park and Recreational District to A-2 General Agricultural District. For informational purposes only, this property is located on the west side of 120th Avenue (west Frontage Road of I-94) approximately ¼ mile south of the intersection of 116th Street.

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 11. Seconded by Supervisor Nudo.
Motion carried.

ORDINANCE 12

12. From the Land Use Committee Schulman-Rehm Family Trust, Jerome L. Schulman and Joan L. Rehm, Trustees requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-1 Rural Residential District and C-1 Lowland Resource Conservancy District in the Town of Randall.

It was moved by Supervisor Ekornaas to adopt Ordinance

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 Tax Parcel #60-4-119-333-0120 located in the southwest quarter of Section 33, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-1 Rural Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the northeast corner of the intersection of County Trunk Highway "CK" (128th Street/State Line Road) and County Trunk Highway "HM" (374th Avenue)

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 12. Seconded by Supervisor Breunig.
Motion carried.

ORDINANCE 13

13. From the Land Use Committee Dejno's, Inc., requesting rezoning from A-1 Agricultural Preservation District to M-2 Heavy Manufacturing District in the Town of Somers.

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 #80-4-222-272-0102 located in the northwest quarter of Section 27, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District to M-2 Heavy Manufacturing District. For informational purposes only, this property is located on the north side of County Trunk Highway "S" (38th Street) approximately ½ mile east of the intersection of County Trunk Highway "EA" (72nd Street).

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 13. Seconded by Supervisor Morton.

Motion carried.

Resolutions - one reading.

RESOLUTION 28

28. From Extension Education and Finance Committees regarding UW-Extension 2009 budget modification - Neighborhood Projects.

WHEREAS, Kenosha County has received a \$2,000 Brass Community Lighted School Activities grant from Kenosha Unified School District, AND

WHEREAS, these funds awarded are designated for implementation of a Leap Into Reading Family Night program at the Brass Community Lighted School house, and

WHEREAS, Kenosha County has received \$7,000 Community Development Block Grant (CDBG) from the City of Kenosha, and

WHEREAS, these funds awarded are designated for implementation of the Neighborhood Revitalization Strategies (NRSA) for two Kenosha neighborhoods, and

WHEREAS, the external-funded position of Neighborhood & Community Specialist is solely supported by these funds and thus the position will cease when the funding ceases, and

WHEREAS, county levy remains unaffected by this budget amendment,

NOW, THEREFORE, BE IT RESOLVED that the 2009 Kenosha County UW-Extension budget be amended as reflected in the attached Expense/Revenue Budget Modification Form incorporated herein by reference, and

Fund: 100	Business Unit #: 67300	UW-CDBG Projects	
Revenue Object Code 442410			\$9,000.00

BE IT FURTHER RESOLVED that the Kenosha County UW-CDBG Projects budget may be modified to reflect expenditures,

Fund: 100	Business Unit #: 67300	Salaries	
Expense Object Code 511100			\$6,775.00
Fund: 100	Business Unit #: 67300	FICA	
Expense Object Code 515100			\$ 720.00
Fund: 100	Business Unit #: 67300	Retirement	
Expense Object Code 515200			\$ 705.00
Fund 100	Business Unit #67300	Mileage	
Expense Object Code 533900			\$ 300.00
Fund 100	Business Unit #67300	Other Operating Supplies	
Expense Object Code 534900			\$ 500.00

BE IT FURTHER RESOLVED that the Kenosha County UW-Extension UW-CDBG Project budget line items may be modified and any expended dollars as of December 31, 2009, should be rolled over into the 2010 and subsequent years' budgets.

SUBMITTED BY:

Extension Education Committee
Kimberly Breunig, Chairman
Richard Kessler, Vice-Chairman
Ronald Johnson, Secretary
Jennifer Jackson.
Dayvin Hallmon

Finance Committee
Anita Faraone, Chairman
John O'Day, Vice-Chairman
Terry Rose, Secretary
Mark Molinaro
David Singer

It was moved by Supervisor Breunig to adopt Resolution 28. Seconded by Vice-chair Faraone.
Roll call vote passed unanimously.

RESOLUTION 29

29. From Highway and Parks and Finance Committees a Resolution to Request a Wisconsin Department Natural Resources Easement for Silver Lake Trail.

WHEREAS, Kenosha County Parks Division requests approval to enter into an Cooperative State Trail Easement with the Wisconsin Department of Natural Resources, and

WHEREAS, the WDNR has property adjoining Silver Lake County Park that has 0.66 miles of abandoned Chicago Northwestern and Consumers Ice railroad beds that can be converted into a hiking and bicycling trail; and

WHEREAS, clearing and developing a trail can be accomplished largely with Grant funded seasonal youth staff as directed by the County Parks Division; and

WHEREAS, this trail would link the Village of Silver Lake and surrounding communities with the trail system in Silver Lake County Park while simultaneously providing safe access for bicyclers, hikers and open up more shoreline to fishermen.

NOW THEREFORE, BE IT RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf to submit a Cooperative State Trail Easement to the Wisconsin Department of Natural Resources; and

BE IT FURTHER RESOLVED that Kenosha County Board of Supervisors authorizes the General Manager of Park Operations to accept this easement if granted by the WDNR and develop the trail as outlined.

SUBMITTED BY:

Highway & Parks Committee
Dennis Elverman
Gordon West
Douglas Noble

Finance Committee
Anita Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Elverman to adopt Resolution 29. Seconded by Vice-chair Faraone.
Motion carried.

RESOLUTION 30

30. From Human Services and Finance Committees a Resolution to modify the Department of Human services 2009 Budget for the Comprehensive Community Services Quality Improvement Grant Carryover from State of Wisconsin.

WHEREAS, the Kenosha County Department of Human Services was certified in 2005 to administer the Medicaid funded Comprehensive Community Services Program (CCS) and was awarded a 2008 State grant for the Comprehensive Community Services Quality Improvement Program and had carryover funds available for 2009, and

WHEREAS, the Kenosha County Department of Human Services is receiving \$7,620 of carryover from the Department of Health and Human Services to involve consumers in the process of making a more consumer focused, recovery based and outcome oriented operation of the Kenosha County's CCS program, and

WHEREAS, the Kenosha County Department of Human Services is purchasing two laptop computers to expand the collection of quality data on Mental Health clients served by the Department, and

WHEREAS, the funds received from the grant will benefit individuals served by Kenosha County Department of Human Services and will benefit County programs designed to help children and adults with mental disorders or substance abuse disorders, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services budget be modified as follows:

Authorize increase of expenditures of \$7,620 and to increase revenues by \$7,620, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee
Edward Kubicki

Finance Committee
Anita Faraone

Terry Rose
Richard Kessler
Jennifer Jackson
Jeffrey Gentz

John O'Day
Terry Rose
David Singer

It was moved by Supervisor Kubicki to adopt Resolution 30. Seconded by Vice-chair Faraone.
Roll call vote passed unanimously.

RESOLUTION 31

31. From Human Services and Finance Committees Resolution to Modify the Department of Human Services, Division of Workforce Development 2009 Budget for the American Recovery and Reinvestment Act Funding for Child Support Program.

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development was awarded American Recovery and Reinvestment Act (ARRA) funding for the Child Support Program, and

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development is receiving \$307,938 annually for CY09 and CY10 from the State of Wisconsin Department of Children and Family with the requirement to supplement, not supplant existing Child Support levy at a minimum of \$881,270 annually, and

WHEREAS, these funds have been allocated through September 30, 2010 to Kenosha County for enhancing and increasing Child Support services, and

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development plans to use this funding to hire additional County Child Support staff and increase contracted providers for service enhancement, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County in 2009 and 2010, and

WHEREAS, when the funding for these staff and services ends on or after September 30, 2010 the positions and services will be discontinued, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services budget be modified as follows:

Authorize increase of expenditures of \$450,000 and increase revenues by \$450,000, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2009 will be carried over into the 2010 budget.

SUBMITTED BY:

Human Services Committee
Edward Kubicki
Terry Rose
Richard Kessler
Jennifer Jackson
Jeffrey Gentz

Finance Committee
Anita Faraone
John O'Day
Terry Rose
David Singer

It was moved by Supervisor Kubicki to adopt Resolution 31. Seconded by Vice-chair Faraone.
Roll call vote.

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

Nays: Supervisor Elverman.

RESOLUTION 32

32. From Judiciary & Law and Finance Committees regarding FY09 Round 2 Law Enforcement Justice Assistance Grant (JAG).

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$25,334.00 for a Law Enforcement Justice Assistance Grant (JAG), for the period July 1st, 2009 through June 30th, 2012, and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department after an agreed upon split of a total award of \$61,639.00 with the City of Kenosha, and

WHEREAS, these funds will be used to purchase law enforcement equipment for the Department that has been so designated by the Sheriff for law enforcement purposes, and

WHEREAS, this grant will not require any local match, and

WHEREAS, this budget modification will not require any additional tax levy dollars.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and that the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the JAG grant requirements, and that the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by \$25,334.00 and increases expenditures by \$25,334.00.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Roger Johnson

Ronald Johnson

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

It was moved by Supervisor Michel to adopt Resolution 32. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 33

33. From Judiciary & Law Committee regarding Regular Cabaret License for "Sit N Bull" Tavern.

WHEREAS, the application of Mary Griggs for a probationary cabaret license for the "Sit 'N' Bull" Tavern, 39600 Bloomfield Road, Powers Lake, Wisconsin, in the Town of Wheatland, was made during the month of October, was turned over to this office on October 20th, 2008, and

WHEREAS, the establishment known as the "Sit 'N' Bull" Tavern was granted a Probationary Cabaret License per County Board Resolution on January 20th, 2009, and

WHEREAS, the establishment known as the "Sit 'N' Bull" Tavern was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Mary Griggs, for the "Sit 'N' Bull" Tavern.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 33. Seconded by Supervisor Ron Johnson.

Motion carried.

RESOLUTION 34

34. From Judiciary & Law Committee regarding Probationary Cabaret License for Grizzly Saloon.

WHEREAS, the application of Cynthia Winburn for a probationary cabaret license for the Grizzly Saloon, 12711 Bristol Road, Kenosha, Wisconsin, in the

Town of Bristol, was made during the month of May, was turned over to this office on May 1st, 2009, and

WHEREAS, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

WHEREAS, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Cynthia Winburn for the Grizzly Saloon.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 34. Seconded by Supervisor Huff.

Motion carried.

35. From Judiciary & Law Committee regarding Probationary Cabaret License for El Fracazo Tavern.

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

It was moved by Supervisor Molinaro to amend Resolution 35; change the last paragraph to read "for a probationary period of three months". Seconded by Supervisor Moore.

It was moved by Supervisor Rose to refer Resolution 35 back to the Judiciary and Law Committee. Seconded by Supervisor Molinaro.

Roll call vote passed unanimously.

COMMUNICATION

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

Chairman Clark referred Communication 6 to Land Use.

CLAIMS

8. David Kozenski - cell phone damaged by water on county golf course.

Chairman Clark referred Claim 8 to Corporation Counsel.

It was moved by Supervisor Marks to approve the June 7th, & 14th 2009 minutes. Seconded by Supervisor Kubicki.

It was moved by Supervisor Singer to amend the July 14th minutes to remove the words "without debate" in the motion to call the question on Resolution 27. Seconded by Supervisor Breunig.

Supervisor Nudo made a friendly amendment to add a new sentence; "No debate took place before the question was called on Resolution 27". Motion carried.

It was moved by Supervisor Rose to adjourn. Seconded by Supervisor Elverman. Motion carried.

Meeting adjourned at 9:20 P.M.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
August 4th, 2009**

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

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

Excused: Supervisors Moore, Morton, Roger Johnson.

Present: 25. Absent: 3.

There were no citizen comments

ANNOUNCEMENTS OF THE CHAIR

Chairman Clark announced there would be County Board Committee re-assignments.

Supervisor Zerban made a motion to go into closed session. Seconded by Supervisor Jackson.

Janet Hoff from WRJN Radio in Racine objected stating a closed session was not in order since it was not noticed.

Chairman Clark asked for Corporation Counsel's opinion and Corporation Counsel agreed with Ms. Hoff. Chairman Clark then stated he has heard from a lot of Supervisors and there are a lot of mixed feelings. So in the interest of not dividing the board, he decided to hold off and will give the board the opportunity to give him their advice.

SUPERVISOR REPORTS

Supervisor Elverman reported that one of the backlashes of non-mowing of state highways and medians is that as of July 18th the highway's revenue is down \$42,700 from mowing, and \$69,600 for litter control. We purchased the equipment to do this work for the state and many times they sit idle in our barns. The second Theater in the Park was held at Petrifying Springs Park. The next one will be at Silver Lake Park next month. Golf operation as of the 31st was \$15,000 behind last year, but our expenses were \$179,488 better because of some of our cuts in personnel, the different bookkeeping practices and just being on top of things. Personnel costs were \$16,000 less this month compared to the same month last year. This Friday at both golf courses they are starting a fish fry. There will be a special package for golf and fish fry. There has been a lot of work done on the trails out at the KD park. We now have one trail shelter built and two more to be done and this is all being done with our summer staff and the youth groups from Human Services. They also had a very successful dedication at Fox River Park on Saturday for Paul Swartz, a past benefactor. Although it was very well attended by the community, Chairman Clark and himself, he was disappointed it was so poorly attended by the county board. A thank you letter from the Swartz family was read by Supervisor Elverman.

Supervisor Huff stated he was recently appointed to the WCA Resolution Committee by the President of the WCA. When we approve a Resolution on the County Board floor and we want the WCA to address it we need to attach a cover letter saying "Resolution for Conference Consideration" so they know it should be brought up for their conference. At the Resolution meeting, they went over 24 resolutions in which 23 are going to be moved on to the conference in September. When a county sends a resolution to the WCA they are broke down into 7 different groups. There are steering committees for each group and they make a recommendation to adopt the resolution, refer it back to the Board of Directors or indefinitely postpone. After the steering committee sees the resolution it goes to the WCA staff and they make one of the three recommendations also. When that's done it goes to the Resolution Committee which he sat on in Madison.

COUNTY EXECUTIVE APPOINTMENTS

2. Connie Mattner to complete the remainder of Judy Rossow's three-year term on the Kenosha County Aging and Disability Resource Center Board.

Chairman Clark referred County Executive Appointment 2 to Human Services.

3. Seymour Adler to serve on the Kenosha County Board of Administrative Appeals.

Chairman Clark referred County Executive Appointment 3 to Human Services.

4. Sandra Bisciglia to serve on the Kenosha County Board of Administrative Appeals.

Chairman Clark referred County Executive Appointment 4 to Human Services.

5. Robert Stoll to serve on the Kenosha County Zoning Board of Adjustments.

Chairman Clark referred County Executive Appointment 5 to Land Use.

6. Barbara K. Ford to serve on the Kenosha County Zoning Board of Adjustments.

Chairman Clark referred County Executive Appointment 6 to Land Use.

7. Richard Gossling to serve on the Kenosha County Housing Authority Board.

Chairman Clark referred County Executive Appointment 7 to Land Use.

8. Anne Bergo to serve on the Kenosha County Board of Administrative Appeals.

Chairman Clark referred County Executive Appointment 8 to Human Services.

CLAIMS

9. Verizon - damaged cable.

Chairman Clark referred Claim 9 to Corporation Counsel.

It was moved by Supervisor Michel to approve the July 21, 2009 minutes. Seconded by Supervisor Noble.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:44 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
August 18th, 2009**

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

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

Excused: Supervisor Breunig.

Present: 27. Absent: 1.

At this time County Executive Kreuser recognized the St. Joseph High School Baseball Team for winning the WIAA Division 3 State Baseball Championship.

CITIZEN COMMENTS

Jim Smith, Chairman of the Town of Somers stated there has been problems with the bar El Fracazos. He stated that in April the bar appeared closed and became a used car lot. He took pictures and gave them to Supervisor Molinaro. There have also been other problems such as fighting, stabbings, and guns being shown. He asks on behalf of the Town Board that the County Board hold off on granting El Fracazos a Cabaret License.

Mary Dixon, 6201 5th Ave., stated she wanted to wish the YMCA well in their new spot. By moving out west, they are leaving the population base that they are supposed to be servicing. She has been an everyday participant in the YMCA for the past 30 years and she has seen the malignant neglect and lack of cleanliness in the facility. She hopes that in 30 years there is not someone else standing here saying the same about the new YMCA facility.

Jim Moore, 9218 74th Pl., stated this past week the Chairman of the County Board made a decision to fix a committee process that has been broken by reassigning two veteran supervisors and finance committee members to other committees. The stated reason in the chairman's August 10th memo was "the recent flip flop in votes by two leaders has violated the principals of an effective committee process". This action is without merit and sets a very poor precedent for the future. This was an isolated incident; we do not see a pattern of flip flop voting. It is irresponsible to say because of the change in one vote, the committee process has been broken. It's not only the right, but it's the responsibility of each and every supervisor to weigh carefully each new piece of information that becomes available through debate on the board floor, calls from constituents, interested parties, or further reflection on the issue at hand and to vote their conscience even if it's a change on how they previously voted. Jim Moore reminded the board that on this very same question one supervisor, after he had voted on the board floor called for reconsideration of the question and changed the vote. He was not placed in a penalty box for changing his vote, nor should he have been. He was able to do this without explanation, yet in the case of Supervisors Faraone and Rose they are being singled out for reassignment because "they have changed their votes without explanation or immaterial factor". The democratic process protects the right to not share why a vote is changed. The precedence set here is extremely dangerous. If you flip flop your vote for any reason no matter how legitimate in your thinking, you may find your committee reassigned.

Charles Olson stated he is homeless and is here with the Strength and Humanity Network and their purpose is to raise awareness of homelessness in the City of Kenosha and Kenosha County. He has been homeless for 14 months living completely outdoors for the past 11 months. He's had 3 bikes stolen in the past few months and he was jumped by 6 guys and beaten, it is a difficult existence.

Kristie Parker stated she has been homeless for 6 1/2 years. She hopes that someone could make an old school into a permanent homeless shelter. She stated they have to hustle to earn their food, clothing and shoes. She invited everyone to see First Step, Grace Lutheran, Bridges and other places they have been. It's hard for them to find a job because everywhere they go no one wants

to hire the homeless. She asked for a chance to get a job so she can get back on her feet.

George Brock, 5707 13th Ave., stated when he moved here from Illinois he was appalled at the lack of treatment the homeless was given here in Kenosha and the State of Wisconsin. There are a lot of reasons people become homeless, such as lack of employment, death in the family, mental instability or family problems. There are only a few places for the homeless to go and he would like to see a permanent homeless shelter in Kenosha.

Monica Higgin stated she has been homeless for over a year. If it wasn't for First Step, Grace Lutheran or Bridges for the mentally ill, they would be lost. They do not choose to be homeless and are always being harassed. She would like to see a homeless shelter in Kenosha especially for the kids.

There were no Announcements of the Chairman.

SUPERVISOR REPORTS

Supervisor Huff stated he will present the Ethic's Policy at the next Legislative Committee. He would like each Legislative Committee member to go through it and highlight any changes, suggestions, or deletions and return it to Corporation Counsel. Supervisor Huff requested Supervisor O'Day have the Finance Committee do the same thing. Once Corporation Counsel has the changes, suggestions or deletions there will be a joint meeting with Finance and Legislative Committees and hopefully work out some of the sticking points and then bring it before the County Board.

Supervisor Modory stated Milwaukee's Mayor Tom Barrett was attacked while trying to intervene in a domestic violence situation and was hurt and hospitalized. Supervisor Modory will be passing a get well card around to send to the Mayor if anyone is interested in signing it.

Supervisor O'Day stated the Finance Committee adopted 5 resolutions at their meeting which are all on the agenda tonight. They also received 3 reports one from Kenosha Area Business Alliance 2009 2nd quarter loan report, the History Center review in lieu of an audit every other year and a report from the County Clerk on the new Domestic Partnership Law. On the supervisor's desks are letters in regards to the YMCA financing plan and the General Fund Balance Report.

Supervisor Rose requested the board invite the County Executive to meet with the board in closed session to report to the board regarding the progress of the negotiations with respect to the Intergovernmental Agreement. It's been approximately one year since the negotiations have commenced, we passed a bond resolution with respect to that. They need to meet in closed session to discuss what the specific problems are from the County Executive's perspective. Supervisor Rose would also like the County Executive to report to the board on the status of the finances and the budget for 2009. He thinks this is an issue that needs to be addressed in 2009 not 2010.

Supervisor Elverman stated there will be a County Executive Golf Outing which is a fund raiser for the Kenosha County Junior Golf Program at Brighton Dale on September 18, 2009. Registration can be done by contacting the County Executive's office, Brighton Dale Golf Course or the Highway & Parks Division. Supervisor Elverman reported that two of the shelters at the new unnamed county park on Hwy KD & F have been completed along with many of the trails. If anyone would like a tour, they should contact Supervisor Elverman or the Highway & Parks Department.

Supervisor Noble stated the county and city staff met for seven hours this past Friday and worked out the remaining issues relating to the Intergovernmental Agreement (IGA) involving the Public Safety Building Construction and operation. There is still one outstanding issue relating to the language and the City Administrator is expected to draft the language and present it to Corporation Counsel within the next two weeks. The parties plan on meeting on Thursday, August 27th to review the final draft of the language and expect the final documents could be placed on the Common Counsel Agenda in mid September. Supervisor Noble reported the bids for the construction Safety Building were let to the subcontractors, the total bid package No. 1 came in at about \$1,005,000, which is 20% lower than the bid package estimate was. This is probably the smallest package of all of them that will be let and was

favorable with regards to the budget. They anticipate the digging to start the week of August 31st.

Supervisor Moore reported for the Administration Committee. The County has come to an agreement with Humana Health Care on a Medicare Supplement Health Insurance option for the County's Medicare eligible retirees. The new health insurance option provides comparable coverage when compared to the County's self funded plan and will be offered as a lower cost alternative to the County's self funded plan. The new health benefit will be introduced to the retirees in a series of information sessions scheduled for the last week of September. Administration Committee will have more information as the process continues.

NEW BUSINESS

Ordinances - one reading.

ORDINANCE 14

14. From the Land Use Committee regarding AM Community Credit Union 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 #30-4-220-343-0320 and #30-4-220-343-0301 located in the southwest quarter of Section 34, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, this property is located on the south side of County Trunk Highway "NN" (52nd Street) approximately 0.3 miles west of the intersection of State Trunk Highway "75" (256th Avenue).

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 14. Seconded by Supervisor Nudo.

Motion carried.

ORDINANCE 15

15. From the Land Use Committee regarding Town of Somers (Sponsor), Berwick Properties, Inc. (Owner) requesting rezoning from R-9 Multiple-Family Residential District to I-1 Institutional District in the Town of Somers.

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 #80-4-222-151-0560 located in the northeast quarter of Section 15, Township 2 North, Range 22 East, Town of Somers be changed from R-9 Multiple-Family Residential District to I-1 Institutional District. For informational purposes only, this property is located on the south side of County Trunk Highway "E" (12th Street) approximately ¼ mile west of State Trunk Highway "31" (Green Bay Road) and just east of the Pike Creek.

Description: Being the North 5.24 feet of Outlot 1 of Certified Survey Map No. 2556, being a part of the Northeast ¼, Southwest ¼ and Northwest ¼ of the Northeast ¼ of Section 15, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of Lot 2 of said Certified Survey Map No. 2556 and the point of beginning; thence S 01°17'59"W, a distance of 5.24 feet; thence S 89°24'20"W, a distance of 155.58 feet; thence N 53°23'00"W, a distance of 8.66 feet; thence N 89°24'20"E, a distance of 162.66 feet to the point of beginning.

Containing 833 square feet or 0.0191 acres, more or less.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 15. Seconded by Supervisor West.

Roll call vote.

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

Nays: 0

Abstain: Chairman Clark.

Ayes: 26. Nays: 0. Abstain: 1.

Motion carried.

Resolutions - one reading.

36. From the Finance Committee a Resolution Providing for the Financing and Refinancing of a Public Indoor Recreational Facility; Authorizing the Issuance of its not to Exceed \$8,300,000 Principal Amount Kenosha County, Wisconsin Community Facility Revenue Bond (Kenosha YMCA Project), Series 2009 (The "Bond") Which Will be Payable Solely from the Receipts from a Bond and Sale Agreement and Related Documents; Authorizing the Execution and Delivery of a Bond and Sale Agreement; Authorizing the Execution and Delivery of Conveyances of Facilities; and Related Matters.

It was moved by Supervisor O'Day to adopt Resolution 36. Seconded by Supervisor Singer.

It was moved by Supervisor Elverman to refer Resolution 36 back to the Finance Committee. Seconded by Supervisor Haas.

Roll call vote.

Ayes: Supervisors Grady, Zerban, Rose, Kessler, Huff, Kubicki, Marks, Gentz, Faraone, Michel, Nudo, Moore, Molinaro, Morton, Jackson, Noble, Roger Johnson, Haas, Elverman.

Nays: Supervisors Clark, Hallmon, Modory, Ronald Johnson, O'Day, Singer, West, Ekornaas.

Ayes: 19. Nays: 8.

Motion carried.

RESOLUTION 37

37. From the Human Services and Finance Committees a Resolution to Modify Division of Aging & Disability Services 2009 Budget to add ARRA Funding for Senior Nutrition Services.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services was awarded American Recovery and Reinvestment Act of 2009 funds in the amount of \$36,374 to purchase additional Home Delivered Meals and Congregate Meals for people age 60 and over; and

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services will receive \$12,594 for Home Delivered Meals Program and \$23,780 for Congregate Meals; and

WHEREAS, no additional County Levy is required;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services 2009 budget be modified as follows; Authorize increase of expenditures of \$36,374 and to increase revenues by \$36,374, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Finance Committee

John O'Day

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 37. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

38. From Judiciary & Law Committee regarding Probationary Cabaret License for El Fracazo Tavern.

It was moved by Supervisor Michel to adopt Resolution 38. Seconded by Supervisor Huff.

It was moved by Supervisor Rose to refer Resolution 38 back to the Judiciary and Law Committee. Seconded by Supervisor Elverman.

Roll call vote.

Ayes: Supervisors Rose, Kessler, Kubicki, Hallmon, Marks, Michel, Moore, Molinaro, Jackson, West, Elverman.

Nays: Supervisors Grady, Zerban, Huff, Gentz, Modory, Faraone, Ronald Johnson, O'Day, Singer, Nudo, Morton, Clark, Noble, Roger Johnson, Haas, Ekornaas.

Ayes: 11. Nays: 16.

Motion failed.

It was moved by Supervisor Hallmon to call the question on Resolution 38. Motion dies for lack of a second.

It was moved by Supervisor Molinaro to send Resolution 38 back to the Judiciary and Law Committee. Seconded by Supervisor Rose.

Ayes: Supervisors Rose, Clark, Molinaro, West.

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

Ayes: 4. Nays: 23.

Motion failed.

Roll call vote on Resolution 38.

Ayes: Supervisors Huff, Hallmon, Marks, Gentz, Ronald Johnson, Michel, Moore, Jackson, Noble, West, Roger Johnson, Haas, Elverman.

Nays: Supervisors Grady, Zerban, Rose, Kessler, Kubicki, Modory, O'Day, Singer, Nudo, Clark, Molinaro, Morton, Ekornaas.

Abstain: Supervisor Faraone.

Ayes: 13. Nays: 13. Abstain: 1

Motion failed.

RESOLUTION 39

39. From Judiciary & Law Committee Establishing the month of September as Juror Appreciation Month.

WHEREAS, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin Constitutions; and

WHEREAS, service as a juror in the Kenosha County Circuit Court is, along with voting, one of the most important responsibilities of citizenship; and

WHEREAS, the Wisconsin State Court System, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to publicly recognize the contribution of those who are summoned and serve.

NOW THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors hereby supports the goals of Juror Appreciation Month:

- Educate the public about jury duty and the importance of jury service, and
- Applaud the efforts of jurors who fulfill their civic duty, and
- Ensure that all jurors are treated with respect and that their service is not unduly burdensome.

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors extends its sincere thanks and appreciation to all employers who pay employees their normal wages while allowing them to serve as jurors, preventing financial hardship and fostering community strength.

BE IT FINALLY RESOLVED, that the Kenosha County Board of Supervisors honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process aid those elected to serve the citizens of Kenosha County by preserving the rule of law, the basis for a free society.

SUBMITTED BY:

Judiciary and Law Committee
William Michel, II
Jim Huff
Bob Haas
Ronald Johnson
Roger Johnson

It was moved by Supervisor Michel to adopt Resolution 39. Seconded by Supervisor Haas.
Motion carried.

RESOLUTION 40

40. From Judiciary & Law and Finance Committees regarding FY09 Round 2 Restraining Order Project.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$25,334.00 for a Law Enforcement Justice Assistance Grant (JAG), for the period July 1st, 2009 through June 30th, 2012, and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department after an agreed upon split of a total award of \$61,639.00 with the City of Kenosha, and

WHEREAS, these funds will be used to purchase law enforcement equipment for the Department that has been so designated by the Sheriff for law enforcement purposes, and

WHEREAS, this grant will not require any local match, and

WHEREAS, this budget modification will not require any additional tax levy dollars.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and that the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the JAG grant requirements, and that the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by \$25,334.00 and increases expenditures by \$25,334.00.

SUBMITTED BY:

Judiciary and Law Committee	Finance Committee
William Michel, II	John O'Day
James Huff	David Singer
Bob Haas	Mark Modory
Roger Johnson	
Ronald Johnson	

It was moved by Supervisor Michel to adopt Resolution 40. Seconded by Supervisor O'Day.
Roll call vote passed unanimously.

RESOLUTION 41

41. From Judiciary & Law and Finance Committees regarding Kenosha County PreTrial Intensive Supervision Program XIII.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$47,625 by the WI Dept. of Transportation (DOT) to support the expenditures for the "Kenosha County Sheriff's Department DUI Intensive Supervision Program" now in its 13th year, and

WHEREAS, the State DOT office changed its funding award period to the State fiscal year, therefore, these funds will cover the expenditure period July 1, 2009 through June 30, 2010, and

WHEREAS, the total operating budget for the 2009-2010 Intensive Sanctions Program (ISP) is \$184,279, funded by four sources:

- (1) State DOT grant \$47,625
- (2) Client Fees collected by Wisconsin Community Services, Inc. totalling \$67,500
- (3) Sheriff's Dept. - In-kind match of \$17,481 (Safety Building office space and Sheriff supervision)
- (4) Sheriff's Department - hard match of \$51,673, and

WHEREAS, the grant award period extends into 2010 and the Kenosha County 2010 operating budget has not been approved at the time of this grant award, for which, the Sheriff's hard cash match contribution to this ISP program is projected with the understanding that adjustments to other ISP program revenue sources or a reduction in expenditures would occur if the authorized 2010 Sheriff's budget does not meet the ISP budget plan, and

WHEREAS, the project will be facilitated by the Wisconsin Community Services, Inc. (WCS) out of Milwaukee, WI for which a contract for services will be reviewed by county Administration, and

WHEREAS, repeat DWI offenders will be screened by WCS, Inc. to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the award of \$47,625 and approve the Revenue and Expenditure line item modifications to the Sheriff's 2009 budget as per the attached budget modification form, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated DOT ISP grant funds remaining at year end be hereby authorized for carryover to the subsequent year until such time as the grant funds are expended in accord with the WI Dept of Transp grant requirements, and that the Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

SUBMITTED BY:

Judiciary and Law Committee	Finance Committee
William Michel, II	John O'Day
James Huff	David Singer
Bob Haas	Mark Modory
Roger Johnson	
Ronald Johnson	

It was moved by Supervisor Michel to adopt Resolution 41. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 42

42. From the Judiciary & Law and Finance Committees regarding Organized Crime Drug Enforcement Task Forces Strategic Initiative.

WHEREAS, the federal Organized Crime Drug Enforcement Task Forces (OCDETF) office has awarded the Sheriff's drug unit, K-DOG, \$7,000 to cover overtime costs and other expenditures incurred while assisting in OCDETF investigations, Strategic Initiatives and prosecutions, and

WHEREAS, this funding will cover the cost of overtime for hours worked by the K-DOG unit through September 30, 2009, and

WHEREAS, the Sheriff will submit reimbursement claims monthly to the OCDETF Executive Office, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the award of \$7,000 and approve the Revenue and Expenditure line item modifications to the Sheriff's 2009 budget as per the attached budget modification form, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining at year end be hereby authorized for carryover to the subsequent year until such time as the funds are expended in accord with the OCDETF requirements, and that the Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

SUBMITTED BY:

Judiciary and Law Committee	Finance Committee
William Michel, II	John O'Day
James Huff	David Singer
Bob Haas	Mark Modory
Roger Johnson	
Ronald Johnson	

It was moved Supervisor Michel to adopt Resolution 42. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

COMMUNICATIONS

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

Chairman Clark referred Communication 7 to the Land Use Committee.

It was moved by Supervisor Molinaro to approve the August 4, 2009 minutes with two changes. Seconded by Supervisor Huff.

Motion carried.

It was moved by Supervisor Marks to adjourn. Seconded by Supervisor Hallmon.

Motion carried.

Meeting adjourned at 9:45 p.m.

Prepared by:	Edie LaMothe
	Deputy Clerk
Submitted by:	Mary Schuch-Krebs
	County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
September 1, 2009**

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

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

Excused: Supervisors Singer, Jackson.

Present: 26. Absent: 2.

CITIZEN COMMENTS

Tom Reiherzer, 11107 79th St., Pleasant Prairie, stated he is a YMCA Board Member and is speaking on behalf of the Y on how important this vote is for the bond approval. From what he understands, the board and the county are not at risk. It's over \$1,000,000 savings for the Y on the life of the mortgage.

Paul Krampert, 5626 37th Ave., Kenosha, strenuously objected to the County of Kenosha being a conduit for issuing the bonds for the YMCA. The YMCA locked its members and public out of a building not just of incredible architectural value, but of needed community use and left a huge infected derelict molar on the face of Library Park. He would like the County Board to ask YMCA to have the building available for public use, and to give an opportunity for other people to come forward to create a use for that building in a substantially similar way it was intended to be used by the people who made the donations for that building.

ANNOUNCEMENT OF THE CHAIRMAN.

Chairman Clark asked the board to pay attention to the calendar for what meetings are scheduled on September 15th because some of the board will be coming back from the Wisconsin County Association that day.

SUPERVISOR REPORTS

Supervisor O'Day stated the Finance Committee met to reconsider Resolution 36 which was referred back by the County Board at their last meeting. The committee unanimously approved the resolution and it's on the agenda tonight for approval. Supervisor O'Day also met with the finance director to discuss the status for the general fund, it is expected that the general fund will decline by approximately \$1,000,000 at year end. About one half of this decline is as a result of forecasted increase in property tax delinquencies. It is noted that the rate of growth in property tax delinquencies appears to be slowing significantly. We will know more in September when the annual tax sale is closed out. The finance committee will continue to monitor the status of the general fund. Anyone with questions can contact Dave Geersten or Supervisor O'Day.

Supervisor Elverman reported Highway and Parks received a grant from stimulus money from state and federal governments that will help with work on the unnamed west end park. This money is key in doing the entryway work on Hwy KD for safety and entrance ways. Supervisor Elverman stated Disc Golf has become a big thing and there is a 9 hole course at Fox River Park. They were approached by a disc golf designer and they want to design a 18 hole course at no cost to the county if allowed an annual tournament in that park. Highway and Parks will be looking into this. Rounds have been down at the golf courses because of weather, but they're up on profit. The new people have been cutting cost and times and promoting a very healthy golf environment in Kenosha County. The biggest expense item is updating the irrigation systems at the golf courses. The irrigation system is going on over 40 years old and they are doing some studies looking at upgrading for the next 50 years. September 4th is the last Movies at the Parks. This will be held at Silver Lake Park. There is a big blow up screen and you can camp if you want. This event has been very well received.

Supervisor Rose stated the Racine County Executive announced that Racine County is going to bond for a capital improvement using some stimulus funding under the American Recovery Act. With this bonding 45% would be refunded to Racine from the federal government. These are taxable bonds, not tax free

bonds. Supervisor Rose suggested that the Finance Committee take a look at this for our 19 million dollar bond issue for the new construction. At 45% rebate that would be a substantial savings.

Supervisor Noble gave an update on the IGA and the Public Safety Building lease. The City and County teams are reviewing the final draft of the Intergovernmental Agreement and both sides have reached agreement on all outstanding issues. The final language is being prepared and should be ready for review Wednesday afternoon. It is anticipated that the documents will be ready for the Common Council and the County Board by mid September.

COUNTY EXECUTIVE APPOINTMENTS

9. Nancy Kemp to complete the remainder of Laurie Paddock's term on the Kenosha County Library System Board.

Chairman Clark referred County Executive Appointment 9 to the Finance Committee.

10. Rose Rostkowski to serve on the Powers Lake Management District Board.

Chairman Clark referred County Executive Appointment 10 to the Land Use Committee.

OLD BUSINESS

Resolution - one reading.

RESOLUTION 36

36. From the Finance Committee a Resolution Providing for the Financing and Refinancing of a Public Indoor Recreational Facility; Authorizing the Issuance of its not to Exceed \$8,300,000 Principal Amount Kenosha County, Wisconsin Community Facility Revenue Bond (Kenosha YMCA Project), Series 2009 (The "Bond") Which Will be Payable Solely from the Receipts from a Bond and Sale Agreement and Related Documents; Authorizing the Execution and Delivery of a Bond and Sale Agreement; Authorizing the Execution and Delivery of Conveyances of Facilities; and Related Matters.

WHEREAS, counties are authorized by the provisions of Section 66.0621 and Sections 59.52(6)(d) and 59.56(9) of the Wisconsin Statutes, as amended (collectively, the "Act"), to borrow money and issue bonds to finance and refinance the costs of any public utility as defined in the Act; and

WHEREAS, counties are authorized by the provisions of Section 59.52(6)(d) to acquire and develop indoor recreational facilities and to finance such projects by the issuance of revenue bonds under Section 66.0621 payable solely from the income, revenues and fees derived from the operation of the project financed by such bonds; and

WHEREAS, counties are authorized by Section 59.56(9) to promote and assist in creating, promoting and conducting recreational activities in the county which are conducive to the general health and welfare; and

WHEREAS, as a result of negotiations between the County Board of Supervisors of Kenosha County, Wisconsin (the "County") and Kenosha Young Men's Christian Association, Inc., a Wisconsin nonstock, nonprofit corporation (the "Borrower"), the Borrower will (i) refinance certain existing indebtedness of the Borrower incurred to build an existing indoor recreational facility and to finance the construction of a new indoor aquatic center which will be an addition to the existing indoor recreational facility, all located at 7101 53rd Street in Kenosha, Wisconsin (the "Project"), and (ii) pay all or a portion of the costs of issuing the Bond, and the County is willing to issue its revenue bond under Section 66.0621 of the Wisconsin Statutes to finance and refinance the cost of the Project and to enter into a Bond and Sale Agreement (as hereinafter defined) with the Borrower and the Purchaser (as hereinafter defined) upon terms which will produce revenues and receipts sufficient to provide for the prompt payment as and when due of the principal, premium, if any, and interest on such bond, all as set forth in the details and provisions of the Bond and Sale Agreement hereinafter identified; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County, and finds that it will promote and assist in creating recreational activities in the County which are conducive to the general health and welfare, that the Community Facility Revenue Bond (Kenosha YMCA Project), Series 2009 be issued in the principal amount of not to exceed \$8,300,000 (the "Bond"); and

WHEREAS, the Borrower, as of the date of the issuance of the Bond, will transfer, grant, sell, convey and deliver to the County, its successors and assigns, all of its right, title and interest in and to the Project and the

County, as of the date of the issuance of the Bond, will transfer, grant, sell, convey and deliver back to the Borrower, its successors and assigns, all of its right, title and interest in and to the Project, which Project was conveyed to the County; and

WHEREAS, the Bond and the obligation to pay principal, premium, if any, and interest thereon is a special, limited obligation of the County, payable solely out of the special redemption fund to which are pledged the revenues and income derived from the Bond and Sale Agreement hereinafter referred to and other security granted by the Borrower to the Purchaser; the Bond and the obligation to pay interest thereon shall not be deemed to constitute an indebtedness or a general or moral obligation of the County, the State of Wisconsin or any political subdivision thereof within the purview of any constitutional limitation or statutory provision and do not give rise to a pecuniary liability of the County or a charge against its general credit or the County's taxing powers; and neither the purchaser nor any future owner of the Bond shall have the right to compel any exercise of the taxing power, if any, of the County, the State of Wisconsin or any political subdivision thereof to pay any principal or purchase price of, premium, if any, or interest on the Bond; and

WHEREAS, the County proposes to sell the Bond upon a negotiated basis to First American Bank (the "Purchaser"); and

WHEREAS, it is necessary and proper to authorize the execution of the Bond and Sale Agreement dated as of the date thereof (the "Bond and Sale Agreement") among the County, the Purchaser and the Borrower under the terms of which the County will sell the Bond to the Purchaser and will lend the proceeds from the sale of the Bond to the Borrower for the purposes set forth above and the Borrower shall repay the County such amounts at such times which shall be sufficient to pay the principal of, premium, if any, and interest on the Bond; and

WHEREAS, it is necessary and proper to authorize the execution of the Conveyance of Facilities dated as of the date thereof by Borrower and accepted by the County under the terms of which the Borrower will convey to the County, its successors and assigns, all of its right, title and interest in and to the Project (the "Borrower Conveyance of Facilities") and the Conveyance of Facilities dated as of the date thereof by County and accepted by the Borrower under the terms of which the County will convey back to the Borrower, its successors and assigns, all of its right, title and interest in and to the Project (the "County Conveyance of Facilities" and together with the Borrower Conveyance of Facilities, collectively, the "Conveyances of Facilities"); and

WHEREAS, the County has caused to be prepared and presented to this meeting the following documents, which the County proposes to enter into:

1. The Bond and Sale Agreement;
2. Borrower Conveyance of Facilities;
3. County Conveyance of Facilities; and
4. The Bond.

WHEREAS, pursuant to the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, a public hearing on the proposed plan of financing and refinancing of the Project and the issuance of the Bond was held by the Finance Committee of the County Board of Supervisors, on August 13, 2009, prior to the approval by the County Board of Supervisors of the financing and refinancing of the Project through the issuance of the Bond, pursuant to notice published at the direction of the County in the Kenosha News, a newspaper of general circulation in the County of Kenosha, Wisconsin, on July 29, 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY THAT:

Section 1. Pursuant to the Act, the issuance and sale of the Bond in accordance with the terms of the Bond and Sale Agreement and for the purposes set forth therein is hereby authorized and approved. The use of the proceeds of the Bond to finance and refinance the Project in connection therewith are in furtherance of the public purposes set forth in the Act.

Section 2. That the form, terms and provisions of the proposed Bond and Sale Agreement, the Borrower Conveyance of Facilities and the County Conveyance of Facilities, copies of which are before this meeting, be, and they hereby are, in all respects approved, and that the County Board Chairman of the County be,

and hereby is, authorized, empowered and directed to execute the Bond and Sale Agreement, the Borrower Conveyance of Facilities and the County Conveyance of Facilities in the name and on behalf of the County, and the County Clerk is hereby authorized to attest the same and to affix thereto the corporate seal of the County and thereupon to cause the Bond and Sale Agreement to be delivered to the Purchaser and the Borrower and the Borrower Conveyance of Facilities and the County Conveyance of Facilities to be delivered to the Borrower; that the Bond and Sale Agreement, the Borrower Conveyance of Facilities and the County Conveyance of Facilities are to be in substantially the form thereof submitted to this meeting and hereby approved, with such changes therein as shall be approved by the officials of the County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of such instruments hereby approved; that the Bond and Sale Agreement shall be entered into with the Purchaser and the Borrower and the Borrower Conveyance of Facilities and the County Conveyance of Facilities shall be entered into with the Borrower; and that from and after the execution and delivery of such instruments, the officials, agents and employees of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such document as may be necessary to carry out and comply with the provisions of such instrument as executed. The Bond and Sale Agreement, the Borrower Conveyance of Facilities and the County Conveyance of Facilities shall constitute, and are hereby made a part of this Resolution and a copy of such documents shall be placed in the official records of the County, and shall be made available for public inspection.

Section 3. That the issuance of the Bond in the aggregate principal amount of not to exceed \$8,300,000, to mature not later than the date that is thirty-five (35) years from the date of original issuance thereof, and subject to optional and mandatory redemption in accordance with the terms and provisions of the Bond and Sale Agreement, as executed, and bearing interest at a fixed rate, but in no event is the Interest Rate on the Bond to exceed fifteen percent (15%) per annum, is hereby approved, and the County Board Chairman and the County Clerk of the County be and are hereby authorized, empowered and directed to cause to be prepared the Bond in the form and having the other terms and provisions specified in the Bond and Sale Agreement (as executed and delivered); that the Bond shall be designated "Community Facility Revenue Bond (Kenosha YMCA Project), Series 2009;" that the Bond shall be executed in the name of the County with the manual or facsimile signature of the County Board Chairman or County Clerk and the seal of the County shall be impressed or reproduced thereon, and that the County Board Chairman or any other officer of the County shall cause the Bond as so executed and attested, to be delivered to the Purchaser; and the form of the Bond submitted to this meeting as the same appears in the Bond and Sale Agreement, subject to appropriate insertion and revision in order to comply with the provisions of said Bond and Sale Agreement be, and the same hereby is, approved, and when the same shall be executed on behalf of the County in the manner contemplated by the Bond and Sale Agreement and this Resolution in the principal amount not to exceed \$8,300,000, it shall represent the approved form of the Bond of the County.

Section 4. The Bond shall be a special, limited obligation of the County and except to the extent payable from Bond proceeds or moneys from the investment thereof, shall be payable solely from the revenues and receipts and other amounts received by or on behalf of the County or otherwise payable by the Borrower pursuant to the Bond and Sale Agreement, and other security therefor provided by the Borrower. The Bond and interest thereon shall not be deemed to constitute an indebtedness or a general or moral obligation of the County, the State of Wisconsin or any political subdivision thereof within the purview of any constitutional limitation or statutory provision or a charge against the general credit or taxing powers, if any, of any of them. No taxing powers, if any, of the County, the State of Wisconsin or any political subdivision thereof are available to pay the Bond or interest thereon. The special, limited nature of the obligation represented by the Bond is as more fully set forth in the Bond and Sale Agreement.

Section 5. That the sale of the Bond to the Purchaser at a price not to exceed \$8,300,000 is hereby in all respects authorized and approved.

Section 6. That from and after the execution and delivery of the Bond and Sale Agreement, the proper officials, agents and employees of the County designated in this Resolution are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed and to further the purposes and intent of this Resolution, including the preamble hereto. The County Board Chairman is hereby, further authorized and directed for and on behalf of the County, to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution or to evidence said authority, including without limitation the signing of IRS Form 8038 and the filing thereof as therein required and the certifications relating to Section 148 of the Code and the regulations promulgated thereunder and changes in the documents approved hereby as approved by the officials of the County executing the same, and to exercise and otherwise take all necessary actions that any of them deems necessary or appropriate to the full realization of the rights, accomplishments and purposes of the County under the Bond and Sale Agreement and to discharge all of the obligations of the County thereunder. For purposes of certifying as to matters of arbitrage, the County Board Chairman is hereby designated an officer responsible for issuing the Bond.

Section 7. That all acts and doings of the officials of the County which are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bond in the principal amount not to exceed \$8,300,000 and the financing and refinancing of the Project to that amount be, and the same hereby are, in all respects, ratified, approved and confirmed.

Section 8. That the County hereby acknowledges that a Public Hearing was held on August 13, 2009 before the Finance Committee and hereby approves the financing and refinancing of the Project, the plan of financing and the issuance of the Bond pursuant to Section 147(f) of the Code.

Section 9. That the Bond is hereby designated as a "qualified tax-exempt obligation" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 10. That the Bond shall be issued in compliance with and under the authority of the provisions of the Act, this Resolution and the Bond and Sale Agreement.

Section 11. 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.

NOTE: The Resolution was passed with the condition that the Bond and Sale Agreement include a commitment from the YMCA to provide an Annual Audit to Kenosha County.

SUBMITTED BY:
Finance Committee
John O'Day
Mark Modory
Jeff Gentz
Mark Molinaro
David Singer

It was moved by Supervisor O'Day to adopt Resolution 36. Seconded by Supervisor Molinaro.

It was moved by Supervisor Rose to amend Resolution 36 to add the condition that the Bond and Sale Agreement include a commitment from the YMCA to provide an annual audit to the county. Also a recommendation and request to authorize the County Board Chairman to appoint a county board member to the YMCA Board, and the YMCA to change their by-laws. Seconded by Vice-chair Faraone.

It was moved by Supervisor Noble to divide the question. Seconded by Supervisor Molinaro.

Roll call vote.

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

Nays: Supervisors Kubicki, Faraone, Michel, Moore, West.

Ayes: 21. Nays: 5.

Motion carried.

Roll call vote on commitment from the YMCA to provide an annual audit to the county.

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

Nays: Supervisor Gentz.

Ayes: 25. Nays: 1

Motion carried.

Roll call vote on recommendation and request to authorize the County Board Chairman to appoint a county board member to the YMCA Board, and the YMCA to change their by-laws.

Ayes: Supervisors Rose, Kessler, Faraone, Moore, Morton, Elverman.

Nays: Supervisors Grady, Zerban, Huff, Kubicki, Hallmon, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Nudo, Molinaro, Clark, Noble, West, Roger Johnson, Breunig, Haas, Ekornaas.

Ayes: 6. Nays: 20.

Motion failed.

Roll call vote on Resolution 36 as amended passed unanimously.

CLAIMS

10. Kelly Tellez, individually and on behalf of Alena Tellez, Alex Tellez and Krystie Wisch - improper police procedure.

Chairman Clark referred Claim 10 to Corporation Counsel.

It was moved by Supervisor Moore to approve the August 18, 2009 minutes. Seconded by Supervisor Michel.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:43 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

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

September 15, 2009

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

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

Excused: Supervisors Marks, West.

Present: 26. Absent: 2.

CITIZEN COMMENTS

Dr. Angelina Montemurro, 3717 13th St., stated she is a friend of Supervisor Anita Faraone and also her sister Laurie Faraone's physician. Anita's life changed forever when her sister had a stroke. She became her sister's primary caregiver and advocate. As a result of her stroke, Laurie could not express her needs; Anita had to work closely with the staff at Brookside to meet Laurie's needs. No nursing home is perfect, Brookside is no exception. Dr. Montemurro believes the staff that takes care of Laurie does a good job partly because they know someone is holding them accountable for her care. She was excited to hear that Anita would be on the board at the nursing home. She was glad that a patient's family member would be an advocate to help improve the quality of care. Dr. Montemurro was shocked and ashamed at how the board treated Anita. Anita is a strong woman and doesn't let things slide. She believes Anita will be diligent and an honest advocate for all of us when she becomes Chairwoman. She feels Supervisor Faraone is owed an apology; she was not given a chance to defend herself. She hopes there is not hidden agenda here; it's time everyone is held to a higher moral standard. You're elected officials; as such your responsibility is to all your constituents not just special interest groups. Not all nursing homes belong to the taxpayers, Brookside does. It's the board's responsibility to make sure Brookside Nursing Home caters to the patients and their families. She hopes there will be a peaceful, respectful resolution to any disagreements discussed.

Margaret Heller, 217 69th St., spoke regarding Resolution 56 which is on tonight's agenda. She along with many others is upset that WTTW was dropped from Time Warner. She returned her equipment to Time Warner and cancelled her subscription. She would like to see that programming reinstated.

Mary Pat Andrea, 508 68th St., stated WTTW is a very sophisticated, wide ranging, programming facility that has given us a lot to think about and be inspired by. She's not sure how Time Warner came about dropping it, but it seems they are making decisions for a community that ironically is probably populated by 30% of the people being from the Chicago area. Kenosha is a wonderful place to be and we have this wonderful access to two interesting cities, but the only one you can get to by train is Chicago and WTTW's programming gives us a lot of inspiration to follow.

Mary Brabender-Hughes 2527 Lincoln Rd., stated Time Warner Cable recently made the decision to remove channel 11 from the cable channels that are offered in Kenosha. She would like help with her efforts to return WTTW to the line up of stations offered in our viewing area.

Geri Kappelhoff, 902 70th St., states she is a former director of nursing at Brookside. She was very upset with the newspaper article in the paper regarding Anita Faraone. She had thought when she retired in January everything was going well and wondered how things got so bad. Anita has always been very close with her sister and has been an advocate for her sister and the other residents as well.

Jeannette Marchetti-Hamm, 6313 95th Ave., stated she has known Anita Faraone for a number of years both on a personal and business level. She feels the article in the Kenosha News was heart sickening. She has been at Brookside when errors were made and has been at Anita's side when she was frustrated. She has

never heard Anita use any profanity or racial slurs. She feels Anita is a total professional in all aspects of her life. She believes there is a personality clash between Brookside and Anita because she is an advocate not only for her sister, but for other Brookside residents. Anita has served on the board for 7½ years and has served the community for over 30 years.

ANNOUNCEMENT OF THE CHAIRMAN.

Chairman Clark announced on September 21st at 1:30 there will be a ground breaking ceremony for the Kenosha Public Safety Building. He also stated there was communications sent to different supervisors regarding retiree health benefits. Chairman Clark asked Mr. Reidl to put a table together of the various different coverages. One of the changes is to substitute the retiree health benefit from the county plan to a private plan. He was assured that the cost of the plan would be the same, if not lower while maintaining the same level of health benefits. Anyone interested in receiving this information can contact Mr. Reidl.

Chairman Clark received a letter from the Wisconsin Wetlands Association. On Saturday September 26th at 9:00 a.m. there will be a field trip of the wetland gems. He also announced that flu shots will be given to the supervisors on October 6th before the County Board Meeting.

SUPERVISOR REPORTS

Supervisor O'Day stated the County Treasurer reported the number of delinquent properties in the county continued to rise in 2008. The tax certificates were issued for 3,653 parcels representing \$8,000,000 in unpaid property tax. This compares to 3,210 in 2007 tax year totaling \$7,000,000. Of the 3,210, 1200 remain unpaid totaling \$2.45 million. The treasurer feels the number of delinquencies is starting to level off. Human Services is estimating a potential shortfall of approximately \$500,070. The committee will continue to monitor the status of that deficit. Dave Geersten continues to keep the committee updated on the status of the general fund. General Obligation Bonds have become competitive because of the Build America Bond. There will be a special meeting on October 1st to review the county financing plan and get an update on Information Technologies.

Supervisor Kubicki stated there will be Medicine Collection Day on October 17th which is open to all Kenosha County residents so they can properly dispose of any prescription or over the counter medication they are no longer using.

Supervisor Breunig stated poverty and hunger prevention is a major concern in Kenosha County. Tedi Winnett has been meeting with Parkside and United Way to discuss potential partnerships to find ways to alleviate some of the problems in Kenosha County. Supervisor Breunig placed an invitation on everyone's desks for the 4-H open house being held on Tuesday, October 29th at the County Center. Youth In Governance members met this past month and talked about what was good and bad about the program. That report will be forthcoming. They were also given the opportunity to attend the Youth as Partners in Civic Leadership Conference.

Supervisor Huff stated the Legislative meeting scheduled for September 25th will be moved to the 28th at 7:00 p.m. The reason being the State Representatives will be present to give updates on State Legislative issues.

Supervisor Moore stated there is a packet on the supervisor's desks regarding the Humana Plan that was mentioned during announcements of the Chairman. This was mentioned at the last meeting that this would be forthcoming. The retirees are being invited to information sessions next week to introduce an alternative to the significantly increasing county premium plan. The Humana plan offers comparable rates and benefits to what our retirees are currently receiving. This is optional, the retirees can choose which plan they want. This will result in significant savings for the county and he feels this will also be very good for the retirees. If any of the supervisors are contacted regarding this, they are asked to refer all questions to the Personnel Office.

Supervisor Michel thanked Chairman Clark for allowing the Judiciary and Law Committee to change their meeting date to tonight due to their small agenda.

Vice-chair Faraone stated she did not receive her county board packet and hoped the clerk could look into why they're not getting them in a timely manner.

NEW BUSINESS

Ordinance - first reading - two required.

ORDINANCE 16

16. From Judiciary & Law regarding an Ordinance to amend Chapter 9 of the Municipal Code of Kenosha County entitled Public Peace and Good Order.

Ordinances - one reading.

ORDINANCE 17

17. From the Land Use Committee regarding Town of Randall (Sponsor), Randall Consolidated School (Owner) requesting rezoning from R-2 Suburban Single-Family Residential District to I-1 Institutional District 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 Tax Parcel #60-4-119-162-0910 located in the northwest quarter of Section 16, Township 1 North, Range 19 East, Town of Randall be changed from R-2 Suburban Single-Family Residential District to I-1 Institutional District. For informational purposes only, this property is located on the south side of County Trunk Highway "F" (87th Street) approximately ¼ mile west of the intersection of County Trunk Highway "O" (368th Avenue).

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 17. Seconded by Supervisor Breunig.

Motion carried

ORDINANCE 18

18. From the Land Use Committee regarding Amendment to Planned Unit Development Overlay (PUD) approved by the Kenosha County Board of Supervisors on March 20, 2007, for Hollister Hollow Subdivision, Mills Enterprises LLC and Berwick Properties, Inc. (Owners) in the Town of Bristol.

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:

The previously approved (March 20, 2007) Planned Unit Development Overlay applied to Tax Parcels #35-4-121-071-0110, #35-4-121-071-0407 and #35-4-121-082-0205, located in the northeast quarter of Section 7 and the northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol, shall be amended to remove the area consisting of the Final Plat of Hollister Hollow Subdivision which consists of the fee simple single-family subdivision area as shown on Exhibit #1 (attached). For informational purposes only, this property is located on the west side of U.S. Highway "45" (Bristol Road) south of State Trunk Highway "50" (75th Street).

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 18. Seconded by Supervisor Morton.

Roll call vote.

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

Nays: 0.

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.

Motion carried.

Resolution - one reading.

RESOLUTION 43

43. From Extension Education Committee regarding UW Extension 2009 budget modification - SWERPC Support for Smart Growth.

WHEREAS, Kenosha County UW-Extension has received monies from Southeastern Wisconsin Regional Planning commission (SEWRPC) for support of the Kenosha County Smart Growth program, and

WHEREAS, county levy remains unaffected by this budget amendment,

NOW, THEREFORE, BE IT RESOLVED that the 2009 Kenosha County UW-Extension budget be amended as reflected in the attached Expense/Revenue Budget Modification Form incorporated herein by reference, and

Fund: 100 Business Unit #:67200 UW-Extension Office Account

Revenue Object Code 448520 Sundry Earnings \$17,500.00

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

Fund: 100 Business unit #: 67200 Other Operating Supplies

Expense Object Code 534900.SMARTGROW \$17,500.00

BE IT FURTHER RESOLVED that the Kenosha County UW-Extension Other Operating Supplies budget may be modified to increase the revenues and corresponding expenditures and any unexpended dollars as of December 31, 2009, should be rolled over into the 2010 and subsequent years budgets.

SUBMITTED BY:

Extension Education Committee	Finance Committee
Kimberly Breunig	Mark Modory
Richard Kessler	John O'Day
Ronald Johnson	Jeff Gentz
Dayvin Hallmon	Mark Molinaro
	David Singer

It was moved by Supervisor Breunig to adopt Resolution 43. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 44

44. From the Finance Committee regarding Appointment of Nancy Kemp to the Kenosha County Library System Board.

WHEREAS, pursuant to County Executive Appointment 2009/10-9, the County Executive has appointed Nancy Kemp to serve on the Kenosha County Library System Board; 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 System Board 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 Nancy Kemp to serve on the Kenosha County Library System Board. Ms. Kemp's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31st day of December 2010, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Kemp will serve without pay. Ms. Kemp will be completing the remainder of Laurie Paddock's term.

SUBMITTED BY:

Finance Committee
John O'Day
Mark Molinaro
David Singer
Mark Modory
Jeff Gentz

It was moved by Supervisor O'Day to adopt Resolution 44. Seconded by Supervisor Singer.

Motion carried.

RESOLUTION 45

45. From Human Services Committee regarding Resolution to approve the Appointment of Seymour Adler to the Kenosha County Board of Administrative Appeals.

WHEREAS, pursuant to County Executive Appointment 2009/10-3, the County Executive has appointed Seymour Adler 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 Seymour Adler to the Kenosha County board of Administrative Appeals. Mr. Adler's appointment shall be effective immediately and continuing until the 30th day of June, 2012 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Adler will serve without pay and will be filing a new position on the board.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeff Gentz

RESOLUTION 46

46. From Human Services Committee regarding Resolution to approve the Appointment of Anne Bergo to the Kenosha County Board of Administrative Appeals.

WHEREAS, pursuant to County Executive Appointment 2009/10-8, the County Executive has appointed Anne Bergo 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 her 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 Anne Bergo to the Kenosha County board of Administrative Appeals. Ms. Bergo's appointment shall be effective immediately and continuing until the 30th day of June, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Adler will serve without pay and will be filing a new position on the board.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jeff Gentz

RESOLUTION 47

47. From Human Services Committee regarding Resolution to approve the Appointment of Sandra Bisciglia to the Kenosha County Board of Administrative Appeals.

WHEREAS, pursuant to County Executive Appointment 2009/10-4, 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 her 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, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of

Supervisors. Mr. Adler will serve without pay and will be filing a new position on the board.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jeff Gentz

RESOLUTION 48

48. From Human Services Committee regarding Resolution to approve the Appointment of Connie Matter to the Kenosha County Aging and Disability Resource Center Board (ADRCB)

WHEREAS, pursuant to the County Executive Appointment 2009/10-2, the County Executive has appointed Connie Matter to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Connie Matter to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Matter's appointment shall be effective immediately and continuing until the 31st day of December 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Matter will serve without pay and will be succeeding Judy Rossow.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jeff Gentz

It was moved by Supervisor Kubicki to adopt Resolutions 45 through 48. Seconded by Supervisor Rose.
Motion carried.

RESOLUTION 49

49. From Judiciary & Law Committee regarding Probationary Cabaret License for the Sly Fox Inn.

WHEREAS, the application of Arthur Hallenberg for a probationary cabaret license for the Sly Fox Inn, 32800 - Geneva Road, Burlington, Wisconsin, in the Town of Wheatland, was made during the month of July, was turned over to this office on July 31st, 2009, and

WHEREAS, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

WHEREAS, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Arthur Hallenberg for the Sly Fox Inn.

SUBMITTED BY:

Judiciary & Law Committee

William Michel II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 49. Seconded by Supervisor Ronald Johnson.
Motion carried.

RESOLUTION 50

50. From the Land Use Committee regarding Final Plat of Hidden Meadow Estates Subdivision, Kenneth A. Koch Living Trust, Kenneth A. Koch, Trustee (Developer) in the Town of Wheatland.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee on September 9, 2009, review was given to the Final Plat of Hidden Meadow Estates Subdivision located in the northeast quarter of Section 33, Township 2 North, Range 19 East, Town of Wheatland; and

WHEREAS, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit #1 on file in the Department of Planning and Development); and

WHEREAS, the Town of Wheatland recommended approval of the Final Plat of Hidden Meadows Estates Subdivision subject to the conditions presented in Exhibit #1 (on file in the Department of Planning and Development) and the developer's agreement being prepared by the Town and developer. Said agreement shall be signed by both parties prior to recording the final plat.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the Final Plat of Hidden Meadow Estates Subdivision subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolution 50. Seconded by Supervisor Nudo.

Motion carried.

RESOLUTION 51

51. From the Land Use Committee regarding Final Plat of Hollister Hollow Subdivision, Mills Enterprises LLC (Developer in the Town of Bristol.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on September 9, 2009, review was given to the Final Plat of Hollister Subdivision located on Tax Parcels #35-4-121-071-0110, #35-4-121-071-0407 and #35-4-121-082-0205, northeast quarter of Section 7 and the northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, these properties are located on the west side of U.S. Highway "45" (Bristol Road) south of State Trunk Highway "50" (75th Street); and

WHEREAS, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

WHEREAS, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

WHEREAS, the Town of Bristol recommended approval of the Final Plat of Hollister Hollow Subdivision subject to the conditions presented (Exhibit 1, on file in the Department of Planning and Development) and subject to the signing of the developer's agreement between the developer and the Town; and

WHEREAS, Ruekert-Mielke, consulting engineers as the County's consultant, have reviewed the subject plat with regards to storm water management and erosion control and recommended approval of the plat.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the Final Plat of Hollister Hollow Subdivision subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolution 51. Seconded by Supervisor Roger Johnson.

Roll call vote.

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

Nays: 0.

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.

Motion carried.

RESOLUTION 52

52. From the Land Use Committee regarding Final Condominium Plat of Hollister Hollow, Mills Enterprises LLC (Developer) including both Hollister Hollow North and Hollister Hollow in the Town of Bristol.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on September 9, 2009, review was given to the Final Condominium Plat of Hollister Hollow located on Tax Parcels #35-4-121-071-0110, #35-4-121-071-0407 and #35-4-121-082-0205 in the northeast quarter of Section 7 and northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, these properties are located on the west side of U.S. Highway "45" (Bristol Road) south of State Trunk Highway "50" (75th Street); and

WHEREAS, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions of approval (Exhibit 1, on file in the Department of Planning and Development); and

WHEREAS, the Town of Bristol recommended approval of the Final Condominium Plat of Hollister Hollow subject to the conditions presented in (Exhibit 1A - Hollister Hollow North (Condo North) and Exhibit 1B - Hollister Hollow South (Condo South) on file in the Department of Planning and Development) and subject to the signing of the developer's agreement between the developer and the Town; and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the Final Condominium Plat of Hollister Hollow subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolution 52. Seconded by Supervisor Morton.

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

Nays: 0.

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.

Motion carried.

RESOLUTION 53

53. From the Land Use Committee regarding Request to Approve the Re-Appointment of Robert M. Stoll to the Kenosha County Zoning Board of Adjustments.

WHEREAS, pursuant to County Executive Appointment 2009/10-5, the County Executive has appointed Robert M. Stoll to serve on the Kenosha County Zoning Board of Adjustments; and

WHEREAS, the Land Use Committee has reviewed the request of the County Executive for confirmation of his appointment of the above-named to serve on

the Kenosha County Zoning Board of Adjustments and is recommending to the County Board the approval of the appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors confirms the appointment of Robert M. Stoll to the Kenosha County Zoning Board of Adjustments. Mr. Stoll's appointment shall be effective immediately and continue until the 30th day of June, 2014 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Stoll will receive a per diem along with mileage reimbursements and will be succeeding himself.

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

RESOLUTION 54

54. From the Land Use Committee regarding Request to Approve the Re-appointment of Barbara K. Ford to the Kenosha County Zoning Board of Adjustments.

WHEREAS, pursuant to County Executive Appointment 2009/10-6, the County Executive has re-appointed Barbara K. Ford to serve on the Kenosha County Zoning Board of Adjustments; and

WHEREAS, the Land Use Committee has reviewed the request of the County Executive for confirmation of his re-appointment of the above-named to serve on the Kenosha County Zoning Board of Adjustments and is recommending to the County Board the approval of the re-appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors confirms the re-appointment of Barbara K. Ford to the Kenosha County Zoning Board of Adjustments. Mrs. Ford's re-appointment shall be effective immediately and continue until the 30th day of June 2013 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mrs. Ford will receive a per diem along with mileage reimbursements and will be succeeding herself.

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

RESOLUTION 55

55. From the Land Use Committee regarding Request to Approve the Re-Appointment of Richard Gossling to the Kenosha County Housing Authority Board.

WHEREAS, pursuant to County Executive Appointment 2009/10-7, the County Executive has appointed Richard Gossling to serve on the Kenosha County Housing Authority Board; and

WHEREAS, the Land Use Committee has reviewed the request of the County Executive for confirmation of his appointment of the above-named to serve on the Kenosha County Housing Authority Board and is recommending to the County Board the approval of the appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors confirms the appointment of Richard Gossling to the Kenosha County Housing Authority Board. Mr. Gossling's appointment shall be effective immediately and continue until the 30th day of April, 2014 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Gossling will serve without pay as defined under resolution 65 (1982-83). Mr. Gossling will be succeeding himself.

SUBMITTED BY:

Land Use Committee
Fred Ekornaas

Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolutions 53 - 55. Seconded by Supervisor Breunig.
Motion carried.

RESOLUTION 56

56. From Supervisors Terry Rose and James Huff regarding Time Warner Cable and WTTW, Channel 11, Chicago Public Television.

Chairman Clark referred Resolution 56 to the Legislative Committee.

COMMUNICATION

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

Chairman Clark referred Communication 8 to the Land Use Committee.

SUPERVISOR COMMENT

Vice-chair Faraone stated she tendered her resignation as a member of the Brookside Board of Trustees. Her sister means more to her than anything in the world. She refuse to put her sister through the pain and torment which would have no doubt resulted from the continued efforts to remove her from the board of trustees. Therefore, in her sister's best interest and not to give any credence or credibility to the contrived efforts of Mr. Pitts and others she resigned from that board effective this morning. Recently all members of the county board received correspondence from Mr. Pitts. Mr. Pitts talks about his agenda being only the welfare of Brookside Care Center. What he doesn't say is Supervisor Faraone's agenda has always been the welfare of the patients that reside at Brookside even before her sister became a resident of Brookside. She feels that Mr. Pitts does not want her on his board of trustees. Vice-chair Faraone denies the allegations that were made at the citizen's comments portion of the Brookside Board meeting. She had no recollection of this citizen or who she may be. She states this was an ambush orchestrated by the chairman, Mr. Pitts, and it was done in such a way she was unable to respond. She is aware that Mr. Pitts and others intend to continue this untruthful and vindictive assault for reasons for which she is unaware. Her sister has been paying over \$7,600 per month for her care which totals \$76,000 for the past 10 months. She has indeed acted on many occasions as an advocate for her sister which had nothing to do with her position on the County Board or on the Brookside Board of Trustees. Mr. Kessler, Supervisor of the 4th District has shown a great desire to be on the Brookside Board of Trustees. She recommends that the County Executive, the Board Chairman and the County Board assign someone else other than him to that position. Approximately one month ago, the Chairman of the County Board decided to remove Vice-chair Faraone from the Finance Committee. He gave as his reason the fact that she changed her vote. She believes one needs to be able vote his or her conscience, which she did. The result was that she was removed from the Finance Committee, but she accepted her other committee assignment with no fuss. She feels the Chairman's actions were grossly unfair. The amount of energy and the time spent on this issue takes away from the mission of the business at hand for this County Board of Supervisors. It is embarrassing to the board and to other members. She has too much respect for her position as a Supervisor, Vice-chair of the County Board and as a fellow colleague to see money wasted in this way. We have more important matters to deal with such as a very serious deficit in our budget. She wants everyone to know that she intends to run for her County Board seat and she also intends to run for the Chairmanship of the Board of Supervisors. She works for the people and her concern for them will never stop. So with sadness but no regrets she tendered her resignation so this nonsense is stopped.

It was moved by Supervisor Morton to approve the September 1, 2009 minutes. Seconded by Supervisor Jackson.
Motion carried.

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

Meeting adjourned at 8:40 p.m.

Prepared by: Edie LaMothe
Deputy Clerk
Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
October 6, 2009**

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

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

Excused: Supervisor Breunig.

Present: 27. Absent: 1.

At this time County Executive Jim Kreuser presented the 2010 County Budget.

CITIZEN COMMENTS

Bob Danbeck, 7626 27th Ave., stated he was told the rates are down at the golf courses, but he said they're not down for seniors who have been paying regular rates at these golf courses for many years. He asked for the boards help with this matter.

Janice Bulanda, 8543 19th Ave., stated she is a non-represented county employee and said that the non-reps were never contacted by the county regarding holding back on any wage increases. Years ago the county implemented a matrix plan which consistently has not been used. The unions get their regular increases every year. That's not a raise, that's compensation for doing a good job which the non-reps do not get. They understand it's a tight year, but every year the non-reps take a beating. She understands if they have to do something to help the county, but she hopes in the future the county will go back and implement the matrix to what it should be so that the people they supervise aren't making more money than them.

Ryan Mukka, homeless, stated he is speaking on the behalf of the homeless in Kenosha. There are over 125 homeless people in Kenosha. There is a day shelter which can only hold up to 30 people per day. He invited everyone to visit First Step Services at 1017 63rd St. It's the only homeless shelter in Kenosha.

Dan Soles, 3450 N Lakeshore Dr., Chicago, stated he is here representing WTTW in Chicago. On August 26, 2009 Time Warner Cable dropped WTTW from their channel lineup. The supportive response they received from the citizens of Kenosha County and the Kenosha County Board is overwhelming. They have been working very hard over the past 6 weeks to bring WTTW back to this community. They are having daily conversations with Time Warner and everything this community has done has helped. WTTW has tens of thousands of viewers and thousands of members in Kenosha County and they have not lost of that. By passing the resolution that is on tonight's agenda will greatly help in their effort to bring WTTW back to Kenosha.

Kristen Meyer, homeless, stated that some of the old schools could be used as day or night shelters for the homeless and asked that more food be donated to Shalom Center, First Step and the INNS Program.

Louis Rugani, 4526 29th Ave., stated he believes the number of homeless people in Kenosha has been invented. University of Wisconsin Parkside came up with a "study" of 5000 homeless. They never said where that figure came from. Louis Rugani stated the City of Kenosha Police Department has their own evidence of five homeless people in the City Kenosha. There was a study in Chicago in which the entire Loop area has 24 homeless. The Chicago Loop is about the same size as Kenosha. He would like to see the quarter million dollar grant promised to the advocates of the homeless shelter rescinded as the city has already done. There is no proof or evidence of what the homeless problem is in Kenosha if there even is a problem. If there is a problem, lets help those in need, not the ones who live on public dole for year after year and go from house to house because they haven't paid rent and been evicted because they've done illegal things, then look for help and then continue doing the same things. He doesn't think those people deserve help. The people who are definitely in need should get help with grant money to help them get back on their feet.

Jeremy Mitchell, 2409 66th St., stated he is the executive director of a non profit organization where they house the mentally disabled, brain damaged and developmentally delayed. His question is how do we define and how do we survey how

many homeless people are in our city. The homeless have many struggles; one of their struggles is that they are very transient. They have to be transient while they're finding the next safest or warmer place. He finds evidence of homelessness every day. He has been involved with the Congregations United to Serve Humanity, Grace Lutheran, INNS Program, and the Shalom Center. Every place is staffed with volunteers who state there is not enough staff, money or time to help the homeless. We need to focus on the people who are here now and need help.

ANNOUNCEMENT OF THE CHAIRMAN.

Chairman Clark stated the Kenosha County Kruisers participated in the Alzheimer's Association of Racine and Kenosha Memory Walk on Saturday at UW Parkside. Kenosha County challenged the City of Kenosha to a fund raising goal. Kenosha County raised more than \$1,700 for the cause, taking 5th overall and outdid the City of Kenosha this time.

Chairman Clark stated there is a memo on the desks from Mr. Riedl regarding the Humana Plan. In the binder there are the dates for the budget hearings along with a budget inquiry form. He encourages the board to fill out the inquiry forms and to attend the committee meetings. A copy of the per diem policy was placed in the supervisors' packet for review so the policy can be followed correctly.

SUPERVISOR REPORTS

Supervisor Elverman stated there is a picture on the supervisor's desks of the last After Dark in the Park function that was held at Silver Lake Park. It was the largest turnout and people were very pleased.

Supervisor Elverman reported they had another Green Ribbon Committee meeting. They are looking into many funding and educational ideas. As for the golf courses, they've had the best September in five years. They're \$25,000 behind in revenue from last year, but guard on expenses has been very tight. We're approximately \$79,000 less on expenses from the previous year. The fish fry's they began this summer started out a little weak, but have increased from 20 to 82 and only 9 of them were golfers. They've received the plans for the disc golf in Fox River Park. This will be done with budget money with very little cost to us. It was designed by a national company with the only request is they get to hold a function there once a year. The I-94 project is ongoing; most of the major interchange work at Hwy 50 won't be done until about 2014.

Supervisor O'Day reported the Finance Committee was given an update on the Information Technology Division from Gina Turner of Maximus and I.T. Director Martin Lacock. A report is on the supervisors desks. Any questions can be directed to Mr. Lacock. The Finance Committee is scheduled to get a comprehensive report on the County Financing Plan at the October 15th meeting and would like all interested supervisors to attend. A report from Ehlers is on the desks. The Finance Committee will be holding budget hearings on October 27, 28 & 29 and November 2nd if necessary and encourages supervisors with questions or concerns to attend. The over site committees should have their meetings completed prior to the finance committee review of their respective departments. Over site committees should send a copy of their draft minutes and recommended budget amendments to the finance department so they can be forwarded to the finance committee. The finance budget adoption has been moved from November 17th & 18th to Monday and Tuesday November 9th & 10th.

Supervisor Huff reported that Representatives Barca, Steinbrink, Lothian & Senator Wirch were present at the last Legislative Committee meeting. It was a quite interesting round table discussion. When our State Representatives ask us to support a resolution or bill the timing is not conducive to our meetings because what we are presented at the time may not be the exact bill that they're going to be voting on. We don't have a solution for the problem but he feels we should have the WCA do more of our bidding for us. If we have an issue or our state representatives want us to address something, the WCA is the way to go. They are our representatives in Madison, they are our lobbyists and they have up to date, minute to minute changes. This will not prevent the Legislative Committee from doing bills that are broad and vague. The committee will continue meeting with the state representatives every six months.

COUNTY EXECUTIVE APPOINTMENT

11. Richard A. Kessler to complete the remainder of Supervisor Anita Faraone's Term on the Brookside Board of Trustees.

Chairman Clark referred County Executive Appointment 11 to Human Services.
OLD BUSINESS

ORDINANCE 16

16. From Judiciary & Law regarding an Ordinance to amend Chapter 9 of the Municipal Code of Kenosha County entitled Public Peace and Good Order.

The Kenosha County Board of Supervisors does hereby ordain that section 9.287.81 of Chapter 9 of the Municipal Code of Kenosha County, be, and hereby is, created to read as follows:

9.287.81 LITTERING

The provisions of Wisconsin Statute section 287.81 and any subsequent amendments are adopted, except that the penalty upon conviction is a forfeiture of not less than \$25 nor more than \$500

SUBMITTED BY:

Judiciary & Law Committee

William Michel II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michael to adopt Ordinance 16. Seconded by Supervisor Huff.

Motion carried.

NEW BUSINESS

RESOLUTION 56

56. From Supervisors Terry Rose, James Huff and the Legislation Committee regarding Time Warner Cable and WTTW, Channel 11, Chicago Public Television.

WHEREAS, Kenosha County occupies a unique position due to its geographical proximity to two major cities, Milwaukee and Chicago; and

WHEREAS, as a part of this unique position, Kenosha County enjoys a healthy, spirited, and good-natured debate on with which of these two great cities it is more naturally identified; and

WHEREAS, Time Warner Cable, recognizing the special relationship that Kenosha County has with its neighbors to the north and south, has populated its airwaves with channels from both markets; and

WHEREAS, one of those channels is WTTW, Channel 11, Chicago Public Television, which is home not only to national PBS programming but also to locally produced programs such as "Chicago Tonight," "Check Please," "Wild Chicago," and "Chicago Stories;" and

WHEREAS, Time Warner Cable has recently, and without warning or public input, ceased the broadcasting of WTTW, Channel 11, Chicago Public Television, to its Southeastern Wisconsin customers, including those in Kenosha County; and

WHEREAS, this action is depriving Kenosha County residents of programming with which they have grown accustomed to and fond of; and

WHEREAS, the residents of Kenosha County have expressed, and continue to express their displeasure with this action by means including letters published in the "Voice of the People" column in the Kenosha News;

THEREFORE BE IT RESOLVED that it is the opinion of the Kenosha County Board of Supervisors that Time Warner has acted arbitrarily and in haste by dropping WTTW, Channel 11, Chicago Public Television from its Southeastern Wisconsin lineup; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors urges Time Warner and Charter to reconsider its decision and reinstate WTTW, Channel 11, Chicago Public Television, to its Southeastern Wisconsin lineup for the enjoyment and education of Kenosha County residents.

SUBMITTED BY:

Supervisor Terry Rose

Supervisor James Huff

It was moved by Supervisor Huff to adopt Resolution 56 with the following amendment; in the "BE IT FURTHER RESOLVED" paragraph, change "Comcast" to "Charter". Seconded by Supervisor Rose.

Motion on amending Resolution 56 passed.

Roll call vote on Resolution 56 as amended passed unanimously.

CLAIMS

11. Deann Zeitler - injured in auto accident with sheriff deputy.
12. Steve and Debra Sendelbach - injured in auto accident with sheriff deputy.
13. Jamie Renee Tabbert - car damaged by fresh paint on road.
14. Kimmeandria T. Williams - car damaged by fresh paint of road.
15. Donna Schroff - injured on road while jogging.

Chairman Clark referred Claims 11 - 15 to Corporation Counsel

It was moved by Supervisor Noble to approve the September 15, 2009 minutes.

Seconded by Supervisor Modory.

Motion carried.

It was moved by Supervisor Singer to adjourn. Seconded by Supervisor Ron Johnson.

Motion carried.

Meeting adjourned at 8:35 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
October 20, 2009**

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

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

Excused: Supervisor Marks, West.

Present: 26. Absent: 2.

CITIZEN COMMENTS

Ron Frederick, 6038 34th Ave., stated he is a Kenosha County retiree and requests that the board eliminates full time health insurance benefits for Kenosha County Supervisors in the 2010 Budget. He feels we are in the worst economic times since the 1930's and the board should lead by example. The county's 251 retirees have made their sacrifice by having the generously subsidized retiree insurance eliminated saving \$722,000 to help fill the \$5 million budget hole. He stated the position of supervisor is part time and government is often challenged to be more businesslike. Where in the private sector do part time employees receive full health coverage for part time work? The current level of premium participation for supervisors is 10% possibly going to 15% in 2010. Premium participation for a 20 hour a week non-rep county employee is 50%. He stated putting the supervisors at that same 50% participation would be a fair deal. He would like the \$286,586 budgeted for the supervisors health insurance be axed and reallocated to Public Safety and/or Human Services where the needs are overwhelming.

Gina Zarletti, 7815 46th Ave., state she is Larry Zarletti's daughter and since he was unable to attend the meeting, she wanted to read a statement he prepared in reference to Resolution 57. He thanked the board and for their consideration of the resolution directed to President Barack Obama supporting his appointment to U.S. Marshall of the Easter District. He is honored to be one of two finalists. If chosen, he will execute the duties assigned to him with the same passion had dedication he did as sheriff.

Louis Rugani, 4526 46th Ave., asked the board to eliminate the quarter of a million dollar allocation for a homeless shelter as the city has already done. He stated that the Bail Park neighborhood is struggling to maintain its property values and individual dignities because it's become a hangout for the homeless. No one really knows how much of a need there is regarding homeless in this community. If someone is burned out in a fire and becomes homeless we should take care of these people. If someone is homeless because they haven't paid their rent because they've squandered their money they shouldn't get help. He stated that before any money is allocated for a homeless shelter a study should be done by an impartial group which should include the Kenosha Police Department, so that we can see if there truly is a problem with homelessness in Kenosha.

ANNOUNCEMENT OF THE CHAIRMAN.

Chairman Clark asked everyone to stand for a moment of silence for Angelo Capriotti who was a 35 year member of this county board and chairman from 1984-86.

Chairman Clark stated he checked with the County Executive and Corporation Counsel regarding the Intergovernmental Agreement. They're down to one issue, the city has indicated that they are going to bring that forward to the common council in January. Chairman Clark reminded the board that the County Board Holiday party will be the second Tuesday in December at the Bristol Oaks. Information will be given at the next meeting.

SUPERVISOR REPORTS

Supervisor O'Day stated the Kenosha Area Business Alliance presented a third quarter 2009 loan fund report. The committee also reviewed the pre-sale report and capitol financing plan for 2009-2014, in which there is a copy on the desks. Mike Harrigan, County Financial Advisor, and Dave Geersten provided an

analysis which contemplated using both Recovery Zone Economic Development Bonds and Build America Bonds and notes as well as traditional tax exempt financing. Due to the currently low interest rates, the county will be doing a dual track bidding option for the bonds in which the county will allow the underwriters to bid on either or both of the taxable Build America Bonds or the tax exempt traditional bonds. The county will reserve the right to award the bonds to the lowest cost proposal. The Finance Committee will be setting the sale date for the 2009 bonds at a meeting in November and the sale of the bonds will occur approximately December 1st. The committee will be meeting on December 2nd to review the 2010 Capitol Financing Plan. A copy of the status of the General Fund was placed on the supervisor's desks. The budget hearings will start October 27th; he recommends all supervisors with questions to submit them on the budget inquiry form that was included in the budget book.

Supervisor Michel stated the Judiciary and Law Committee met before the County board meeting and approved Resolution 60; this is why that resolution was included in the packet unsigned by Judiciary and Law Committee.

Supervisor Noble reported the Public Safety Building is on schedule, they're in the middle of excavation. The Kemper Center roofing project is almost completed and expect to be done by the end of the month. The Administration Building and Human Service Building projects should be done this week.

Supervisor Moore reported non-rep evaluations for the last quarter are as follows; 36 employees reached their anniversary date, 7 are sworn, 14 evaluations were completed, 14 remain outstanding and there was 1 resignation. Relative to the 2009 budget, there is a shortfall of about \$6,000 in the unemployment compensation line of the budget due to golf and information systems reorganization. A larger shortfall is \$350,000-\$400,000 in workman compensation claims. Health insurance budget is under budget by approximately 1.3 million dollars. The committee is recommending a policy to Finance relative to health insurance savings and a policy that would put a percent of health insurance savings into the emergency fund. The administration Committee is recommending a 2% pay matrix adjustment for non-reps effective December 19, 2010 and the level E Health Insurance. Also being recommended to Finance is a freeze on elected official's compensations for the next term for the County Executive, Sheriff and the Clerk of Circuit Court and making whole the 100% premium payment for the health benefits for those positions.

Supervisor Ekornaas stated the Smart Growth Plan will not be completed on schedule as the statute provides but it will be completed sometime next spring. This has been a long and convoluted process, when completed it will comprise of at least a two inch binder. There has been a lot of resistance around the state to do this, but we're on of those who have taken it seriously.

NEW BUSINESS

Ordinance - one reading.

ORDINANCE 19

19. Dale J. Kerkman requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy 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 Tax Parcel #30-4-220-032-0210 located in the northwest quarter of Section 3, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of 264th Avenue approximately ½ mile north of the intersection of County Trunk Highway "BB".

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig
Gordon West

It was moved by Supervisor Ekornaas to adopt Ordinance 19. Seconded by Supervisor Nudo.
Motion carried.

ORDINANCE 20

20. Frank W. and Hildegard Lumm; and Jacquelin S. Wuttke (Owners) requesting rezoning from C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District from A-1 Agricultural Preservation District and A-2 General Agricultural District to R-2 Suburban Single-Family Residential District in the Town of Wheatland.

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 #95-4-219-332-0303 and #95-4-219-332-0304 (Lumm) located in the northwest quarter of Section 33, Township 2 North, Range 19 East, Town of Wheatland be changed from C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District. In addition, Tax Parcel #95-4-219-332-0411 (Wuttke) also located in the northwest quarter of Section 33, Town of Wheatland be changed from A-1 Agricultural Preservation District and A-2 General Agricultural District to R-2 Suburban Single-Family Residential District. For informational purposes only, these properties are located on the east side of 376th Avenue approximately ¾ miles north of the intersection of State Trunk Highway "50".

Frank W. and Hildegard Lumm - Owners (Tax Parcels #95-4-219-332-0303 & #95-4-219-332-0304)

Jacquelin S. Wuttke - Owner (Tax Parcel #95-4-219-332-0411)

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

It was moved by Supervisor Ekornaas to adopt Ordinance 20. Seconded by Supervisor Breunig.
Motion carried

ORDINANCE 21

21. Kenosha Packing Co., Inc.; VMD, Inc. (Owner), Mark Molinaro (Agent) requesting rezoning from A-1 Agricultural Preservation District and A-2 General Agricultural District to M-2 Heavy Manufacturing District in the Town of Paris.

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 #45-4-221-262-0311 and #45-4-221-232-0300 located in the northwest quarter of Section 26 and the west one-half of Section 23, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District and A-2 General Agricultural District to M-2 Heavy Manufacturing District. For informational purposes only, this property is located on the east side of County Trunk Highway "MB" (152nd Avenue) approximately ½ mile north of the intersection with County Trunk Highway "N" (38th Street).

Kenosha Packing Co., Inc. - Owner (Tax Parcel #45-4-221-262-0311)

VMD, Inc. - Owner (Tax Parcel #45-4-221-232-0300)

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

It was moved by Supervisor Ekornaas to adopt Ordinance 21. Seconded by Supervisor Nudo.

Roll call vote.

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

Nays: 0

Abstain: Supervisors Clark, Molinaro.

Ayes: 24. Nays: 0. Abstain: 2.

Motion carried.

Resolutions - one reading.

RESOLUTION 57

57. From Supervisor Terry Rose a Resolution in Support of Presidential Appointment of Larry Zarletti as U.S. Marshall.

WHEREAS, The President of the United States appoints to the Office of the U.S. Marshal and President Barack Obama receives recommendations for qualified individuals to fill this position; and

WHEREAS, Former Kenosha County Sheriff Larry Zarletti applied for consideration to the position of U.S. Marshal for the Eastern District of Wisconsin and has been selected as 1 of 2 finalists for the position from a field of 20 applicants; Senator Feingold and Senator Kohl have submitted Mr. Zarletti's name to President Obama for appointment; and

WHEREAS, The Kenosha County Community has not received an appointment from its ranks to a federal position for a very long time, if ever, and Kenosha County is long overdue in such recognition of capable and willing members of its community to serve in such appointed positions of trust and leadership; and

WHEREAS, former Sheriff Larry Zarletti has been determined by the Senators' Offices to possess the character, skills, necessary experience and ability to successfully fulfill all of the duties and responsibilities of U.S. Marshal, as those duties, in part, are set forth in the attachment to this resolution; and

WHEREAS, Larry Zarletti provided 30 years of service to Kenosha County with distinction and honor, including 3 terms as elected Sheriff, experience as a jailer, a deputy sheriff on road patrol, and served as the lieutenant of the detective division, and met all of the other requirements for office of U.S. Marshal.

NOW THEREFORE BE IT RESOLVED, That the County Board of Supervisors hereby petitions President Barack Obama to appoint Mr. Larry Zarletti, a man of longstanding public service in the Kenosha County community, to the office of U.S. Marshal for the Eastern District of Wisconsin.

BE IT FURTHER RESOLVED, The County Clerk shall send a certified copy of this resolution to Barack Obama, President of the United States of America.

SUBMITTED BY:

Terry Rose	Douglas J. Noble
Ronald Johnson	Joseph Clark
Dayvin Hallmon	William P. Michel, II
William Grady	Rob Zerban
Richard A. Kessler	Anita M. Faraone
Roger Johnson	James R. Moore
Dennis Elverman	Bob Haas
Mark Molinaro, Jr.	Edward Kubicki
Mark Modory	

It was moved by Supervisor Rose to adopt Resolution 57. Seconded by Supervisor Ron Johnson.

Chairman Clark suspended the rules and allowed the Resolution to acted upon immediately.

Roll call vote.

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

Nays: Supervisors Nudo.

Abstain: Supervisor O'Day

Ayes: 24. Nays: 1. Abstain: 1

Motion carried.

RESOLUTION 58

58. From Building and Grounds and Finance Committees a Resolution to grant an Electric Power Utility Easement to WE Energies to relocate underground electric lines to allow expansion of Kenosha County Public Safety Building.

WHEREAS, Kenosha County is constructing an addition to its property known as the Public Safety Building at 1000 - 55th Street in Kenosha, Wisconsin and needs to have the existing electric power service lines for the building moved to allow for construction of the Addition to the Building; and

WHEREAS, WE ENERGIES is willing to install the necessary new electric facilities (cables, transformers, pads, switches, etc.) at that location for purposes of transmission of electric power but requires an easement from Kenosha County for such installation and future maintenance of such facilities, all as is more particularly set forth in the enclosed the proposed easement to WE Energies marked Attachment 1 and its drawing dated September 21, 2009 bearing no. IDO 2811025 and marked Exhibit "A."

NOW THEREFORE BE IT RESOLVED, That the County Board of Supervisors approves the grant of a permanent limited easement to WE Energies on its property located near 1000 - 55th Street, Kenosha, Wisconsin, bearing parcel number 12-223-31-434-009 for the purpose of transmitting utility service near the Kenosha County Public Safety Building located at that address, under the terms as described more particularly in the attached WE Energies easement document number WR NO 2811025, for \$1.00 and other valuable consideration, and the Kenosha County Executive and County Clerk are authorized to sign all necessary and related documents.

SUBMITTED BY:

Finance Committee	Building & Grounds Committee
John O'Day	Douglas Noble
Mark Molinaro, Jr.	Mark Molinaro, Jr.
Jeff Gentz	Gabe Nudo
Mark Modory	Roger Johnson
	Rob Zerban

It was moved by Supervisor Noble to adopt Resolution 58. Seconded by Supervisor O'Day.
Motion carried.

RESOLUTION 59

59. From Highway & Parks and Finance Committees a Resolution to authorize the Department of Public Works to apply for Urban Forestry and Community Forestry Projects Grant and to accept the Grant Funds.

WHEREAS, Kenosha County Department of Public Works hereby request financial assistance under s. 20.370, Wis. Stats., Chapter NR 47, Wis. Admin. Code, for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 20.370(5)(bw) and (1)(mv), Wis. Stats., and

WHEREAS, the total forestry grant available is in the amount of \$25,000, with \$12,500 reimbursed from the grant program and \$12,500 being the local match, and

WHEREAS, the awards for the grant program would be made in mid-December (after the final approval for the 2010 County Budget) and that the funds would be available for reimbursement in 2010; and

WHEREAS, the Kenosha County Parks is eligible to apply for the forestry grant due to the number of trees to replace or treat with the finding of ash borer within the county.

THEREFORE, BE IT RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf to submit an application to the Department of Natural Resources for financial assistance under s. 20.370, Wis. Stats., Chapter NR 47, Wis. Admin. Code, and

BE IT FURTHER RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to accept the grant funds which could total approximately \$12,500, and

BE IT FURTHER RESOLVED that if the grant is awarded, the appropriation in the 2010 Budget be modified based upon the actual reimbursement amount as determined by the DNR under the Urban and Community Forestry Projects Grant.

SUBMITTED BY:

Highway & Parks Committee
Dennis Elverman
William Grady
Mark Modory
Gordon West
Douglas Noble

Finance Committee
John O'Day
Mark Molinaro, Jr.
Mark Modory
Jeff Gentz

It was moved by Supervisor Elverman to adopt Resolution 59. Seconded by Supervisor O'Day.
Motion carried.

RESOLUTION 60

60. From Human Services, Finance and Judiciary & Law Committees a Resolution to modify the Department of Human Services, Division of Workforce Development and Circuit Court 2009 Budget for the American Recovery and Reinvestment Act Funding for Child Support Program.

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development was additionally approved in the amount of \$55,000 for the American Recovery and Reinvestment Act (ARRA) funding for the Child Support Program, and

WHEREAS, these funds have been allocated through September 30, 2010 to Kenosha County for enhancing and increasing Child Support services, and

WHEREAS, the Department of Human Services, Division of Workforce Development will purchase computers for existing ARRA funded child support staff in the amount of \$15,000, and

WHEREAS, Circuit Court will receive \$40,000 to offset additional costs for increased child support contempt hearings, and

WHEREAS, Circuit Court will allocate funds for additional circuit court staff time, court commissioner and court reporter professional services on an as-needed basis, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County in 2009 and 2010, and

WHEREAS, when the funding for these staff and services ends on or after September 30, 2010 the positions and services will be discontinued, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services budget be modified as follows:

Authorize increase of expenditures of \$55,000 and increase revenues by \$55,000, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2009 will be carried over into the 2010 budget.

SUBMITTED BY:

Human Services Committee
Edward Kubicki
Terry Rose
Richard Kessler
Jennifer Jackson
Jeffrey Gentz

Finance Committee
John O'Day
Mark Molinaro, Jr.
Mark Modory
Jeffrey Gentz

It was moved by Supervisor O'Day to adopt Resolution 60. Seconded by Supervisor Kubicki.

Roll call vote passed unanimously.

RESOLUTION 61

61. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for Mary Rose Piazza.

WHEREAS, the application of Freda Pryga for a probationary cabaret license for the Mary Rose Piazza, 9524 Camp Lake Road, Camp Lake, Wisconsin, in the Town of Salem, was made during the month of August, was turned over to this office on August 18th, 2009, and

WHEREAS, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

WHEREAS, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Freda Pryga for the Mary Rose Piazza.

SUBMITTED BY:
Judiciary & Law Committee
James Huff
Roger Johnson
Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 61. Seconded by Supervisor Huff.
Motion carried.

RESOLUTION 62

62. From Judiciary & Law and Finance Committees regarding WI OJA Homeland Security Grant - New Bomb Robot.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$199,864.00 for the purchase of a new Bomb Robot, for the period Oct 1st, 2009 through March 31st, 2010 and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department through the US Dept of Justice, Office of Justice Assistance (OJA), and

WHEREAS, this grant will not require any local match, and

WHEREAS, this budget modification will not require any additional tax levy dollars.

NOW THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and that the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the OJA grant requirements.

Note: This resolution requires No funds from the general fund. It increases revenues by \$199,864.00 and increases expenditures by \$199,864.00.

SUBMITTED BY:
Judiciary & Law Committee
James Huff
Roger Johnson
Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 62. Seconded by Supervisor O'Day.
Roll call vote passed unanimously.

RESOLUTION 63

63. From Judiciary & Law and Finance Committees regarding Radio Interoperability Grant.

WHEREAS, Kenosha County Division of Emergency Management is being awarded a Radio Interoperability Grant totaling \$59,403 from the State of Wisconsin Office of Justice Assistance (OJA), and

WHEREAS, WI OJA requires that the Radio Interoperability Grants for municipalities to pass thru the County Emergency Management offices, and

WHEREAS, the grant is for the replacement of portable and/or mobile radios for Paris Fire & Rescue, Pleasant Prairie Fire & Rescue, Pleasant Prairie Police and Kenosha County Emergency Management, and

WHEREAS, each of the above mentioned Agencies will purchase their own radios and will be reimbursed the 75% cost through the County as funded by WI OJA, and

WHEREAS, Kenosha County Emergency Management will require a \$686 match for the two portable radios it needs to purchase, and

WHEREAS, the Kenosha County Emergency Management Budget will require a FY09 Budget Modification of \$60,088,

NOW THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approve that the FY09 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

SUBMITTED BY:
Judiciary & Law Committee Finance Committee
James Huff John O'Day
Roger Johnson Mark Molinaro, Jr.
Ronald Johnson Mark Modory
 Jeff Gentz

It was moved by Supervisor Michel to adopt Resolution 63. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 64

64. From Judiciary & Law and Finance Committees regarding Sheriff Dept. - Staff Development Budget Modification.

WHEREAS, the State of Wisconsin, Department of Justice, Division of Law Enforcement Services, Training and Standards Bureau appropriates funds for law enforcement and correctional staff for both In-Service training and BASIC new recruit training expenses, and

WHEREAS, the fund allowance for law enforcement In-Service is calculated by number of certified officers and a max of \$200 per officer, and

WHEREAS, the fund allowance for Kenosha County Sheriff's Department In-Service for spending period July 1, 2008 through June 30, 2009 was set at \$50,800.00 and this external fund source is outside of the Staff Development budget set locally, and

WHEREAS, historically, the Sheriff would submit invoices for Registration and Lodging expenses, etc. to the DOJ Training/Standards Bureau to pay the vendors utilizing this fund, at the end of the state fiscal year, the Sheriff's Dept. would receive a check for the unspent balance, which historically, was receipted in the Training Reimbursement revenue line to offset our local Staff Development budget, and

WHEREAS, in January the Division of Law Enforcement Services decided to change their policy regarding the In-Service appropriation and request that the law enforcement agencies pay the vendors directly for In-Service costs resulting in the State cutting our department a check for \$24,620.84 representing the unspent allowance, and

WHEREAS, the Sheriff's Department is also expecting \$7,000 as reimbursement from the DOJ Training/Standards Bureau for BASIC recruit training expenses we, the Sheriff had budgeted \$18,000 in Training Reimbursement revenue for incurred, and

WHEREAS, 2009, currently we have receipted \$28,861.61, including the In-Service check from the State, and

WHEREAS, the Sheriff would like to recognize \$17,500 of this to cover In-Service and BASIC training expenses incurred, increasing Staff Training Reimbursement revenue by \$17,500 and Staff Development expense budgets by the same amount.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the \$17,500 adjustment and approve the Revenue and Expenditure line item modifications to the Sheriff's 2009 budget as per the attached budget modification form, which is incorporated herein by reference.

SUBMITTED BY:

Judiciary & Law Committee

James Huff

Roger Johnson

Ronald Johnson

Finance Committee

John O'Day

Mark Molinaro, Jr.

Mark Modory

Jeff Gentz

It was moved by Supervisor Michel to adopt Resolution 64. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 65

65. From Judiciary & Law and Finance Committees regarding Budget Modification to Appropriate Funds from the General Fund for District Attorney's Trial related Expenditures in 2009 Budget.

WHEREAS, by Wisconsin State Statute, Kenosha County is responsible for incurring all expenses related to trials including but not limited to transcripts, paper service, witness/expert witness fees, and prosecution expenditures, and

WHEREAS, high profile cases have generated higher than anticipated expenditure levels in expert witness Fees, and

WHEREAS, certain unexpected transcript expenditures have been incurred, and

WHEREAS, certain other expenditures have been incurred at a higher than anticipated level due to general increased caseload expenses and overall price increases, and

NOW THEREFORE BE IT RESOLVED, that \$44,000 be appropriated from the General Fund and the District Attorney's Office budget modified as per budget modification which is attached and incorporated herein by reference.

SUBMITTED BY:

Judiciary & Law Committee

James Huff

Roger Johnson

Ronald Johnson

Finance Committee

John O'Day

Mark Molinaro, Jr.

Mark Modory

Jeff Gentz

It was moved by Supervisor Michel to adopt Resolution 65. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

COMMUNICATION

9. From George E. Melcher Director of the Department of Planning and Development regarding future rezonings.

Chairman Clark referred Communication 9 to Land Use.

CLAIMS

16. ISM and Sally Lavacque - fell in courthouse.

17. Margaret Beinecke - car damaged by rocks thrown by county mower.

Chairman Clark referred Claims 16 & 17 to Corporation Counsel

It was moved by Supervisor Nudo to approve the October 6, 2009 minutes. Seconded by Supervisor Breunig.

Motion carried.

It was moved by Supervisor Hallmon to adjourn. Seconded by Supervisor Michel. Motion carried.

Meeting adjourned at 8:40 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 3, 2009**

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

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

Excused: 0.

Present: 28. Absent: 0.

There were no citizen comments

ANNOUNCEMENT OF THE CHAIRMAN

Chairman Clark stated the family of Angelo Capriotti sent a thank you card for the plant which was sent by the county board. Chairman Clark announced there is an invitation to the Annual County Board Holiday Party, if interested please have money to the county clerk by the next county board meeting. The budget meetings will be Monday and Tuesday, November 9th and 10th @ 7:30.

SUPERVISOR REPORTS

Supervisor O'Day stated there are three bonding resolutions on the agenda tonight; there will be two more at the next meeting. The resolutions along with the financing plan which was updated as a result of Finance Committee action during the budget deliberations will be sent by courier later this week. On the desks is the County Audit; any questions can be directed to the Finance Department.

Supervisor Huff stated the Ethics Policy is ready to go to a joint meeting between Legislative and Finance Committees after the first of the year for consideration.

COUNTY EXECUTIVE APPOINTMENT

13. Carl Holborn to serve on the Kenosha County Civil Service Commission.

Chairman Clark referred County Executive Appointment 13 to Judiciary and Law.

NEW BUSINESS

Resolutions - one reading.

RESOLUTION 66

66. From the Finance Committee a Resolution Designating Kenosha County to be a Recovery Zone for the Purposes of the American Recovery and Reinvestment Act of 2009.

WHEREAS, the American Recovery and Reinvestment Act of 2009 (the "Stimulus Act") authorizes the issuance of "recovery zone economic development bonds", which bonds are eligible for a direct payment by the United States Treasury to the issuer of forty-five percent (45%) of the interest due on the bonds; and

WHEREAS, in order to issue recovery zone economic development bonds, an issuer must first designate one or more "recovery zones", being areas which manifest significant poverty, unemployment, rate of home foreclosures or general distress or meet other criteria specified in the Stimulus Act; and

WHEREAS, Kenosha County, Wisconsin (the "County") has experienced significant poverty, a high rate of unemployment, a high rate of foreclosures and other general economic distress (the "Recovery Zone Conditions"), and such Recovery Zone Conditions impair the sound growth and the tax base of the County and threaten the well-being of the citizens of the County; and

WHEREAS, the existence of Recovery Zone Conditions in the County and the qualification of the County as a recovery zone are evidenced by, among other things, the following factors: (a) the unemployment rate in the County was 10.5% for August 2009, as compared to 5.5% for August 2008, (b) the County experienced over 3,400 job layoffs in 2008 and 2009, which is triple the 10 year historical average; (c) over 11% of people in the County are below the poverty level and the public assistance caseload is up significantly; and (d) in 2008 the County had the sixth highest rate of foreclosures per 100 housing units in the State of Wisconsin and has experienced over a 39% increase in foreclosure cases between the first quarter of 2008 and the first quarter of 2009; and

WHEREAS, in order to promote the well-being of the County and its citizens, it is necessary that the Recovery Zone Conditions be addressed by financing eligible costs for "qualified economic development purposes," being expenditures for promoting development and economic activity in the County through expenditures for public infrastructure and construction of public facilities and other capital expenditures with respect to property in the County; and

WHEREAS, it is desirable and in the best interests of the citizens of the County to designate the County as a recovery zone for purposes of and as provided in the Stimulus Act;

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

Section 1. Existence of Recovery Zone Conditions in County. There exist conditions including significant poverty, unemployment, rate of foreclosures and general economic distress which cause the County as a whole to be subject to designation as a recovery zone under the Stimulus Act.

Section 2. Designation of Recovery Zone. All of the territory located within the boundaries of the County is hereby designated as a recovery zone for all purposes of and as provided in the Stimulus Act.

Section 3. General Authorization. The officers of the County are authorized and directed to take all actions necessary or convenient in connection with the designation of the County as a recovery zone and the issuance of recovery zone economic development bonds by the County or by other eligible issuers within the County.

SUBMITTED BY:

Finance Committee

John O'Day

Mark Modory

Jeffrey Gentz

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor O'Day to adopt Resolution 66. Seconded by Supervisor Molinaro.

Roll call vote passed unanimously.

RESOLUTION 67

67. From the Finance Committee a Resolution Providing for the Sale of Not to Exceed \$4,910,000 Taxable General Obligation Public Safety Building Bonds (Recovery Zone Economic Development Bonds).

WHEREAS, on July 7, 2009, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Bonds or Promissory Notes in an Amount Not to Exceed \$15,345,000 for Public Safety Building II Projects and Remodeling and Improvement Projects at the Existing Public Safety Building" (the "Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes for the public purpose of paying the cost of constructing and equipping a project identified as "Public Safety Building II," building a third floor addition thereto and constructing and upgrading the mechanical systems and remodeling and improvement projects at the existing Public Safety Building (the "Project"); and

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, counties are authorized by the provisions of Section 67.04 of the Wisconsin Statutes to borrow money and to issue general obligation bonds for such purposes; and

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation bonds in an amount not to exceed \$4,910,000 for the purpose authorized in the Initial Resolution should be issued, and it is now necessary and desirable to authorize their sale; and

WHEREAS, because the County Board of Supervisors intends to designate said bonds to be qualified Recovery Zone Economic Development Bonds, a category of

Build America Bonds, within the meaning of Subsection 1400U-2(b) of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on said bonds will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

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 Project, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes, a principal amount not to exceed FOUR MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$4,910,000) 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, its Taxable General Obligation Public Safety Building Bonds (Recovery Zone Economic Development Bonds) aggregating a principal amount not to exceed FOUR MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$4,910,000) (the "Bonds"). The County shall offer the Bonds for public sale on or about December 1, 2009.

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 irrepealable 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.

SUBMITTED BY:

Finance Committee

John O'Day

Mark Modory

Jeffrey Gentz

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor O'Day to adopt Resolution 67. Seconded by Supervisor Singer.

Roll call vote.

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

Nays: Supervisors Rose, Faraone, Nudo, Moore, Elverman.

Ayes: 23. Nays: 5

Motion carried.

RESOLUTION 68

68. From the Finance Committee a Resolution Providing for the Sale of Not to Exceed \$9,645,000 General Obligation Promissory Notes.

WHEREAS, on September 16, 2008, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$2,700,000 for Road Improvements" (the "September 2008 Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount

not to exceed \$2,700,000 for the public purpose of paying the cost of road improvements; and

WHEREAS, on November 13, 2008, the County Board, by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Bonds or Promissory Notes in an Amount Not to Exceed \$8,380,000 for Budgeted Capital Projects" (the "November 2008 Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$8,380,000 for public purposes, consisting of construction, acquisition and improvement projects set forth in the County's Capital Budget including constructing, extending, repairing and improving streets, roads and bridges; construction, improvement and maintenance projects at various County buildings and sites; fiber connectivity and communications projects; information systems projects; and acquiring vehicles, equipment, furnishings and fixtures; and

WHEREAS, the County Board of Supervisors hereby finds and determines that the projects authorized by the September 2008 Initial Resolution and the November 2008 Initial Resolution are within the County's power to undertake and therefore serve a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such purposes; and,

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in an amount not to exceed \$1,350,000 for the purpose authorized in the September 2008 Initial Resolution and general obligation promissory in an amount not to exceed \$8,295,000 for the purposes authorized in the November 2008 Initial Resolution should be issued, 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 Notes. For the purpose of paying costs of the projects authorized by the September 2008 Initial Resolution and the November 2008 Initial Resolution, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal amount not to exceed NINE MILLION SIX HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$9,645,000) from a purchaser to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Notes. 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 its General Obligation Promissory Notes aggregating a principal amount not to exceed NINE MILLION SIX HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$9,645,000) (the "Notes"). The County may, by further action of the County Board of Supervisors, determine to issue the Notes as tax-exempt notes designated "General Obligation Promissory Notes" or as taxable Build America Bonds designated "Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment)". The County shall offer the Notes for public sale on or about December 1, 2009.

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 Notes.

Section 4. Award of the Notes. Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes and to award the Notes to the lowest responsible bidder therefor.

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.

SUBMITTED BY:

Finance Committee

John O'Day

Mark Modory

Jeffrey Gentz

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor O'Day to adopt Resolution 68. Seconded by Supervisor Modory.

Roll call vote.

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

Nays: Supervisor Elverman.

Ayes: 27. Nays: 1.

Motion carried.

Supervisor Elverman later stated he voted against Resolution 68 in error, his intention was to vote in favor of Resolution 68.

It was moved by Supervisor O'Day to approve the October 20, 2009 minutes. Seconded by Supervisor Breunig.

Motion carried.

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

Motion carried.

Meeting adjourned at 7:52 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 9, 2009**

The **Public Hearing** was called to order by Chairman Clark at 7:30 p.m., in the County Board Room located in the Administration Building. Roll call was taken.

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

Absent: Supervisor Huff, Morton, Roger Johnson.

Present: 25. Absent: 3.

CITIZEN COMMENTS

Ron Frederick 6038 34th Ave., asked the board to seriously consider eliminating the \$286,000 subsidy to County Board Supervisor health insurance participation. Full time benefits should not be made available for part time jobs. Kenosha County retirees have already made their contribution in the form of a \$722,000 involuntary contribution. As a fall back position, it would be fair if the current subsidy be capped at 50% of the current rates. Waukesha County has 42% more population and 3 fewer supervisors; it is their practice to provide health insurance to their county board at a 50% subsidy level.

Madeline Wirch 8934 62nd Ave., spoke regarding the creation of the new Marketing Position for Brookside Care Center which will cost Kenosha County and the taxpayers more than \$64,000 per year. She is a nurse at Brookside and has worked at other nursing homes in management and feels this is a redundant position. The duties of the Marketing Position can be carried out by the Director of Nurses and the Social Workers. There is a waiting list for beds at Brookside. Considering the terrible economic situation we're all facing, and the fact that almost all county workers took a wage freeze for next year, it's not fiscally responsible to create a redundant position when there is a plethora of people in the office at Brookside who could do the job. The taxpayers have entrusted the county board to be frugal and efficient in the use of the taxpayers money.

Donna Dickenson, 7522 12th Ave, states she is Local 990's vice-president, a voter and a taxpayer. She would like the board to review and scrutinize the recommendation of the Finance Committee, County Executive and the Brookside Director regarding the new Marketing Admissions non-represented position at Brookside. The purpose of the position is to bring more revenue into Brookside by utilizing Medicare benefits as it relates to short term rehab patients. The Finance Committee and the Director of Brookside will tell you that if Brookside maintains the minimum of 25 Medicare beds everyday it will generate one million dollars. As of the last week of October, 2009 Brookside's daily Medicare census ranged from 28 to 31 beds. The current established requirement as established by the Director of Brookside for 2009 is 19 Medicare beds, it is apparent that the present staff are in reach of meeting if not exceeding the directors 2009 expectation. Recently most of the AFSCME represented units including the 990 Professionals which are the Social Workers, voluntary agreed to financial concessions to help alleviate the shortfalls of the county budget. Most of the non-represented employees followed suit. The new director of Brookside accepted a salary of over \$20,000 more than the previous director. In addition she was granted a "sweet" retirement package. The County Executive has given her carte blanche hiring abilities, and she brought two former employees from her other facility. It is requested as the board looks at the 2010 budget, in these hard economic times, that if a new position is warranted and needed that it's a represented Social Work position to help alleviate the Social Worker strain and help make admission decisions.

Bob Danbeck, 7626 27th Ave., stated part timers shouldn't get full time benefits. This will cost the taxpayers over a quarter of a million dollars. He would like to know where the county will get the money from since two of the largest taxpayers, Fiat Engine Plant and Dairyland Greyhound Park will be closing soon. If the board is to have health insurance benefits, then the subsidy should be half.

Don Gillespie, 2023 73th St., stated he is the Chairman of the Kemper Center. He wishes the board well in their deliberations and thanked the board for their partnership of the past. The Kemper Center's partnership of public, private and business entities has blossomed and continues to grow, and with the boards continued support they will continue to do so.

Louis Rugani, 4526 29th Ave., asked the board to re-allocate the quarter of a million dollar allocation for the homeless shelter proposal. There is no real hard evidence proposed by anybody that there has been any homeless need in the City of Kenosha or the County of Kenosha.

Supervisor O'Day presented the 2010 Budget.

It was moved by Supervisor Breunig to adjourn. Seconded by Supervisor Ronald Johnson.

Motion carried.

Meeting adjourned at 8:00 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 9, 2009**

The **Organizational Meeting** was called to order by Chairman Clark immediately following the Public Hearing, in the County Board Room located in the Administration Building.

Roll call was taken.

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

Absent: Supervisor Huff, Morton, Roger Johnson.

Present: 25. Absent: 3.

There were no Citizen Comments

CHAIRMAN COMMENTS

Chairman Clark informed the board that in the last month the county was approached by the Menomonee Tribe; the Intergovernmental Agreement is expiring December 31, 2009. They are asking that the board acts on it this year. Chairman Clark is anticipating having a presentation to the County Board and possible discussion at the first meeting in December to go over the Intergovernmental Agreement. He asked that Corporation Counsel give a report on how it would impact the county if the Intergovernmental Agreement should expire. Copies of the Intergovernmental Agreement will be mailed out with the next county board packet.

There were no supervisor reports

NEW BUSINESS

Resolution - one reading.

RESOLUTION 69

69. From Human Services Committee a Resolution to approve the Appointment of Supervisor Richard Kessler to the Brookside Board of Trustees.

WHEREAS, pursuant to County Executive Appointment 2009/10-11, the County Executive has appointed Supervisor Richard Kessler to serve on the Brookside Board of Trustees, 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 Brookside Board of Trustees 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 Richard Kessler to the Brookside Board of Trustees. Supervisor Kessler's appointment shall be effective immediately and continuing until the 4th day of January, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of

Supervisors. Supervisor Kessler will serve without pay and will be succeeding Supervisor Anita Faraone.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Jennifer Jackson

Jeff Gentz

It was moved by Supervisor Kubicki to adopt Resolution 69. Seconded by Supervisor Rose.

Roll call vote.

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

Nays: Supervisors Faraone, Moore.

Abstain: Supervisor Kessler.

Ayes: 22. Nays: 2. Abstain: 1.

Motion carried

CLAIM

18. Village of Paddock Lake/John Burg - Sheriff squad car damaged light pole.

Chairman Clark referred Claim 18 to Corporation Counsel.

It was moved by Supervisor Rose to approve the November 3, 2009 minutes. Seconded by Supervisor Marks.

Motion carried

It was moved by Supervisor Hallmon to adjourn sine die. Seconded by Supervisor Marks.

Motion carried

Meeting adjourned at 8:14 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 9, 2009**

The **Annual Meeting** was called to order by Chairman Clark immediately following the Organizational Meeting, in the County Board Room located in the Administration Building.

Roll call was taken.

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

Absent: Supervisor Huff, Morton, Roger Johnson.

Present: 25. Absent: 3.

There were no Citizen Comments

There were no Chairman Comments

NEW BUSINESS

Policy Resolution - first reading, two required

POLICY RESOLUTION 2

2. From Finance Committee regarding 2010 Kenosha County Budget.

It was moved by Supervisor Ronald Johnson to adjourn. Seconded by Supervisor Singer.

Motion carried.

Meeting adjourned at 8:15 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 9, 2009**

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Absent: Supervisor Huff, Morton, Roger Johnson.

Present: 25. Absent: 3.

CITIZEN COMMENTS

Ron Frederick 6038 34th Ave., asked the board to seriously consider eliminating the \$286,000 subsidy to County Board Supervisor health insurance participation. Full time benefits should not be made available for part time jobs. Kenosha County retirees have already made their contribution in the form of a \$722,000 involuntary contribution. As a fall back position, it would be fair if the current subsidy be capped at 50% of the current rates. Waukesha County has 42% more population and 3 fewer supervisors; it is their practice to provide health insurance to their county board at a 50% subsidy level.

Madeline Wirch 8934 62nd Ave., spoke regarding the creation of the new Marketing Position for Brookside Care Center which will cost Kenosha County and the taxpayers more than \$64,000 per year. She is a nurse at Brookside and has worked at other nursing homes in management and feels this is a redundant position. The duties of the Marketing Position can be carried out by the Director of Nurses and the Social Workers. There is a waiting list for beds at Brookside. Considering the terrible economic situation we're all facing, and the fact that almost all county workers took a wage freeze for next year, it's not fiscally responsible to create a redundant position when there is a plethora of people in the office at Brookside who could do the job. The taxpayers have entrusted the county board to be frugal and efficient in the use of the taxpayers money.

Donna Dickenson, 7522 12th Ave, states she is Local 990's vice-president, a voter and a taxpayer. She would like the board to review and scrutinize the recommendation of the Finance Committee, County Executive and the Brookside Director regarding the new Marketing Admissions non-represented position at Brookside. The purpose of the position is to bring more revenue into Brookside by utilizing Medicare benefits as it relates to short term rehab patients. The Finance Committee and the Director of Brookside will tell you that if Brookside maintains the minimum of 25 Medicare beds everyday it will generate one million dollars. As of the last week of October, 2009 Brookside's daily Medicare census ranged from 28 to 31 beds. The current established requirement as established by the Director of Brookside for 2009 is 19 Medicare beds, it is apparent that the present staff are in reach of meeting if not exceeding the directors 2009 expectation. Recently most of the AFSCME represented units including the 990 Professionals which are the Social Workers, voluntary agreed to financial concessions to help alleviate the shortfalls of the county budget. Most of the non-represented employees followed suit. The new director of Brookside accepted a salary of over \$20,000 more than the previous director. In addition she was granted a "sweet" retirement package. The County Executive has given her carte blanche hiring abilities, and she brought two former employees from her other facility. It is requested as the board looks at the 2010 budget, in these hard economic times, that if a new position is warranted and needed that it's a represented Social Work position to help alleviate the Social Worker strain and help make admission decisions.

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Don Gillespie, 2023 73th St., stated he is the Chairman of the Kemper Center. He wishes the board well in their deliberations and thanked the board for their partnership of the past. The Kemper Center's partnership of public, private and business entities has blossomed and continues to grow, and with the boards continued support they will continue to do so.

Louis Rugani, 4526 29th Ave., asked the board to re-allocate the quarter of a million dollar allocation for the homeless shelter proposal. There is no real hard evidence proposed by anybody that there has been any homeless need in the City of Kenosha or the County of Kenosha.

Supervisor O'Day presented the 2010 Budget.

It was moved by Supervisor Breunig to adjourn. Seconded by Supervisor Ronald Johnson.

Motion carried.

Meeting adjourned at 8:00 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 9, 2009**

The **Organizational Meeting** was called to order by Chairman Clark immediately following the Public Hearing, in the County Board Room located in the Administration Building.

Roll call was taken.

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

Absent: Supervisor Huff, Morton, Roger Johnson.

Present: 25. Absent: 3.

There were no Citizen Comments

CHAIRMAN COMMENTS

Chairman Clark informed the board that in the last month the county was approached by the Menomonee Tribe; the Intergovernmental Agreement is expiring December 31, 2009. They are asking that the board acts on it this year. Chairman Clark is anticipating having a presentation to the County Board and possible discussion at the first meeting in December to go over the Intergovernmental Agreement. He asked that Corporation Counsel give a report on how it would impact the county if the Intergovernmental Agreement should expire. Copies of the Intergovernmental Agreement will be mailed out with the next county board packet.

There were no supervisor reports

NEW BUSINESS

Resolution - one reading.

RESOLUTION 69

69. From Human Services Committee a Resolution to approve the Appointment of Supervisor Richard Kessler to the Brookside Board of Trustees.

WHEREAS, pursuant to County Executive Appointment 2009/10-11, the County Executive has appointed Supervisor Richard Kessler to serve on the Brookside Board of Trustees, 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 Brookside Board of Trustees 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 Richard Kessler to the Brookside Board of Trustees. Supervisor Kessler's appointment shall be effective immediately and continuing until the 4th day of January, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of

Supervisors. Supervisor Kessler will serve without pay and will be succeeding Supervisor Anita Faraone.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Jennifer Jackson

Jeff Gentz

It was moved by Supervisor Kubicki to adopt Resolution 69. Seconded by Supervisor Rose.

Roll call vote.

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

Nays: Supervisors Faraone, Moore.

Abstain: Supervisor Kessler.

Ayes: 22. Nays: 2. Abstain: 1.

Motion carried

CLAIM

18. Village of Paddock Lake/John Burg - Sheriff squad car damaged light pole.

Chairman Clark referred Claim 18 to Corporation Counsel.

It was moved by Supervisor Rose to approve the November 3, 2009 minutes. Seconded by Supervisor Marks.

Motion carried

It was moved by Supervisor Hallmon to adjourn sine die. Seconded by Supervisor Marks.

Motion carried

Meeting adjourned at 8:14 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 9, 2009**

The **Annual Meeting** was called to order by Chairman Clark immediately following the Organizational Meeting, in the County Board Room located in the Administration Building.

Roll call was taken.

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

Absent: Supervisor Huff, Morton, Roger Johnson.

Present: 25. Absent: 3.

There were no Citizen Comments

There were no Chairman Comments

NEW BUSINESS

Policy Resolution - first reading, two required

POLICY RESOLUTION 2

2. From Finance Committee regarding 2010 Kenosha County Budget.

It was moved by Supervisor Ronald Johnson to adjourn. Seconded by Supervisor Singer.

Motion carried.

Meeting adjourned at 8:15 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 10, 2009**

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

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

Excused: Supervisor Morton.

Present: 27. Absent: 1.

CITIZEN COMMENTS

Kathy Million, 6230 85th St., stated she works and Brookside Care Center and is vice-president of Local 1392 and is speaking on behalf of her fellow union brothers and sisters. There has been a lot of discussion on the proposed Marketing Admissions Coordinator at Brookside. They oppose this new position because earlier this year, the County Executive stated there is a freeze on all new county position. Also, all the unions except one have agreed to defer their pay increases until December 2010. She asks that all aspects of this position are taken into consideration before voting this evening.

Donna Dickenson, 7522 12th Ave., stated she is here once again to ask the board to closely review and scrutinize the Brookside budget including the drastic increase in the directors travel reimbursement. She is outraged that the represented members have agreed to concessions and many of the departments and divisions have hiring freezes and are keeping their budget request to a minimum. However it appears the Brookside Director has taken another approach and has requested more money for an unwarranted position. When the union contracts came before the board, many of the county board members were outraged at a 1% pay increase. Some members asked how they can tell their constituents they voted for pay increases when some of them were losing their jobs and homes. Ms. Dickenson wants to know where the outrage is now when there is a new position being added to a budget that's under very strict financial constraints. If the board can justify in good faith a vote for a new position at Brookside then she asks the budget be amended to make that position a represented position.

Ron Frederick, 6038 34th Ave., stated he is a non-subsidized Kenosha County retiree and the Kenosha County Board Members should also be non-subsidized. He corrected a statement he made the night before when he said that Waukesha County subsidizes their county board members health insurance at 50%; Waukesha County does not subsidize the county board members insurance. Brown County requires 25% buy in from county board supervisors; Racine is at a 15% buy in. Outagamie, Winnebago and Rock Counties which are very comparable in population to Kenosha County give no subsidy to their county board members. The trend is pointing towards a non subsidy relationship between county board supervisors and county health insurance. He would like to see the county board adopt a similar policy.

Amy Fockler, 9913 191st Ave., stated she is county employee and a member of Local 990 Pro Unit. She stated she was part of the negotiating team which just negotiated a contract for the next three years. Every time they met they were lectured about the poor economy and how they needed to make concessions, which they did make. Before the contract was in effect, they were asked by the County Executive to make more concessions and they agreed to do so. She was surprised to read in the paper of the creation of the new position at Brookside when in fact there is supposed to be a hiring freeze. There is a frozen Social Worker position in DCFS; a position they badly need. Yet somehow Brookside has money for a new position in which the work is already being done. This feels like a slap in the face to the Pros. She doesn't understand why the County has money for non-represented positions when represented positions remain frozen. She is asking for fiscal responsibility in the county.

Kathy Fonk, 1185 248th Ave., spoke regarding the FDR recordings in the Initial Appearances. She is concerned about the noise factor and how the recordings will be recorded with speaker identification and inaudibles. She thinks this is a bad move; a machine can not take the place of court reporter.

Louis Rugani, 4526 29th Ave., thanked the supervisors for their service to the county. He stated the quarter million dollars slated for the homeless shelter can be put into an endowment to help those who are victims of emergency or put the money back into the general fund until there is proof of real need.

Ron Frederick, 4718 60th St., stated he has listened to the same speech from the previous speaker about a month ago that there is no homeless here, they all come from someplace else. He disagrees; he thinks there is a homeless problem in Kenosha County. There are homegrown people in Kenosha that have lost their houses; some people are living in garages. The homeless problem is real and it's not coming in from other places and he would like to see the \$250,000 left where it is.

ANNOUNCEMENT OF THE CHAIRMAN.

Chairman Clark stated there is a United Way contribution form on the desks. Anyone interested can return the form to the County Clerk. He also stated the Intergovernmental Agreement will be mailed out this week. This Saturday is the Council of Governments at Brighton Dale starting at 8:30.

SUPERVISOR REPORTS

Supervisor Breunig stated Extension Education met last Wednesday and there are currently 179 active members of the Master Gardeners. They each have to put in 24 hours of volunteer work and 10 hours of continuing education. That totals up to 1315 volunteer hours which gives us a value of \$229,000 for Kenosha and Racine through the Master Gardener Program. Government grants are still being worked on, one is with Public Works on an HVAC grant for \$225,000, the District Attorney's Office for misdemeanor cases for \$211,000, the broadband for 6.4 million dollars and an offender re-entry program grant for \$400,000. The Smart Growth Program is being finished up with Land Use. John de Montmollin reported there are no YAR projects that have been presented to date so any group in Kenosha County can apply. Bethany Kitzrow brought in one of her Clover Buds through the 4-H Program which are the older youth that take on some of the younger children and make them feel welcome at the 4-H Programs. They had 150 families at the open house this year.

OLD BUSINESS

Policy Resolution - second reading, two required.

POLICY RESOLUTION 2

2. From the Finance Committee regarding the 2010 Budget.

WHEREAS, Pursuant to Section 65.90 of the Wisconsin Statutes, Kenosha County is a public body having the power to levy a general property tax and has the responsibility of formulating an annual budget and holding public hearings thereon; and

WHEREAS, pursuant to Section 59.17 of the Wisconsin Statutes, the County Executive is charged with the responsibility of annually submitting a proposed budget to the County Board; and

WHEREAS, the Executive's budget has been referred to the Finance Committee, and the Finance Committee has met and added its recommendations; and

WHEREAS, public notices were issued and public hearings were held in accordance with Wisconsin Statutes, Section 65.90; and

WHEREAS, certain accounts, accounting procedures, and fees have been revised in the 2010 budget; and

WHEREAS, Section 59.52(6)(c) of the Wisconsin Statutes permits the County Board to direct the County Clerk to sell property on such terms as the County Board approves; and

WHEREAS, the Summary of Budgeted Personnel Changes has been incorporated as part of the 2010 budget; and

WHEREAS, the budget includes salary and benefit adjustments for Elected Officials,

Non-Represented Employees, and Represented Employees; and

WHEREAS, the budget includes positions which are unfunded and frozen but not eliminated; and

WHEREAS, the 2010 budget includes \$215,000 of defunding of positions or contracts; and

WHEREAS, Brookside Care Center has added the position of Admission Coordinator which will coordinate census levels to maximize revenues; and

WHEREAS, the Information Technology Division went through an analysis and substantial operational and organizational review which may require some minor adjustments; and

WHEREAS, The Budget includes a county-wide vacancy adjustment of \$1,260,000; and

WHEREAS, the Sheriff's Department staffing of Deputies and Correctional Officers vacancies has caused recruiting, staffing, morale, and efficiency problems; and

WHEREAS, the County health insurance program is self-funded, and exposed to a degree of volatility; and

WHEREAS, the State of Wisconsin has determined that an error in the determination of equalized value (known as a palpable error) has been made and as a result of the palpable error, the State has ordered under s.74.41 that the County make payments to certain municipalities; and

WHEREAS, pursuant to provision of Section 75.22 of the Wisconsin State Statutes, the County shall charge back to the local municipalities illegal assessments and cancel the tax certificates; and

WHEREAS, certain appropriations in the 2009 and 2010 budget will be encumbered (contractually obligated, but not liquidated) at year end 2009 and 2010; and

WHEREAS, interest rates are at a historical low and Treasurer's interest on investment revenue has been reduced significantly in the 2010 budget; and

WHEREAS, the County has had an exclusive agreement with Racine County to house juveniles since 1996; and

WHEREAS, Brookside funding for Supplemental Payment (SP) (formally Intergovernmental Transfer (IGT)) had been previously budgeted for in the Non-Departmental budget, but moved to the Brookside budget in 2010; and

WHEREAS, from time to time emergency situations occur which result in immediate action by a Department or Division; and

WHEREAS, the state law requires that proceeds from debt issuance be recorded in a separate fund; and

WHEREAS, the budget includes two Dog Parks, one at KD Park and the other one at Petrifying Springs to be partially funded with a matching challenge grant (donations); and

WHEREAS, certain Capital Projects have been combined for budget purposes; and

WHEREAS, the Capital Projects budget includes a American Recovery and Reinvestment Act (ARRA) Stimulus Grant submission for a Broadband and Public Safety Communication System in the amount of \$6,360,000 of which \$1,300,000 is funded with bonding; and

WHEREAS, the Facilities Division includes a project to replace windows at the Corporation Counsel's Office; and

WHEREAS, certain capital projects and capital outlay funded with bond proceeds are budgeted within Special Revenue or General Fund, however, it is the desire of the County Board to reflect these as capital projects; and

WHEREAS, it is projected that there will be unspent funds at year-end 2010; and

WHEREAS, the County Board adopted Resolution No. 8 in 1998, which phased out the Kemper Center annual subsidy; and

WHEREAS, as the Joint Services Board has eliminated Joint Services reserves; and

WHEREAS, a basic agreement has been reached on a Joint Services Intergovernmental Agreement (IGA) between the City and County Administrations but has not been approved by their respective governing bodies; and

WHEREAS, in prior years, the County adopted policy providing fiscal support staff for the Sheriff contingent upon Sheriff fiscal staff maintaining dotted line reporting to the County Department of Finance and Administrative Services; and

WHEREAS, the County Board previously included in the Kenosha County 2009-2013 five-year Capital Outlay/Projects Plan a \$250,000 capital campaign contribution to the Kenosha County Interfaith Human Concerns Network, Inc. (aka Shalom Center) to support construction of a facility to house a homeless shelter for individuals and families; and

WHEREAS, this \$250,000 in homeless shelter project funding was scheduled for disbursement no sooner than 2010 with an understanding from prior County Board action that such disbursement is contingent upon the Shalom Center having first raised at least 30% of the fundraising target figure identified in their capital campaign for this facility; and

WHEREAS, the Shalom Center did formally launch in 2009 a capital campaign to raise funds for construction of this facility, with approximately \$3 million of the \$4 million total campaign target being designated for constructing and equipping this new agency facility that will house the single site homeless shelter; and

NOW, THEREFORE, BE IT RESOLVED, by the Kenosha County Board of Supervisors, that the County Executive's Budget of October 6, 2009, as modified by the Finance Committee, which is attached hereto and incorporated by reference, be adopted as the County Board's Budget as herein amended and a copy of said budget document as certified by the County Clerk having been brought up for first reading on November 9th, 2009 is herewith attached; and

BE IT FURTHER RESOLVED, by the Kenosha County Board of Supervisors, that the budget for 2010 be adopted as shown in the Kenosha County Budget Summary which is attached and incorporated as part of this resolution; and

BE IT FURTHER RESOLVED, that it is the policy intent, desire, and order of the County Board, that each appropriation unit of the budget's detailed pages for which money has been appropriated be carried out as if adopted by a separate resolution according to the terms and conditions as outlined in the "Establishment Of The Appropriation Unit for the 2010 Budget" which is attached and incorporated by reference; and to the extent necessary to carry out the public intent, the funds hereby appropriated are made available; and that unless provided by law, no monies appropriated for an appropriation unit are to be used for another purpose without prior approval (the Finance Committee is delegated such authority for amounts not to exceed \$1000); and

BE IT FURTHER RESOLVED, that all expenditures herein appropriated be and the same are ordered not to exceed the funded monies as detailed in the budget document without prior approval of the County Board; and

BE IT FURTHER RESOLVED, that it is the policy of the County Board that the budget is authority for the departments or divisions to act as otherwise provided by law, and that administrative revisions of account identification, but not dollar totals or specific purposes, may take place during the budget year; and

BE IT FURTHER RESOLVED, that the sum of \$ 55,364,607 be apportioned to the city and the various towns and villages of Kenosha County for all purposes and expenses for 2010; and

BE IT FURTHER RESOLVED, that the sum of \$1,405,395 be apportioned to the towns and villages of Brighton, Bristol, Genoa City, Paris, Pleasant Prairie, Somers, and Wheatland for the purpose of library expense for 2010; and

BE IT FURTHER RESOLVED, that the sum of \$2,531,259 be apportioned to the city and the various towns and villages of Kenosha County for the State Forestry Tax expense for 2010; and

BE IT FURTHER RESOLVED, that the County Board does hereby authorize an appropriation to be disbursed to the applicable municipalities in this budget year for palpable errors identified by the State after adoption of this budget; and

BE IT FURTHER RESOLVED, that palpable errors be appropriated in account 15130.559100 for the purpose of paying to the municipalities, in accordance with State law, as ordered by the State of Wisconsin Department of Revenue; and

BE IT FURTHER RESOLVED, that palpable errors in the amount of \$4,043 will be added to the property tax levy for collection in 2010 as allowed by the State of Wisconsin. Therefore, this apportionment will not affect the general fund; and

BE IT FURTHER RESOLVED, that the various towns and villages and the city within the County be charged for the recovery of the illegal assessments on certain parcels on which tax certificates are to be cancelled in whole or in part as shown in the following schedule; and

TOWN/VILLAGE	DESCRIPTION	YR/TAX	AMOUNT
	None for 2010		

BE IT FURTHER RESOLVED, that the proceeds from anticipated debt issuance be listed in the budget for informational purposes only and that the proceeds be recorded in a note/bond issuance proceeds account within the capital projects fund after the debt is approved by the County Board and deposited in the County Treasury; and

BE IT FURTHER RESOLVED, that the County Clerk sell property under terms and conditions establish by the County Board; and

BE IT FURTHER RESOLVED, for purposes of arbitrage, it is the intent that bond proceeds can be applied to any legally allowable capital expenditures, and

BE IT FURTHER RESOLVED, that the Finance Committee Budget Adjustments as shown in the Summary of Finance Committee Budget Adjustments are incorporated in the 2010 Budget and are attached and incorporated by reference; and

BE IT FURTHER RESOLVED, that the added eliminated & frozen positions, reclassifications, in-range salary adjustments and position name changes, as shown in the Summary of Budgeted Personnel Changes, shall be established with the 2010 budget; and

BE IT FURTHER RESOLVED, that Elected Officials, Non-Represented and Represented Employees wage and benefits be established and/or modified as per Attachment A; and

BE IT FURTHER RESOLVED, that frozen positions in the budget be allowed to be filled and budget modified, if revenues for said position(s) become available; and

BE IT FURTHER RESOLVED, that the savings which results from an elimination of a position(s) or contract be reduced in the departments budget and that an offset be made to the non-departmental defunding personnel account; and

BE IT FURTHER RESOLVED, that the Brookside Care Center report on revenues and census quarterly to the Human Services and Finance Committee on revenue and census projections; and

BE IT FURTHER RESOLVED, that the Information Technology Division continue to have

budgetary latitude to make operational changes as needed to improve the safety and security of the Information Technology Division as long as such changes are levy neutral subject to the prior approval of the Finance Committee; and

BE IT FURTHER RESOLVED, that funds may be lapsed to or from the general fund in an amount sufficient to reflect the actual Brookside Care Center vacancy adjustment; and

BE IT FUTHER RESOLVED, that the Sheriff's Department be allowed to hire Deputies and Correctional Officers prior to the incumbent vacating the position so that a new hire can immediately fill said position, resulting in savings in overtime dollars, increasing morale and provide efficient transition of staff, as long as the early hiring can be accomplished within the approved budget of the department; and

BE IT FURTHER RESOLVED, that the County shall continue the Voluntary Reduction in Work Hour Plan which allows an employee to take up to five unpaid (without pay) days in 2010; and

BE IT FURTHER RESOLVED, that the Health Insurance premium base to be used for purpose of premium contributions (payroll deductions) shall be based upon estimates provided by the County Actuary and shall be as follows for 2010: Single Premium \$ 9,161 Family Premium \$21,986 (Monthly premium contribution shall be rounded to the nearest dollar for payroll purposes); and

BE IT FURTHER RESOLVED, that except in the case of specific action by the County Board, all positions included in the budget which are fully or partially grant funded shall be terminated if the grant is terminated and alternate, non-levy funding is not available; and

BE IT FURTHER RESOLVED, that at the close of books in 2009, it shall be the objective of the County to use the anticipated health insurance surplus to

increase the health insurance reserve, provided that such an action by the County Board is deemed to be prudent relative to the overall financial condition of the County; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors does approve an appropriation for the Federally required re-disbursement of the Kenosha County Housing Rehabilitation Revolving loan program funds, and that the disbursements of these funds are to never exceed the amount collected from loan repayments; and

BE IT FURTHER RESOLVED, that all unspent funds of the Kenosha Housing Authority Rehabilitation Revolving Loan Program and Wisconsin Community Development Block Grant Housing Program remaining at the end of the year be carried over into the subsequent year to be disbursed or re-disbursed in compliance with all Federal regulations of this program and in compliance with generally accepted accounting principles; and

BE IT FURTHER RESOLVED, that the accounts and balances for the Kenosha Housing Authority Rehabilitation Revolving Loan Program and Wisconsin Community Development Block Grant Housing Program will continue to be maintained on Kenosha County's books; and

BE IT FURTHER RESOLVED, that year end encumbrances be approved and that appropriations are hereby authorized as necessary to satisfy the contractual obligations of the County; and

BE IT FURTHER RESOLVED, that the carryovers and/or reserves as shown in the budget be used to offset the County levy; and

BE IT FURTHER RESOLVED, that reserves and/or carryovers be listed in the budget for informational purposes only, and that these information accounts may be carried on the books as revenue accounts during 2010; and

BE IT FURTHER RESOLVED, that expenditures funded with carryovers be modified to reflect actual available funds to be expended; and

BE IT FURTHER RESOLVED, that appropriations shall not be authorized until such time that a related initial resolution is approved by the County Board; and

BE IT FURTHER RESOLVED, that appropriations for costs related to the issuance of Bond/Notes shall be authorized when and if bonds/notes are issued to fund capital projects approved in the 2010 budget; and

BE IT FURTHER RESOLVED, that departments be allowed to transfer vehicles and equipment between departments as long as Generally Accepted Accounting Principals are followed and such transfers are properly reflected on the County books; and

BE IT FURTHER RESOLVED, that all fund balances or equity that are not earmarked or otherwise legally obligated shall be lapsed to the General Fund at such a time as it is determined that cash in these funds are available for appropriation; and

BE IT FURTHER RESOLVED, that in no case shall any expenditure exceed the legal appropriation as established herein except in the case when the expenditure is issued as the result of an emergency (as defined by Webster's Dictionary) in which case the Oversight Committee and Finance Committee may approve the expenditure as soon as reasonably possible after the emergency has occurred (This shall not supersede County Ordinance Chapter 5 relative to Emergencies); and

BE IT FURTHER RESOLVED, that in case of emergency the County Board does hereby authorize the Administration to appropriate an amount not to exceed \$5,000 to cover necessary emergency expenditures, and

BE IT FURTHER RESOLVED, that appropriations within Capital Projects Funds and Capital Projects within Proprietary Funds unspent at year end be carried forward to future years to complete the designated project(s) unless prior Appropriation is eliminated as part of the Budget or other action of the County Board; and

BE IT FURTHER RESOLVED, that if the County is not awarded the ARRA stimulus grant award for a Broadband and Public Safety Communication System, the \$1,300,000 appropriated with bonding funds be approved for use to deploy 4.9GHz Public Safety infrastructure; and

BE IT FURTHER RESOLVED, that an evaluation of the Corporation Counsel building be completed and a recommendation be brought to the Building and

Grounds and the Finance Committee before any windows or other improvements are made to the Corporation Counsel building; and

BE IT FURTHER RESOLVED, that Capital Items 58XXXX accounts which are unspent shall be automatically carried over; and

BE IT FURTHER RESOLVED, that grants may be modified to allow appropriations for spend down of the grant dollars in accord with the grant requirements, and that the Administration shall be authorized to modify grant funded appropriations for additional grant funds (for which the purpose is the same) or for purposes of capital items for which the County retains possession and grants which have not been expended by year end shall be automatically carried over, where allowed; and

BE IT FURTHER RESOLVED, that Resolution No. 8 in 1998, which phased out the Kemper Center's annual funding is hereby suspended for budget year 2010; and

BE IT FURTHER RESOLVED, that funds available within the Human Services Department Fund 200 that otherwise would lapse to the General Fund and are not to be used to offset the vacancy adjustment or a health insurance deficit, are hereby authorized for appropriation for the sole purpose of funding shortfalls that might occur within the Division of Aging and Disability Services for mental health and Children and Family Services for out-of home placement costs; and

BE IT FURTHER RESOLVED, that the Treasurer and Financial Services Division work jointly on a Request for Proposal (RFP) for an Investment Advisor to review cash management practices, implement a plan to maximize investment returns to the County, and any recommendations should be reported back to the Finance Committee in the latter half of 2010; and

BE IT FURTHER RESOLVED, that if Juvenile Intake finds a more cost effective alternative to housing juveniles other than at the Racine County Juvenile Facility and the alternative requires additional transportation funds, any available surplus funds within the Juvenile Intake budget may be transferred to the Sheriff's Department to cover transportation costs; and

BE IT FURTHER RESOLVED, any Brookside Supplement Payment (SP) funds in excess of the 2010 budget having a corresponding levy reduction shall be transferred to the general fund; and

BE IT FURTHER RESOLVED, that the Register of Deeds charge for search fee of Real Estate Records which is used exclusively for records preservation and management be automatically carried over annually; and

BE IT FURTHER RESOLVED, that any unspent funds in the Department of Planning and Development Revolving Pre-Development fund 260, a Special Revenue fund, be carried over at year end and that the budget be modified during the year to reflect any additional revenues and expenditures paid by developers during the year; and

BE IT FURTHER RESOLVED, that legal expenditures associated with insurance may be charged to the Insurance Internal Service Fund, and

BE IT FURTHER RESOLVED, that any capital project in the 2010 budget be allowed to move (budget, actual revenues and expenditures) to the department/division if, by doing so, allows the County to recoup the cost of the project through user fee or other funding mechanism; and

BE IT FURTHER RESOLVED, that payments to Joint Services be made on the 1st of the month instead of the 15th and that the County may advance to Joint Services an amount not to exceed \$100,000 for cash flow purposes, and

BE IT FURTHER RESOLVED, that if the Joint Services intergovernmental agreement (IGA) between the City and the County is approved by their respective governing bodies, any appropriate budget or revenues/expenditures modifications be made to reflect the approval of the agreement on the County's books; and

BE IT FURTHER RESOLVED, that the County Board does hereby support and endorse any policy adopted in a previous budget, and directs that the policy continue as previously adopted; and

BE IT FURTHER RESOLVED, that effective upon approval of the 2010 budget the County may begin accepting donations to fund the proposed Dog Parks and construction of Dog Parks not begin until the challenge grant of \$25,000 is met; and

BE IT FURTHER RESOLVED, that the \$250,000 pledged by Kenosha County to the Kenosha County Interfaith Human Concerns Network, Inc. for construction of a facility to house a single site homeless shelter for individuals and families may be released to that organization no sooner than 2011, contingent upon receipt by the Kenosha County Division of Finance of documentation that the Shalom Center has raised at least \$900,000 in donations and pledges to be applied toward construction of this facility subject to conditions of the bond indenture; and

BE IT FURTHER RESOLVED, that funds available to replenish salt and gravel inventory be carried over from year to year to replenish such inventory; and

BE IT FURTHER RESOLVED, that when language in the budget resolution or previously adopted board action conflicts with budget action reflected in numbers or accounts within the budget document, that the numbers and accounts shall take precedence; and

BE IT FURTHER RESOLVED, that certain fees and charges for services have been reviewed and modified to reflect increased costs to the County and have been included in the budget; and

BE IT FURTHER RESOLVED, that the property tax levy be allocated by fund on the books of Kenosha County.

SUBMITTED BY:

Finance Committee

John O'Day

Mark Molinaro, Jr.

David Singer

Mark Modory

Jeff Gentz

It was moved by Supervisor O'Day to adopt Policy Resolution 2. Seconded by Supervisor Molinaro.

It was moved by Supervisor Rose to amend Policy Resolution 2 by removing the Brookside Marketing Position. Seconded by Supervisor Jackson.

Roll call vote.

Ayes: Supervisors Grady, Rose, Kessler, Huff, Kubicki, Marks, Faraone, Singer, Moore, Jackson, Noble, Elverman.

Nays: Supervisors Clark, Zerban, Hallmon, Gentz, Modory, Ronald Johnson, Michel, O'Day, Nudo, Molinaro, West, Roger Johnson, Breunig, Haas, Ekornaas.

Ayes: 12. Nays: 15 tomorrow

Motion failed.

It was moved by Supervisor Hallmon to amend Policy Resolution 2 to eliminate Health Care Benefits for County Board Supervisors. Seconded by Supervisor Zerban with a friendly amendment to instead increase the County Board's contribution to the Health Care Plan from 15% to 50%. Supervisor Hallmon agreed with the friendly amendment.

Roll call vote.

Ayes: Supervisors Zerban, Hallmon, Jackson, Roger Johnson, Haas.

Nays: Supervisors Grady, Rose, Kessler, Huff, Kubicki, Marks, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Clark, Noble, West, Breunig, Elverman, Ekornaas.

Ayes: 5. Nays: 22.

Motion failed.

It was moved by Supervisor Rose to amend Policy Resolution 2, pg. 8, seventh full paragraph to add "subject to the County Boards approval". Seconded by Supervisor Moore.

Roll call vote.

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

Nays: 0.

Abstain: Supervisor Gentz.

Ayes: 26. Nays: 0. Abstain: 1.

Motion carried.

It was moved by Supervisor Elverman to amend Policy Resolution 2, pg. 3, fifth paragraph to read "a basic agreement is being negotiated with Joint

Services for an Intergovernmental Agreement..." in place of "a basic agreement has been reached on a Joint Services Intergovernmental Agreement...". Seconded by Supervisor Faraone.

Roll call vote.

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

Nays: Supervisor Hallmon.

Ayes: 26. Nays: 1.

Motion carried.

It was moved by Supervisor Noble to amend Policy Resolution 2 to add two paragraphs to read as follows:

WHEREAS, the County negotiates union contracts with in-house staff;

BE IT FURTHER RESOLVED, the County shall retain outside counsel, subject to the confirmation of the Administration Committee, to negotiate union contracts with the assistance of in-house staff, and the Administration will be authorized to find such funding within the 2010 budget.

Seconded by Supervisor Moore.

Roll call vote.

Ayes: Supervisors Grady, Clark, Faraone, Singer, Moore, Noble, Elverman.

Nays: Supervisors Zerban, Rose, Kessler, Huff, Kubicki, Hallmon, Marks, Gentz, Modory, Ronald Johnson, Michel, O'Day, Nudo, Molinaro, Jackson, West, Roger Johnson, Breunig, Haas, Ekornaas.

Ayes: 7. Nays: 20.

Motion failed.

It was moved by Supervisor Breunig that the board take a 10 minute break. Seconded by Supervisor Hallmon.

Motion carried.

It was moved by Supervisor Huff to amend Policy Resolution to change the County Board contribution to the Health Care Plan from 15% to 0%. Seconded by Supervisor Singer.

Roll call vote.

Ayes: Supervisors Grady, Kessler, Huff, Faraone, Ronald Johnson, Singer, Nudo, Moore, Molinaro, Jackson, West, Breunig, Elverman, Ekornaas.

Nays: Supervisors Clark, Zerban, Rose, Kubicki, Hallmon, Marks, Gentz, Modory, Michel, O'Day, Noble, Roger Johnson, Haas.

Ayes: 14. Nays: 13.

Motion carried.

It was moved by Supervisor Singer to amend Policy Resolution 2 to reflect the Elected Officials will receive a 0% pay increase in 2010, 2% per year for the remaining 3 years. Seconded by Supervisor Moore.

Supervisors Singer and Moore withdrew the amendment.

Roll call vote on Policy Resolution 2 as amended.

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

Nays: Supervisors Zerban, Noble, Haas.

Ayes: 24. Nays: 3.

Motion carried.

NEW BUSINESS

CLAIMS

16. ISM and Sally Lavacque - fell in courthouse.

17. Margaret Beinecke - car damaged by rocks thrown by county mower.

Chairman Clark referred Claims 16 & 17 to Corporation Counsel

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

Motion carried.

Meeting adjourned at 8:40 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
November 17, 2009**

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

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

Excused: 0.

Present: 28. Absent: 0.

CITIZEN COMMENTS

Ron Frederick, 6038 34th Ave., stated there is a fund raiser that Bridges Community Center is hosting on Wednesday, December 2nd from 5 p.m. to 7 p.m. Bridges Community Center is a drop in center for persons recovering from mental illness. He hopes the board can drop by and meet the new community center director and maybe make a small contribution. He also asked the board to override the County Executive's veto and replace his 15% buy in with a 0% buy in eliminating the subsidy for county board supervisors for health insurance. He said the county board supervisor is a part time public service position, not a part time self serving position. Six other counties that are comparable to Kenosha County do not have any subsidy. Those are the board's comparables, not the elected officials that are elected full time.

Carol Gonzales, 6207 7th Ave., thanked the supervisors who voted against the insurance enhancement for county board supervisors. For those supervisors that supported it; shame on you. In these economic times, when the county is trying to make cuts and all bargaining unit's employees are asked to take wage freezes and health care concessions, it is appalling and reprehensible that the board choose to vote themselves an enhancement in health insurance. The part time employees for the county pay 50% of their premiums, and she feels the county board should do the same.

Bob Danbeck, 7626 27th Ave., stated he doesn't think the supervisors should receive health insurance. He doesn't think the supervisors are being responsible to the tax payers and guesses there will be a lot of people running against the supervisors in the spring. His supervisor does not take the health insurance, that's being responsible because it is a part time position.

Mary Jonker, 6914 53rd St., stated during last weeks discussion of an Admission Coordinator at Brookside it was brought up by several supervisors that this may have been a represented vs. non-represented employee issue. She is an elected board member of AFSCME 990, and represents AFSCME 990 members, just as the board represents their constituents in their districts. When you ask your employees to take a wage freeze it is not the time to add positions. During the discussion on the supervisors health care benefit it was brought up several times that is was compensation for the amount of work being done as county supervisors. If the board truly believes they are entitled to the insurance then they should support the same benefit at the same premium as the other part time employees who pay 50%.

Louis Rugani, 4526 29th Ave., thanked the County Board for taking the allocated \$250,000 for the homeless shelter off of the 2010 budget. The City of Kenosha also pulled their quarter million dollars from that proposal.

ANNOUNCEMENT OF THE CHAIRMAN

Chairman Clark stated this last week has been a difficult week for the County Board; but he is still very proud to be the Chairman of this County Board and proud of the accomplishments of what this County Board has accomplished. He feels there is not an issue on this board that he felt they got wrong. The board set a budget goal of 3% and that meant there will be a five million dollar hole to fill. That hole required everybody sharing in that sacrifice. The county employees agreed to defer their raises and that saved the county 1.1 million. This county has been responsible fiscally and he challenges anybody but for that one decision to say otherwise. This county is working, we have held the line, and we have a proven record. With this budget, Chairman Clark

stated he didn't think it was appropriate during these tough economic times for the county board benefit package to remain the same as it was. He felt the county board needed to step up as well. After talking to several supervisors, he settled on the 15% subsidy for insurance. He didn't on his own decide to take this to the Finance Committee; he talked to the Chairman of the Administration Committee and asked about the process. He is guilty of trying to be efficient. The county board may be part time, but they do not make part time decisions, although sometimes they are criticized for their decisions. We all guilty of making a poor decision from time to time but it is how we react and go forward. Tonight the board has the opportunity to correct a lapse in judgment and restore the trust that our citizens have in Kenosha County.

SUPERVISOR REPORTS

Supervisor Noble reported all the valuables have been taken out of the old Brookside, and by the end of the month it is planned that the city fire department will come and formally give permission to disconnect the utilities and then we will not need to heat the building which will save us a lot. The Safety Building is moving forward as expected.

NEW BUSINESS

Communication received from the County Executive regarding his veto of a portion of the 2010 County Budget as adopted on November 10, 2009.

Motion to override the veto of the County Executive to the 2010 annual County budget as adopted by the County Board on November 10, 2009 (2/3 vote of the entire Board is required).

(the motion is stated as above (and not in terms of "sustaining the veto") because the state stats (59.17(6)) states that "If after such reconsideration, 2/3 of the members - elect of the board agree to adopt the resolution...or the part objected to...it shall become effective...")

It was moved by Supervisor Molinaro override the veto of the County Executive. Seconded by Supervisor West.

Roll call vote.

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

Nays: Supervisor Marks.

Ayes: 27. Nays: 1

Motion failed.

Ordinance - one reading

ORDINANCE 22

22. From the Land Use Committee regarding Maryann E. Horan and John F. Spears (Owners), Jack Goldberg (Agent) requesting rezoning from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District in the Town of Salem.

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 #66-4-120-262-0101 located in the northwest quarter of Section 26, Township 1 North, Range 20 East, Town of Salem, be changed from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the north side of County Trunk Highway "C" (Wilmot Road) approximately 600' west of the intersection of State Trunk Highway "83" (Antioch Road).

Maryann E. Horan and John F. Spears - Owners

Description: Part of the northwest quarter of Section 26, Town 1 North, Range 20 East of the Fourth Principal Meridian; lying and being in the Town of Salem, Kenosha County, Wisconsin and being more particularly described as: Commencing at the northeast corner of said quarter section; thence S 88°08'01" W along the north line of said quarter section 296.15 feet to the center line of State Trunk Highway "83" (Antioch Road); thence S 09°26'02" E along said center line of said S.T.H. "83", 1461.07 feet to the center line of County Trunk Highway "C" (Wilmot Road); thence, S 61°52'38" W along said center line of said C.T.H. "C", 598.37 feet; thence N 27°13'05" W 50.01 feet to the point of beginning of

the parcel to be herein described; thence continue N 27°13'05" W 114.93 feet; thence N 09°31'24" W 221.67 feet; thence S 61°52'38" W parallel to aforesaid center line of said C.T.H. "C", 607.52 feet; thence S 28°07'22" E 325.00 feet; thence N 61°52'38" E parallel to said center line 535.00 feet to the point of beginning.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

It was move by Supervisor Ekornaas to adopt Ordinance 22. Seconded by Supervisor Breunig.

Motion carried

CLAIMS

19. Sandra Weber - car damaged by fresh paint on road

Chairman Clark referred Claim 19 to the Corporation Counsel.

It was moved by Supervisor Jackson to adjourn. Seconded by Supervisor Breunig. Motion carried.

Meeting adjourned at 8:35 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
December 1, 2009**

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

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

Excused: Marks.

Present: 27. Absent: 1.

There were no citizen comments.

ANNOUNCEMENT OF THE CHAIRMAN

Chairman Clark announced Supervisors West, Huff & Morton will not be seeking office next term.

SUPERVISOR REPORTS

Supervisor O'Day stated the County Administration along with Mike Harrigan from Ehlers, Todd Battle from KABA, Chairman Clark and himself went to Chicago and made a presentation to Standard and Poor and Moody Investments Services on November 16th & 17th. The county made an excellent presentation which allowed us to maintain our bond ratings of AA from Standard and Poor and Aa2 from Moody. The county's good rates will be reflected in the bonds that will be up for approval tonight. Dave Geersten continues to keep the Finance Committee updated on the status of the general fund. Purchasing Division reported there is an overall increase in both of number of purchase orders issued and the number of formal competitive bids conducted by the Purchasing Department this year. This is attributed to the current administration's initiative to require compliance with all purchasing procedures. Supervisor O'Day requested Resolutions 72 & 73 be acted upon before the presentation and review of the Intergovernmental Agreement. There was no objection.

Supervisor Modory stated there is a fundraising opportunity for people and their dogs to take advantage of at Old Settler's Park on Saturday to help fund the future dog parks. There will be a temporary dog park set up and people & their pets can get photos taken with Santa if they bring their own camera. The following Saturday it will be at Petrifying Springs Park.

COUNTY EXECUTIVE APPOINTMENT

14. Carl Holborn to serve on the Kenosha County Civil Service Commission.

Chairman Clark referred County Executive Appointment 14 to Judiciary and Law.

NEW BUSINESS

Resolutions - one reading.

RESOLUTION 72

72. From the Finance Committee a Resolution Awarding the Sale of \$9,645,000 General Obligation Promissory Notes, Series 2009C

RESOLUTION AWARDING THE SALE OF

\$9,645,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2009C

WHEREAS, on September 16, 2008, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$2,700,000 for Road Improvements" (the "September 2008 Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$2,700,000 for the public purpose of paying the cost of road improvements;

WHEREAS, on November 13, 2008, the County Board, by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Bonds or Promissory Notes in an Amount Not to Exceed \$8,380,000 for Budgeted Capital Projects" (the "November 2008 Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$8,380,000 for public purposes, consisting of construction, acquisition and improvement projects set forth in the County's Capital Budget including constructing, extending, repairing and improving streets, roads and bridges; construction, improvement and maintenance projects at various County buildings and sites;

fiber connectivity and communications projects; information systems projects; and acquiring vehicles, equipment, furnishings and fixtures;

WHEREAS, the County Board of Supervisors hereby finds and determines that the projects authorized by the September 2008 Initial Resolution and the November 2008 Initial Resolution (collectively, the "Project") are within the County's power to undertake and therefore serve a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such purposes;

WHEREAS, on November 3, 2009, the County Board of Supervisors of the County adopted a resolution providing that general obligation promissory notes in an amount not to exceed \$1,350,000 for the purpose authorized in the September 2008 Initial Resolution and general obligation promissory in an amount not to exceed \$8,295,000 for the purposes authorized in the November 2008 Initial Resolution (the "Notes") be offered for public sale;

WHEREAS, the County has directed its financial advisor, Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Notes;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on December 1, 2009;

WHEREAS, the County Clerk (in consultation with Ehlers) caused notice of the sale of the Notes to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the Notice of Sale provided the option for bidders to submit bids for the Notes to be issued as tax-exempt notes ("Tax-Exempt Notes") or as taxable Build America Bonds (Direct Payment) ("Taxable Notes");

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, no bids were received for Tax-Exempt Notes, and the County has determined to issue the Notes as Taxable Notes in the aggregate principal amount of \$9,645,000 (\$1,350,000 for the purpose authorized in the September 2008 Initial Resolution and \$8,295,000 for the purposes authorized in the November 2008 Initial Resolution);

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference;

WHEREAS, it is the finding of the County Board of Supervisors that it is desirable and in the best interest of the County to take the steps necessary to irrevocably designate the Notes to be qualified "Build America Bonds" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Notes, payable to the County by the Secretary of the United States Department of the Treasury ("Treasury"); and

WHEREAS, because the County Board of Supervisors will designate the Notes to be qualified Build America Bonds, the interest on the Notes will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all

respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Notes. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal (as modified on the Bid Tabulation), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes, Series 2009C (Build America Bonds - Direct Payment)"; shall be issued in the aggregate principal amount of \$9,645,000; shall be dated December 11, 2009; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on December 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2010. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. (a) Optional Redemption. The Notes maturing on December 1, 2017 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on December 1, 2016 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

(b) Mandatory Redemption. If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

(c) Extraordinary Redemption. The Notes shall be subject to redemption prior to maturity, in whole or in part, at the option of the County, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that an Extraordinary Event occurs.

An "Extraordinary Event" will have occurred if either (a) Section 54AA or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the County's 35% cash subsidy payment from the United States Treasury or (b) the United States Treasury fails to make a cash subsidy payment to which the County is entitled and such failure is not caused by any action or inaction by the County.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2009 through 2018 for the payments due in the years 2010 through 2019 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same

time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$9,645,000 Taxable General Obligation Promissory Notes, Series 2009C (Build America Bonds - Direct Payment), dated December 11, 2009" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; (vi) all Direct Payments (defined below) received by the County; and (vii) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Code and any applicable Regulations.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes

have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. Qualified Build America Bond Designation; Irrevocable Election; Compliance with Federal Tax Laws. (a) The Notes are hereby irrevocably designated qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code, and the County hereby irrevocably elects to apply Subsection 54AA(g) of the Code to the Notes. The County represents that all Note Proceeds, less costs of issuance financed with such Note Proceeds (which costs shall be in an amount not to exceed 2% of such Note Proceeds) plus all income from temporary Permitted Investments with respect to such Note Proceeds ("Available Project Proceeds") shall be used only for capital expenditures. The County acknowledges that among the requirements for the Notes to qualify and continue to qualify as qualified Build America Bonds is that the Notes, but for their qualified Build America Bond designation, would be tax-exempt for federal income tax purposes, and hence that the requirements of the Code and Regulations regarding tax-exempt obligations apply to the Notes. The County hereby covenants to comply with such requirements.

(b) The County thus further represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the qualified Build America Bond status of the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the Notes to lose their status as qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code and the Regulations. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(c) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

(d) All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Qualified Build America Bonds - Application for Direct Payments to the County. The County shall claim available refundable credits from the Treasury with respect to each interest payment on the Notes as provided under Subsection 54AA(g)(1) of the Code ("Direct Payments"). Bond Trust Services Corporation, Roseville, Minnesota, is hereby authorized and directed to take all necessary actions on behalf of the County to apply for the receipt by the County of such Direct Payments, including the timely filing of necessary Internal Revenue Service forms and information returns for that purpose and/or submitting requests electronically if and as the Treasury establishes an electronic platform in connection with its direct payment procedures. All Direct Payments received by the County shall be promptly deposited in the Debt Service Fund Account and used for no other purpose than as provided in Section 6 of this Resolution.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of the proceeds of the Notes allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems

the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. 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.

SUBMITTED BY:

Finance Committee

John O'Day

Mark Modory

Jeffrey Gentz

Mark Molinaro, Jr.

David Singer

It was moved by Supervisor O'Day to adopt Resolution 72. Seconded by Supervisor Molinaro.

Roll vote passed unanimously.

RESOLUTION 73

73. From the Finance Committee a Resolution Awarding the Sale of \$4,910,000 Taxable General Obligation Public Safety Building Bonds, Series 2009B (Recovery Zone Economic Development Bonds)

SOLUTION AWARDING THE SALE OF
\$4,910,000 TAXABLE GENERAL OBLIGATION PUBLIC SAFETY BUILDING BONDS, SERIES
2009B (RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS)

WHEREAS, on July 14, 2009, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Bonds or Promissory Notes in an Amount Not to Exceed \$15,345,000 for Public Safety Building II Projects and Remodeling and Improvement Projects at the Existing Public Safety Building" (the "Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes for the public purpose of paying the cost of constructing and equipping a project identified as "Public Safety Building II," building a third floor addition thereto and constructing and upgrading the mechanical systems and remodeling and improvement projects at the existing Public Safety Building (the "Project");

WHEREAS, on November 3, 2009, the County Board of Supervisors adopted a resolution providing that general obligation bonds authorized by the Initial Resolution in an amount not to exceed \$4,910,000 (the "Bonds") be offered for public sale;

WHEREAS, the County has directed its financial advisor, Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on December 1, 2009;

WHEREAS, the County Clerk (in consultation with Ehlers) caused notice of the sale of the Bonds to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference;

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County that the Bonds be issued in the aggregate principal amount of \$4,910,000;

WHEREAS, it is the finding of the County Board of Supervisors that the Project consists of costs eligible for qualified economic development and that it is desirable and in the best interest of the County to take the steps necessary to irrevocably designate the Bonds to be qualified "Recovery Zone Economic Development Bonds" within the meaning of Subsection 1400U-2(b) of the Internal Revenue Code of 1986, as amended (the "Code") and the applicable regulations promulgated under the Code (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Bonds, payable to the County by the Secretary of the United States Department of the Treasury ("Treasury"); and

WHEREAS, because the County Board of Supervisors will designate the Bonds to be qualified Recovery Zone Economic Development Bonds, a category of Build America Bonds, the interest on the Bonds will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection

with the preparation and distribution of the Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "Taxable General Obligation Public Safety Building Bonds, Series 2009B (Recovery Zone Economic Development Bonds)"; shall be issued in the aggregate principal amount of \$4,910,000; shall be dated December 11, 2009; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum; and mature on December 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2010. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. (a) Optional Redemption. The Bonds maturing on December 1, 2020 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on December 1, 2019 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

(b) Mandatory Redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

(c) Extraordinary Redemption. The Bonds shall be subject to redemption prior to maturity, in whole or in part, at the option of the County, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that an Extraordinary Event occurs.

An "Extraordinary Event" will have occurred if either (a) Section 1400U-2 or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the County's 45% cash subsidy payment from the United States Treasury or (b) the United States Treasury fails to make a cash subsidy payment to which the County is entitled and such failure is not caused by any action or inaction by the County.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2009 through 2028 for the payments due in the years 2010 through 2029 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same

time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund. Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$4,910,000 Taxable General Obligation Public Safety Building Bonds, Series 2009B (Recovery Zone Economic Development Bonds), dated December 11, 2009" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; (vi) all Direct Payments (defined below) received by the County, and (vii) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Code and any applicable Regulations.

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Bonds

have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. Qualified Recovery Zone Economic Development Bond Designation; Allocation of Recovery Zone Bond Volume Cap to the Bonds; Compliance with Federal Tax Laws and Prevailing Wage Requirements. (a) The Bonds are hereby irrevocably designated qualified Recovery Zone Economic Development Bonds within the meaning of Subsection 1400U-2(b) of the Code. The County hereby allocates to the Bonds \$4,910,000 of the volume cap for Recovery Zone Economic Development Bonds received by it pursuant to Section 1400U-1(a)(3) of the Code and Internal Revenue Service Notice 2009-50.

(b) The County hereby covenants to comply with the requirements of Section 1400U-2 of the Code and Section 54AA of the Code (to the extent applicable). The County represents that all Bond Proceeds, less costs of issuance financed with such Bond Proceeds (which costs shall be in an amount not to exceed 2% of such Bond Proceeds) plus all income from temporary Permitted Investments with respect to such Bond Proceeds ("Available Project Proceeds") shall be used only for a "qualified economic development purpose" as defined in Subsection 1400U-2(c) of the Code. The County acknowledges that among the requirements for the Bonds to qualify and continue to qualify as qualified Recovery Zone Economic Development Bonds is that the Bonds, but for their qualified Recovery Zone Economic Development Bond designation, would be tax-exempt for federal income tax purposes, and hence that the requirements of the Code and Regulations regarding tax-exempt obligations apply to the Bonds. The County hereby covenants to comply with such requirements.

(c) The County thus further represents and covenants that the projects financed by the Bonds and their ownership, management and use will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the qualified Recovery Zone Economic Development Bond status of the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the Notes to lose their status as qualified Recovery Zone Economic Development Bonds within the meaning of Subsection 1400U-2(b) of the Code and the Regulations. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(d) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

(e) All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

(f) The County further covenants and agrees that it will comply with the federal Davis Bacon prevailing wage requirements (as determined by the Secretary of the United States Department of Labor in accordance with subchapter IV of chapter 31 of title 40 of the United States Code) in connection with the Project to the extent those requirements are applicable to the County by virtue of the issuance of the Bonds.

Section 9. Qualified Recovery Zone Economic Development Bonds - Application for Direct Payments to the County. The County shall claim available refundable credits from the Treasury with respect to each interest payment on the Bonds as provided under Subsection 1400U-2(a) of the Code and Section 6431 of the Code ("Direct Payments"). Bond Trust Services Corporation, Roseville, Minnesota, is hereby authorized and directed to take all necessary actions on behalf of the County to apply for the receipt by the County of such Direct Payments, including the timely filing of necessary Internal Revenue Service forms and information returns for that purpose and/or submitting requests electronically if and as the Treasury establishes an electronic platform in connection with its direct payment procedures. All Direct Payments received by the County shall be promptly deposited in the Debt Service Fund Account and used for no other purpose than as provided in Section 6 of this Resolution.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The County will enter into a contract with bond Trust Services Corporation, Roseville, Minnesota (the "Fiscal Agent") to serve as the County's fiscal agent pursuant to Wis. Stats. Sec. 67.10(2). The Chairperson and County Clerk are hereby authorized to enter into such contract on the County's behalf. Such contract may provide among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 12. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. 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.

SUBMITTED BY:

Finance Committee

John O'Day

Mark Modory

Jeffrey Gentz

Mark Molinaro Jr.

David Singer

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

Roll call vote.

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

Nays: Supervisors Nudo, Moore, Haas, Elverman.

Ayes: 23. Nays: 4.

Motion carried.

RESOLUTION 74

74. From Human Service and Finance Committees a Resolution to Modify Division of Medical Examiners 2009 Budget.

WHEREAS, the Kenosha County Department of Human Services, Division of the Medical Examiner has an adopted 2009 budget and will realize budgetary savings within other professional services, and

WHEREAS, the Medical Examiner's Office is requesting to purchase a body scale in the amount of \$6,195 to adequately weigh decedents to be used at the morgue facilities, and

WHEREAS, the Medical Examiner's Office has unallocated 2009 capital outlay funds in the amount of \$3,695 to assign towards the scale purchase, and

WHEREAS, the Medical Examiner's Office is requesting the use of the budgetary savings in the amount of \$2,500 from other professional services to cover the remaining balance of the scale purchase, and

WHEREAS, this budget modification poses no additional levy-funded costs to the County, and

NOW THEREFORE, BE IT RESOLVED THAT the Kenosha County Department of Human services, Division of the Medical Examiner budget be modified as follows:

Authorize increase and decrease of expenditures with a net \$0 impact, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

Finance Committee

John O'Day

Mark Molinaro Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 74. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 75

75. From Human Services and Finance Committees a Resolution to Modify Division of Aging and Disability Services 2009 Budget to add American Recovery and Reinvestment Act Funding for Western Transit Capital Equipment.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services was awarded American Recovery and Reinvestment Act (ARRA) of 2009 funds in the amount of \$248,900 through the Wisconsin Department of Transportation; and

WHEREAS, the county was eligible for the funding because of its provision of public transportation under the Western Kenosha County Transit project, and

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services will receive \$248,900 for the purpose of enhancing and improving services through the purchase of capital equipment to Western Transit services; and

WHEREAS, the capital equipment consists of a bus, van, software, communication devices, and bus stop amenities which are fully funded with the ARRA grant, and

WHEREAS, the funding can be used within a period of three years of the date of execution of the Wisconsin Department of Transportation contract, and

WHEREAS, no additional county Levy is required;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services 2009 budget be modified as follows:

Authorize increase of expenditures of \$248,900 and to increase revenues by \$248,900, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2009 will be carried over into the 2010 budget and 2011 budget.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

Finance Committee

John O'Day

Mark Molinaro Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 75. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 76

76. From Human Services and Finance Committees a Resolution to Modify Division of Aging & Disability Services 2009 Budget for Community Living Program.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services was awarded a federal Community Living Program grant to assist older persons at risk of decline and impoverishment, and

WHEREAS, these funds have been allocated from Sept 30, 2009 through Sept 29, 2011 to Kenosha County in the amount of \$693,041, and

WHEREAS, the Community Living Program grant will be used to increase Resource Center support services to assist older persons who are not eligible for Family Care but need assistance to remain safely in their homes, and

WHEREAS, when the funding for these services ends on or before September 29, 2011, the services will be discontinued, and

WHEREAS, this budget modification poses no additional levy funded costs to the County in 2009, 2010 and 2011; and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services budget be modified as follows:

Authorize increase of expenditures of \$693,041 and to increase revenues by \$693,041, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2009 will be carried over into the 2010 budget and 2011 budget.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeffrey Gentz

Finance Committee

John O'Day

Mark Molinaro Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Kubicki to adopt Resolution 74. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 77

77. From Judiciary & Law and Finance Committees regarding request to suspend the Competitive Bid Process for purchase of Multi-Site Controller.

WHEREAS, by previous approval of a Repurposing Memo at the Finance Committee Meeting on October 15th, 2009 the County Board Finance Committee approved the purchase of a replacement multi-site controller for the Mobile Data Computer System, and

WHEREAS, the Multi Site Controller is a custom piece of hardware that is specifically designed by Data Radio to function with the Mobile Data Computer System currently in use by Law Enforcement in Kenosha County, and

WHEREAS, the Multi-Site Controller is needed to ensure the quality and reliability of the Mobile Data Computer System, and

WHEREAS, Data Radio is the only provider of the Multi Site Controller for a Data Radio RF Multi Tower System, and is the required hardware to replace the current Multi-Site Controller.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorize suspension of the competitive bidding process, as outlined in 3.11 (4)(a) of the Kenosha County Municipal Code for this purchase only and allow Purchasing to obtain the new Multi-Site Controller from Data Radio.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

John O'Day

Mark Molinaro, Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Michel to adopt Resolution 77. Seconded by Supervisor O'Day.
Motion carried.

RESOLUTION 78

78. From Judiciary & Law and Finance Committees regarding request to suspend the Competitive Bid Process for New Bomb Squad Robot Purchase.

WHEREAS, by previous Resolution #62 in the 2009 Budget Year, The Kenosha County Board approved the purchase of a new Andros Bomb Robot for the Bomb Squad, and

WHEREAS, the Andros Robot is a custom piece of hardware and is proprietary to Remotec, and

WHEREAS, the Andros Robot by Remotec is the only product specified by the OJA Grant parameters.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorize suspension of the competitive bidding process, as outlined in 3.11 (4)(a) of the Kenosha County Municipal Code, in this purchase only and allow Purchasing to obtain the Andros Robot from Remotec.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

John O'Day

Mark Molinaro, Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Michel to adopt Resolution 77. Seconded by Supervisor O'Day.
Motion carried.

RESOLUTION 79

79. From Judiciary & Law and Finance Committees regarding BOTS - Traffic Enforcement Grants 2009-2010.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$60,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between October 1st, 2009 and Sept. 30, 2010 to enforce high-risk driver behaviors, and

WHEREAS, the grant funds offered must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers,

speeders, and enforce underage drinking laws in targeted areas and to purchase law enforcement equipment to use during these patrol efforts, and

WHEREAS, the 25% local match required is met with soft dollars within the current budget and 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 that the revenue and expenditure line items be modified, 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 \$60,000 and increases expenditures by \$60,000.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

John O'Day

Mark Molinaro, Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Michael to adopt Resolution 79. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 80

80. From Judiciary & Law and Finance Committees regarding Organized Crime Drug Enforcement Task Forces Strategic Initiative for Overtime support.

WHEREAS, the federal Organized Crime Drug Enforcement Task Forces (OCDETF) office has allocated to the Sheriff's drug unit, K-DOG, up to \$8,500 to cover overtime costs and other expenditures incurred while assisting in OCDETF investigations, Strategic Initiatives and prosecutions, and

WHEREAS, this funding will cover the period beginning October 1, 2009 through September 30, 2010, and

WHEREAS, the Sheriff will submit reimbursement claims monthly to the OCDETF Executive Office, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the \$8,500 and approve the Revenue and Expenditure line item modifications to the Sheriff's 2009 budget as per the attached budget modification form, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining at year end be hereby authorized for carryover to the subsequent year until such time as the funds are expended in accord with the OCDETF requirements, and that the Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Finance Committee

John O'Day

Mark Molinaro, Jr.

David Singer

Mark Modory

Jeffrey Gentz

It was moved by Supervisor Michael to adopt Resolution 80. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 81

81. From the Legislative Committee regarding Assembly Bill 403/Senate Bill 282.

It was moved by Supervisor Huff to adopt Resolution 81. Seconded by Supervisor Rose.

It was moved by Supervisor Singer to refer Resolution 81 back to the Legislative Committee. Seconded by Supervisor Molinaro.
Roll call vote.

Ayes: Supervisors Grady, Zerban, Kessler, Huff, Kubicki, Modory, Ronald Johnson, Michel, O'Day, Singer, Molinaro, Morton, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Hallmon, Gentz, Faraone, Nudo, Moore, Jackson, Rose.

Ayes: 20. Nays: 7.

Motion carried

CLAIMS

20. C Delsman & Sons/West Bend Mutual - vehicle damage.

21. Donald C. Flesch, Sr. - vehicle damage.

Chairman Clark referred Claims 20 & 21 to Corporation Counsel.

It was moved by Supervisor O'Day to approve the November 9, 10th & 17 2009 minutes. Seconded by Supervisor Singer .

Motion carried.

It was moved by Supervisor Ronald Johnson to adjourn. Seconded by Supervisor Singer.

Motion carried.

Meeting adjourned at 9:56 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
December 22, 2009**

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

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

Excused: West.

Present: 27. Absent: 1.

CITIZEN COMMENTS

Eric Olson 7705 49th Ave., stated he is the Project Director for Kenosha Casino Project and they appreciate the county's time and effort and they want to continue to work with the county and the city as they have the past 5 years. This is an \$880,000,000 to one billion dollar project which will employ about 1200-1400 skilled union laborers and they will hire local contractors. The 185 people being laid off at the track will have first rights for jobs and they will hire locally. The tribes that are involved have worked strenuously with their local governments at their facilities to make sure things happen. He urges the board to give them a chance to continue with this process, and if at the end of the 14 months it doesn't happen he's pretty sure it won't happen at all. He feels they haven't been given a negative from the federal government and they're being told that something should happen quickly.

Tom Reiherzer, 11107 79th St., stated he works part time for Building Alliance which represents about 3000 men and women that are currently at about 30% unemployment. He also represents Tri County Contractors Association and for them it's about jobs. This project is under a project labor agreement so it will be done all union with good wages and benefits from the footings to the roof to the landscaping. He asks the board to extend the IGA 15 months as the city did.

Morey Smith, 10519 69th St., stated 5 years ago he stood in front of the county board and asked for help in protecting the neighborhood he lives in. He lives in the community right next door to the project that the board is considering extending the IGA for. Less than a mile from this project is Nash School and neighborhood parks. There is a lot of talk of jobs; he believes the land could be used for other businesses to provide good paying jobs. He doesn't think this community of families should be experimental guinea pigs to see if they can co-exist with a casino next door. No other large casino in this state is next to a neighborhood full of families. He asked the board to not extend the agreement.

Bob Danbeck, 7626 27th Ave., stated the casino is all about jobs and there is about 2-3 thousand jobs waiting to happen. He is concerned that with two major businesses closing in Kenosha his property taxes will skyrocket, but if the one billion dollar project gets built, that will keep his taxes somewhat in line. He asks that the board pass the resolution tonight.

NEW BUSINESS

Resolutions - one reading.

RESOLUTION 82

82. From the Legislative Committee a Resolution in support of Extension of Intergovernmental Cooperation Agreement with Menomonee 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 is set to expire on December 31, 2009 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 an extension of the Intergovernmental Agreement from the City and County of Kenosha to March 31, 2011 in order to obtain the necessary approvals, and

WHEREAS, such extension will reference 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 whereas such extension is recommended based upon the representations made by the Tribe to the Legislative Committee of the Kenosha County Board on December 9, 2009;

NOW THEREFORE BE IT RESOLVED THAT the Kenosha County Board of Supervisors does hereby approve of an extension of the above-referenced Intergovernmental Agreement to March 31, 2011 and does hereby authorized the County Executive of Kenosha County to execute all necessary documents related to such extension.

SUBMITTED BY:

Legislative Committee

James Huff

Bob Haas

Dayvin Hallmon

William Michel, II

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 82. Seconded by Supervisor Michel.

Roll call vote.

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

Nays: Supervisor Moore.

Ayes: 26. Nays: 1.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:30 p.m.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Mary Schuch-Krebs

County Clerk