

**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	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 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	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 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