

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
September 2, 2008**

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, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisor West.

Present: 27. Absent: 1.

**CITIZEN COMMENTS.**

Kim Roper 12428 250<sup>th</sup> Ave., Trevor, asked the supervisors to take some time to review and put a little effort into putting some kind of question on the November ballot regarding the Mute Swan issue. 4416 people have taken the time to sign a petition, they do not want the DNR to shoot the swans anymore. The head of the DNR is appointed by the Governor, his previous roll was the head of a correctional institute. The National Resource Board is also appointed and they too appoint a committee, and the Invasive Species Committee picks and decides which animal, plant or bug is an invasive species. She went to the committee meeting and proved that the mute swan has not only been in America for over 400 years, but also in the Great Lakes Region.

Michael Lill, 2804 19<sup>th</sup> Ave., Kenosha, Associate Director of Racine/Kenosha Community Action Agency which is a member of Kenosha County Emergency Services Network stated he received the census data for poverty rates in Kenosha County. In 2000 the total poverty rate in Kenosha County was 7.5%, in 2007 the poverty rate was 12.2% with a 1.7% margin of error. The poverty rate for children in 2000 was 9.9%, in 2007 it's increased to 13.1% with a margin of error of 3.4%. They would like to educate the community on the issue of increasing poverty in Kenosha County and begin some community discussions. He asked the board to join them in that process and invited the board to participate in those discussions.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Clark stated he received a communication from Wisconsin County Human Services Association, they are presenting Kenosha County with an "Outstanding Public Service Award" for their actions in assuring public safety in the wake of recent flooding.

**SUPERVISOR REPORTS**

Supervisor Ekornaas reported he attended the Wisconsin Resolutions Committee meeting on August 25<sup>th</sup>. He placed on the supervisor's desks a copy of the agenda with his notations of the actions taken. He is happy to answer any questions anyone may have.

Supervisor Elverman wanted the Highway & Parks Committee to know the ribbon cutting for the bike trail will be Thursday at Hwy JR & E at 2:00 p.m.

Supervisor Breunig stated one of the biggest parts of UW Extension is the 4-H program. On Tuesday, September 23<sup>rd</sup>, 4-H is having their open house at the County Center, everyone is welcome to attend. It's a great time for the kids, they get to learn a lot about different projects, things they can sign up for and work towards for the entire year. She also reported the Land Use web site now has links on their agenda attaching the map for the item.

**COUNTY EXECUTIVE APPOINTMENTS**

11. Kay Goergen to serve on the Kenosha County Zoning Board of Adjustments.

Chairman Clark referred County Executive Appointment 11 to the Land Use Committee.

**NEW BUSINESS**

Ordinances - second reading, two required

**ORDINANCE 7**

7. From Highway and Parks Committee an to Repeal and recreate Ordinance's on speed limits for CTH "E: from CTH "EA to 1,300 feet East of CTH "EA".

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

- (9) County Trunk Highway "E", Somers.  
(a) 45 m.p.h. from its intersection with County Trunk Highway "EA" easterly to a point 1,200 feet west of its intersection with County Trunk Highway "Y".  
(c) 35 m.p.h. from its intersection with County Trunk Highway "EA" westerly to a point 0.10 of a mile westerly from 100<sup>th</sup> Avenue.

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.  
(a) 45 m.p.h. from a point 1,300 feet east of its intersection with County Trunk Highway "EA" easterly to a point 1,200 feet west of its intersection with County Trunk Highway "Y".  
(c) 35 m.p.h. from a point 1,300 feet east of its intersection with County Trunk Highway "EA" westerly to a point 0.10 of a mile westerly from 100<sup>th</sup> Avenue.

**ORDINANCE 8**

8. From Highway and Parks Committee to Repeal and recreate Ordinance's on speed limits for CTH "O" from STH 50 to 1.3 miles south of STH 50. 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

- (25) County Trunk Highway "O", Wheatland and Randall.  
(b) 45 m.p.h. from its intersection with County Trunk Highway "Z" Northerly to its intersection with State Trunk Highway 50.

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

Section 7.02 Speed Limits

- (25) County Trunk Highway "O", Wheatland and Randall.  
(a) 35 m.p.h. from its intersection with State Trunk Highway 50 southerly to a point 1.3 miles south of its intersection with State Trunk Highway 50  
(b) 45 m.p.h. from a point 1.3 miles south of its intersection with State Trunk Highway 50 southerly to its intersection with County Trunk Highway "Z".

SUBMITTED BY:  
Highway & Parks Committee  
Dennis Elverman  
John O'Day  
William Grady  
Douglas Noble

It was moved by Supervisor Elverman to adopt Ordinance 7 and 8. Seconded by Supervisor O'Day.

Motion carried.  
Resolutions - one reading

**RESOLUTION 51**

51. From Chairman Clark a Resolution to Appoint Mark Karow to the Joint Services Board.

Chairman Clark referred Resolution 51 to Judiciary and Law Committee.

**RESOLUTION 52**

52. From Finance Committee a Resolution Authorizing Approval of Capital Finance Plan - 2008 Budget Amendment.

**Whereas**, Kenosha County adopted resolution 42 in August of 2004 which established a policy of maintaining a minimum of 17% of the General Fund Expenditures in the General Fund which is approximately \$9.7 million; and

**Whereas**, Kenosha County has about \$2.6 million of Capital Projects carried over into 2008 that are funded with Cash Reserves; and

**Whereas**, events in the national economy have impacted the County, resulting in the General Fund reserves to drop below the policy level of 17%; and

**Whereas**, the 2008 Public Works - Division of Golf Budget had \$310,700 of Capital Outlay of which \$64,700 was placed in a contingency account, funded with revenue from golf operations; and

**Whereas**, the Public Works - Division of Golf requires an additional \$89,300 of Capital Outlay for a total of \$400,000; and

**Whereas**, Detention Center Renovation Project funding needs of jail insert project were to be determined after final costs were known, per resolution 12, adopted June 7, 2007 and,

**Whereas**, The final cost of the Detention Renovation is currently known, and that \$1 million of additional funding is required to balance the Capital Improvement Fund; and

**Now Therefore Be it Resolved** by the Kenosha County Board of Supervisors that the 2008 budget is hereby amended to fund approximately \$4 million of capital projects through the issuance of General Obligation Promissory Notes, and said notes having been authorized in resolution 17 adopted by the County Board on June 22, 2005; and

**Be it Further Resolved**, that the issuance of these notes shall be subject to approval by the County Board of a resolution establishing the structure and timing of the notes, said Resolution to be submitted to the Board prior to the 2008 issuance of County notes; and

**Be it Further Resolved**, that the \$2.6 million of the note proceeds are hereby authorized to be transferred back to the General Fund to replenish reserves; and

**Be it Further Resolved**, that prior to spending the additional golf course capital funds in this resolution and contingency funds included in the 2008 budget, a resolution shall be approved by the County Board; and

**Be it Further Resolved**, that the attached budget modification and fiscal note are hereby Incorporated by reference.

SUBMITTED BY:

Finance Committee

Anita Faraone

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-Chair Faraone to adopt Resolution 52. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

#### **RESOLUTION 53**

53. From Brookside Board of Trustees, Human Services and Legislative Committees a Resolution in support of a Legislative Change Requiring the State of Wisconsin to pay County and Municipal Nursing Homes at least 37.1 Million Annually under the Supplemental Payment Program.

**WHEREAS**, the Supplemental Payment Program, formerly known as the intergovernmental transfer program, generates federal matching funds based on actual operating losses incurred by governmental nursing homes; and

**WHEREAS**, the amount of revenue that may be generated is capped by the federal government (Medicare Upper Limit); and

**WHEREAS**, all revenue generated from county nursing home losses is deposited in the State of Wisconsin's Medical Assistance Trust Fund; and

**WHEREAS**, the 2007-09 state biennial budget anticipates Medicaid deficits for county and municipal nursing homes of \$140,040,600 in FY 08 and \$136,858,800 in FY 09; and

**WHEREAS**, payments to counties from the federal match paid on county losses are capped at \$37.1 million each year, and the state anticipates utilizing \$40,000,000 in FY 08 and \$37,000,000 in FY 09 in federal matching funds for its Medicaid programs; and

**WHEREAS**, under current state law, total supplemental payments to county and municipal homes may not exceed \$37.1 million per year; and

**WHEREAS**, counties have never received less than \$37.1 million in payments annually; and

**WHEREAS**, county nursing homes generate significant losses as many county homes serve individuals with high acuity levels and intense behavioral needs; and

**WHEREAS**, the Medical Assistance rates paid to county nursing homes is insufficient to cover the cost of care for patients with significant care needs; and

**WHEREAS**, over the years, the number of county nursing homes has declined; and

**WHEREAS**, many counties can no longer afford to allocate property tax dollars to the operation of a county home, yet county homes provide a valuable public service; and

**WHEREAS**, if more counties sell or close their county nursing homes, county nursing home losses decrease, generating fewer dollars under the certified public expenditure program for county and state use; and

**WHEREAS**, as the \$37.1 million referenced in statute represents a cap on payments to counties, the state has the ability to provide payments to county and municipal homes in an amount less than \$37.1 million;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors supports a legislative change requiring the state of Wisconsin to pay county and municipal nursing homes at least \$37.1 million annually under the supplemental payment program; and

**BE IT FURTHER RESOLVED** that the Wisconsin Counties Association and the Wisconsin Association of County Homes work in cooperation with the Department of Health Services to develop a plan to return all revenue generated from county nursing home losses to counties over a five-year period; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to DHS Secretary Karen Timberlake, DOA Secretary Michael Morgan, Governor Jim Doyle, all area legislators, and the Wisconsin Counties Association.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson

Jeff Gentz

Legislative Committee

James Huff

Mark Modory

William Michel, II

Bob Haas

Dayvin Hallmon

It was moved by Supervisor Kubicki to adopt Resolution 53. Seconded by Supervisor Huff.  
Motion carried.

#### **RESOLUTION 54**

54. From Human Services Committee a Resolution to approve the Appointment of Martha Sanchez to the Kenosha County Commission on Aging.

**WHEREAS**, pursuant to County Executive Appointment 2008/09-09, the County Executive has appointed Martha Sanchez 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 Martha Sanchez to the Kenosha County Commission on Aging. Ms. Sanchez' 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. Sanchez will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Ms. Sanchez will be filling a vacancy.

SUBMITTED BY:

Human Services Committee

Edward Kubicki

Terry Rose

Richard Kessler

Jennifer Jackson  
Jeff Gentz

It was moved by Supervisor Kubicki to adopt Resolution 54. Seconded by Supervisor Rose.  
Motion carried.

**COMMUNICATIONS**

7. From Jim Kreuser, Kenosha County Executive regarding Kenosha County Medical Examiner Morgue.

Chairman Clark referred Communication to Human Services and Finance Committees.

**CLAIMS**

26. American Family Mutual Insurance Company - vehicle damage

Chairman Clark referred Claim 26 to Corporation Counsel.

It was moved by Supervisor Noble to approve the August 19, 2008 minutes.  
Seconded by Supervisor Modory.  
Motion carried.

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

Meeting adjourned at 8:00 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk