

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS**

**COUNTY ADMINISTRATION BUILDING**

**August 6, 2002**

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

Present: Supervisors Kessler, Haen, Boyer, Rose, Molinaro, Marrelli, Bergo, Carbone, Modory, Faraone, Johnson, O'Day, Singer, Ruffolo, Montemurro, Larsen, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Elverman, and Ekornaas.

Excused: Supervisors Huff and Pitts.

Present. 26. Excused. 2.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Kessler reported the Kemper Center and Rotary Club have paid off their loan of 1.2 million dollars for the restoration of the south wing of Kemper Center. He thanked them for not only paying their payments but also for helping to preserve a historic site.

Presentation was made by the Kemper Center Board regarding the payoff of the Kemper Center Remodeling Loan.

County Executive Allan Kehl introduced Mr. Mike Wells from the Kemper Center Board. Mr. Wells asked Clarence Griffin to speak, afterwards Mr. Wells presented a check.

**SUPERVISOR REPORTS**

Supervisor Elverman spoke regarding the fire at the Brighton Dale Golf Course's maintenance building. No business was lost, and they were able to get the majority of the equipment needed for operation out of the building. The Highway and Parks Committee approved a resolution to start accepting funds from the insurance company. At the Highway & Parks Committee meeting they went over with SEWRPC the presentation of the freeway reconstruction plan for Kenosha County and the adjacent counties.

Supervisor Elverman also spoke regarding a report of a traffic study by Gary Sipsma about the stop sign that was installed last year at Hwy V and 116<sup>th</sup> Street in the Town of Salem after a catastrophic accident.

Supervisor Larsen stated that he attended a performance of "Leader of the Pack" which was presented by KAPAC which stands for Kenosha Area Performing Arts Company. The youth talent we have in this town is unbelievable and he encouraged the board go to the performance.

Supervisor Carbone congratulated the organizers, participants and those who contributed to the Relay for Life. They brought in over \$300,000.

Supervisor Gorlinski stated that we live in some trying times today relative to financial situations that we have in our country. He spoke about an article in the Wall Street Journal titled "A Solution to Scandals-Simpler Rules" After reading an e-mail from his daughter in Moscow, concluded that maybe things in this country are not as bad as they could be as we look at the world situation.

County Executive Appointment.

17. Theresa J. Gilliland to serve on the Kenosha County Specialized Transportation Commission.

18. Carol A. Schaufel to serve on the Kenosha County Specialized Transportation Commission.

Chairman Kessler referred Appointment 17 & 18 to Human Service Committee.

**OLD BUSINESS**

Policy Resolution-tabled at the July 23rd Meeting to be brought back August 6TH.

**POLICY RESOLUTION 1**

**WHEREAS**, the 2001 budget resolution passed by the Kenosha County Board of Supervisors called for the current Non-Represented Employee Pay Plan to sunset on December 31, 2002, and

**WHEREAS**, the Administration and Finance Committees of the Kenosha County Board have completed an extensive review of classification and compensation issues affecting Non-Represented employees, and

**WHEREAS**, the Administration and Finance Committees have determined that the Non-Represented Employee Pay Plan scheduled to sunset December 31, 2002 is, overall, an effective tool for managing classification and compensation issues for Non-Represented employees, and

**WHEREAS**, with adjustments the Plan can be made compatible with the current financial condition of Kenosha County,

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors reinstate the Non-Represented Employee Pay Plan with the following amendments for the year 2003 **only, with the following amendments:**

- inactivate the general adjustment formula in Section P10.01-4 of the Plan, and apply a two percent salary range increase on January 1, 2003;
- step increases as provided for in P10.01-5 of the Plan will not be awarded for budget year 2003;
- special assignment pay as provided for in P10.01-10 of the plan will not be available to non-represented employees for budget year 2003;
- in recognition of accepting health benefit concessions in budget year 2002, and consistent with the same recognition given represented employees, non-represented employees will receive an additional week of vacation in budget year 2003; and
- consistent with Section 10.02-1 of the plan, non-represented employees with less than seven years of service to Kenosha County will not be permitted to cash out or carry over any unused vacation, including the additional week, at the end of budget year 2003. Non-represented employees with between seven and 14 years of service will be permitted to cash-out or carry-over 40 hours of unused vacation. Non-represented employees with 15 or more years of service will be permitted to cash-out or carry-over 80 hours of unused vacation.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors permanently amends the Non-Represented Employee Pay Plan as follows:

- Section 10.01-5 of the plan shall be amended to eliminate half-step and one-and-one-half step salary increases; and
- Section 10.02-8 of the plan shall be amended to include the following: Newly hired Non-represented employees, who have not been internally Promoted, who enroll in a health plan are required to enroll in the Partners **or in a substitute plan as designated by the Administration.**

\*Highlighted areas are the amendments.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Mark Modory

Joseph Clark

John Ruffolo

Tom Kerkman

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

Gordon West

1. From Administration and Finance Committees regarding the Non-Represented Employee Pay Plan.

It was moved by Supervisor Rose to remove Policy Resolution from table.

Seconded by Supervisor Singer.

Motion carried.

It was moved by Supervisor Singer to adopt Policy Resolution 1 as previously amended. Seconded by Supervisor Carbone.

It was moved by Supervisor Rose to amend the 5<sup>th</sup> paragraph to include: not be reactivated until the Board has reviewed the financial implications for the 2004 budget. Seconded by Supervisor Elverman.

It was moved by Supervisor Molinaro to amend Supervisor Rose's amendment: that the Kenosha County Board of Supervisors reinstate the Non-Represented Employee Pay Plan for the year 2003 **only**, with the following amendments: Seconded by Supervisor Rose.

It was moved by Supervisor Kerkman to call the question on the amendment to Policy Resolution 1. Seconded by Supervisor Rose.  
Roll call vote to call the question.

Ayes: Supervisors Kessler, Boyer, Rose, Molinaro, Bergo, Carbone, Faraone, Johnson, O'Day, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Haen, Marrelli, Modory, Singer, Ruffolo, Montemurro, Larsen.

Ayes: 19      Nays: 7  
Motion carried.

Roll call vote for amendment of Policy Resolution 1.

Ayes: Supervisors Kessler, Boyer, Rose, Molinaro, Marrelli, Carbone, Johnson, O'Day, Singer, Ruffolo, Montemurro, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Haen, Bergo, Modory, Faraone, Larsen, Carey-Mielke.  
Ayes: 20.      Nays: 6

Motion carried.

It was moved by Supervisor Singer to call the question on Policy Resolution 1 as amended. Seconded by Supervisor Carbone.  
Roll call vote.

Ayes: Supervisors Kessler, Boyer, Rose, Bergo, Carbone, Modory, Johnson, O'Day, Singer, Wisnefski, Carey-Mielke, West, Kerkman, Smitz and Ekornaas.

Nays: Supervisors Haen, Molinaro, Marrelli, Faraone, Ruffolo, Montemurro, Larsen, Clark, Noble, Gorlinski, Elverman.

Ayes: 15.      Nays: 11.

Motion failed, 2/3 needed, debate continues.

It was moved by Supervisor Kerkman Rose to call the question on Policy Resolution 1 as amended. Seconded by Supervisor Rose.

Ayes: Supervisors Kessler, Haen, Boyer, Rose, Marrelli, Bergo, Carbone, Modory, Faraone, Johnson, Singer, Larsen, Wisnefski, Carey-Mielke, Noble, West, Kerkman, Gorlinski, Smitz, Elverman, and Ekornaas.

Nays: Supervisors Molinaro, O'Day, Ruffolo, Montemurro, and Clark.  
Ayes: 21.      Nays: 5.

Motion carried.

Roll call vote for Policy Resolution 1 as amended.

Ayes: Kessler, Boyer, Rose, Molinaro, Marrelli, Carbone, Modory, Johnson, Singer, Ruffolo, Montemurro, Wisnefski, Clark, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Haen, Bergo, Faraone, O'Day, Larsen, Carey-Mielke, Noble, Elverman.

Ayes: 18.      Nays: 8  
Motion carried.

Ordinance - second reading, two required.

### ORDINANCE 13

13. Text Amendments to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the text of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended per the attached Exhibit "A".

\*Ordinance on file in the County Clerk's Office.

Submitted by:

LAND USE COMMITTEE  
Donald Smitz  
Mark Molinaro, Jr.  
Thomas J. Gorlinski  
Irving Larsen  
Fred R. Ekornaas

It was moved by Supervisor Smitz to adopt Ordinance 13. Seconded by Supervisor Gorlinski.  
Motion carried.

**NEW BUSINESS**

Resolutions - one reading.

**RESOLUTION 32**

32. From Finance Committee regarding Bills over \$5,000.00.

**WHEREAS**, the Wisconsin State Statutes provided that the County Board may act on all bills over \$10,000.00 and

**WHEREAS**, the County resolution requires that the Finance Committee must act on all bills over \$5,000.00, and

**NOW, THEREFORE LET IT BE RESOLVED**, that the following bills be approved for payment:

KENOSHA COUNTY PAYMENT GROUPS BILLS OVER \$5,000.00

APPROVAL BY FINANCE COMMITTEE AND COUNTY BOARD ARE REQUIRED:

DIVISIONS	PAYMENT GROUPS
Finance Grouping #1	\$493,918.30
Disability Grouping #1	\$ 0.00
Personnel Grouping #1	\$ 8,320.75
Housing Authority #1	\$ 0.00
Payment Groups Grant Total	\$502,239.05

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Robert Pitts

John O'Day

Gordon West

It was moved by Supervisor Carbone to adopt Resolution 32. Seconded by Supervisor O'Day.

Supervisor Clark asked that the record reflect that he will be abstaining from voting on invoices for the Spanish Center.

Motion carried.

**RESOLUTION 33**

33. From Human Services Committee regarding Approval of the Appointment of Dr. James Foster to the Kenosha County Board of Health.

**WHEREAS**, pursuant to County Executive Appointment 2002/02-13, 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, 2005 or until a successor is appointed by the County Executive and confirmed by the County board of Supervisors. Dr. Foster will serve without pay and will be succeeding Dr. Stephen Feuerbach.

Submitted by:

HUMAN SERVICES COMMITTEE

Eunice Boyer

Anne Bergo

John O'Day

Donald Smitz

Darrel Haen

It was moved by Supervisor Boyer to adopt Resolution 33. Seconded by Supervisor Bergo.

Motion carried.

**RESOLUTION 34**

34. From Legislative, Finance and Judiciary & Law Committees regarding Supporting Legislation Permitting the Imposition of Additional Court Costs to be used for County Courthouse Security.

**WHEREAS**, since September 11, 2001, security issues are now more important than ever, and

**WHEREAS**, other states have implemented or are in the process of implementing a new security fee as a court cost so the individuals using the courts or committing the crimes help pay for Courthouse security, and

**WHEREAS**, Texas requires defendants convicted of a felony offense to pay an additional \$5 and a misdemeanor to pay an additional \$3 fee. Said fees are deposited in a security fund which is used for the purposes of providing security services for court buildings including purchasing x-ray machines, metal detectors, electronic locking systems, security personnel, alarms, bulletproof glass, etc., and

**WHEREAS**, the State of Illinois has established a \$15 security fee per court action used for similar purposes, and

**WHEREAS**, there is nothing in the statutes that allows the County to charge such a court cost for security, and

**WHEREAS**, the Legislature should pass legislation to allow counties to establish an additional court cost to be used to fund Courthouse security.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors hereby encourages the State Legislature and Governor to enact legislation that would allow for the imposition of an additional court cost for all cases filed in the Clerk of Courts office to be used for Courthouse security and all funds will be retained by Kenosha County.

**BE IT FURTHER RESOLVED** that this Resolution be sent to all Kenosha County State Legislators, Governor McCallum and the Wisconsin Counties Association.

Submitted by:

LEGISLATIVE COMMITTEE	FINANCE COMMITTEE	JUDICIARY & LAW COMMITTEE
Ronald Johnson	Robert Carbone	James Huff
Thomas Kerkman	Terry Rose	Brenda Carey-Mielke
Fred Ekornaas	John O'Day	Terry Rose
Ava Marrelli	Robert Pitts	Anita Faraone
Anita Faraone	Gordon West	Joe Montemurro

It was moved by Supervisor Johnson to adopt Resolution 34. Seconded by Supervisor Carbone.

Motion carried.

**COMMUNICATIONS**

8. From Jean A. Morgan, City Clerk-treasurer regarding Annexation of .220 acres of land from the Town of Somers.

Chairman Kessler referred Communication 8 to the Land Use Committee.

**CLAIMS**

16. Barbara A. Boyle - car damage.

17. Jeffrey Jon Witthun - scratched car.

18. Jeffrey Jon Witthun - another scratched car.

Chairman Kessler referred Claims 16 thru 18 to the Corporation Counsel

It was moved by Supervisor Singer to approve the August 7, 2001 minutes as amended. Seconded by Supervisor Montemurro.

Motion carried.

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

Motion carried.

Meeting adjourned at 9:25 p.m.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk