

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
April 20, 2010**

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, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Faraone, Jackson, Moore, Marks, West.
Present: 23. Absent: 5.

CITIZEN COMMENTS

Bob Reidl, 801 N School St., stated he was here to urge the boards support for Edna Highland who has been nominated to serve on the Brookside Board of Trustees. Edna has a proven and very successful track record in public service with her many years as County Clerk. Her commitment to the people of Kenosha County is well documented and her commitment will continue at Brookside with the board's confirmation of her appointment. She deserves the boards support.

ANNOUNCEMENT OF THE CHAIRMAN

Chairman Clark announced the Wisconsin County Association is having their district meeting for Southeastern Wisconsin on April 29th in Germantown. If interested, please let the next County Board Chairman know. If the next County Board Chairman is not able to attend, he will need to designate a delegate to vote for Kenosha County.

SUPERVISOR REPORTS

Supervisor Kessler stated he is leaving the board very proud of being a part of what has been accomplished in his 29 years serving as a county board supervisor. From the finishing touches and dedication of the "new" public safety building back in 1981 to its current addition presently under construction. From the County Administrator form of government to the County Executive form of government. Supervisor Kessler served as Chairman of the County Board from 2002-2004. He served on every committee other than the Land Use Committee and held various leadership positions on these committees.

As he attends his last meeting as an Elected County Supervisor and "The Dean of the Board", there are a few groups of people he wanted to recognize. He thanked all his colleagues who served on the County Board all these years. He thanked his family for all the support they gave him over the years and for allowing him the time away to participate in the various community involvements. He looks forward to some time to be home with his family. Finally, he thanked the constituents of the 4th District that he represented for 29 years, as he would not have been here this long without their trust.

Although he is leaving the board, he will be watching the progress and he is certain the board will be challenged with the road ahead, but he is confident he is leaving the board in great hands.

Supervisor Breunig stated she sent an e-mail to all of the Youth In Governance participants asking them for recommendations of their outstanding mentors that they've had over the past two years. She wanted to recognize Supervisors Zerban, Roger Johnson, Noble, Jeffrey Gentz, O'Day, Molinaro, Huff and Michel who has gone above and beyond what was expected of them as mentors.

Supervisor Modory stated he attended a press conference held by County Executive Kreuser, Parks Director Jon Rudie, Jennie Tunkieicz and himself at the Kenosha Animal Hospital where Dr. William Carlisle presented the county a check for \$12,500 to go towards the naming rights of the off leash dog park at Petrifying Springs. Along with the \$12,500 donation received from Mary Ellen Close to name the Randall park, Terry Wolfe who was the wife of the late Dr. Wolfe from the Wolfe Merrick Animal Hospital will be donating patio bricks for the entrance way at Petrifying Springs dog park which people will be able to purchase to

add memorial bricks around the entryway. He is proud to say they have far exceeded the \$25,000 goal to match the county's \$25,000 and have a balance of \$41,055.07 to build these off leash dog parks which should be built by the end of May. He hopes to see everyone there at the leash cutting ceremonies.

Supervisor Huff stated the Legislative Committee and the Board sent a letter to our State Legislators regarding the payday loan industry in which there were specific recommendations for interest to be charged. In a Kenosha News article it stated that the payday loan industry will be regulated for the first time in Wisconsin under a Bill that passed the State Senate. However there will still be no limit on the interest that can be charged on the loans primarily given to the working poor. Advocates for the poor are pushing for a 36% annual percentage rate.

This being Supervisor Huff's last meeting, he wanted to thank Supervisor Ron Johnson who was then Chairman Johnson who appointed him to the position of County Board Supervisor almost 12 years ago. He also thanked the people of the 5th District who continually elected him 5 consecutive terms.

Supervisor Noble requested that the new Chairman of the County Board have the architect come to one of the meetings in May and make a presentation to the entire board so the new supervisors are up to speed on the maintenance and rehabilitation that's going to be required in the downtown campus.

At this time, Chairman Clark presented the outgoing supervisors plaques in honor of their service to Kenosha County.

NEW BUSINESS

RESOLUTION 126

126. From Finance Committee a Resolution regarding the 2010 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 2009 to 2010, and that the 2010 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 it is the policy, desire, and intent of the Kenosha 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 one purpose in any one appropriation unit can be used for any other purpose in any other appropriation unit without prior approval of the Kenosha County Board. The Finance Committee is authorized to approve transfers not to exceed \$1,000.00, 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.

2010 CARRYOVER AND ANNUAL CLOSEOUT RESOLUTION

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 Resolution 126. Seconded by Supervisor Gentz. Roll call vote passed unanimously.

RESOLUTION 127

127. From Human Services and Finance Committees regarding the Division of Health: Resolution to Modify 2010 Budget to reflect funding received from the Children's Alliance of Wisconsin and the State of Wisconsin, Division of Public Health for the Wisconsin Seal-A-Smile Program.

WHEREAS, the Kenosha County Division of Health, has received grant funding in the amount of \$37,215 for the Wisconsin Seal-A-Smile program, which is a school-based dental sealant program, and

WHEREAS, the Kenosha County Division of Health will be utilizing current Public Health Nursing staff to coordinate the grant activities, while contracting with a Dental Hygienist and a Dental Assistant to perform the dental varnishing and sealant applications, and

WHEREAS, the Kenosha County Division of Health staff will refer clients who need additional dental procedures to the Kenosha County Community Health Center Dental Services, 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 \$37,215 and expenditures increase by \$37,215 as indicated in the attached budget modification, which is incorporated into this resolution by reference.

SUBMITTED BY:

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

It was moved by Supervisor Kubicki to adopt Resolution 127. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

RESOLUTION 128

128. From Human Services Committee a Resolution to Approve the Appointment of Edna Highland to the Brookside Board of Trustees.

WHEREAS, pursuant to County Executive Appointment 2009/10-27, the County Executive has appointed Edna Highland 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 Edna Highland to the Brookside Board of Trustees. Ms. Highland's appointment shall be effective immediately and continuing until the 3rd day of January, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Highland will serve without pay but will receive per diem and will be succeeding Nancy Principe.

SUBMITTED BY:

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

It was moved by Supervisor Kubicki to adopt Resolution 128. Seconded by Supervisor Rose.

Motion carried

RESOLUTION 129

129. From Human Services Committee a Resolution to Approve the Re-Appointment of Rita Kadamian to the Kenosha County Board of Health.

WHEREAS, pursuant to County Executive Appointment 2009/10-26, the County Executive has appointed Rita Kadamian 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 Rita Kadamian to the Kenosha County Board of Health. Ms. Kadamian's appointment shall be effective immediately and continuing until the 4th day of February, 2015 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Kadamian will serve without pay and will be succeeding herself.

SUBMITTED BY:

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

It was moved by Supervisor Kubicki to adopt Resolution 129. Seconded by Supervisor Rose. Motion carried.

RESOLUTION 130

130. From Human Services Committee a Resolution to Approve the Re-Appointment of Supervisor John J. O'Day to the Kenosha County Board of Health.

WHEREAS, pursuant to County Executive Appointment 2009/10-28, the County Executive has appointed Supervisor John J. O'Day 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 Supervisor John J. O'Day to the Kenosha County Board of Health. Supervisor O'Day's appointment shall be effective immediately and continuing until the 4th day of February, 2015 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor O'Day will serve without pay and will be succeeding himself.

SUBMITTED BY:

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

It was moved by Supervisor Kubicki to adopt Resolution 130. Seconded by Supervisor Kessler. Motion carried.

RESOLUTION 131

131. From Judiciary & Law Enforcement Committee regarding a Resolution for Regular Cabaret License - 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 establishment known as the Mary Rose Piazza was granted a Probationary Cabaret License per County Board Resolution on October 20th, 2009, and

WHEREAS, the establishment known as the Mary Rose Piazza was found to be in conformity with County Ordinance # 8.02 governing its 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 Freda Pryga, for the Mary Rose Piazza.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

Jim Huff

Robert Haas

Roger Johnson

Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 131. Seconded by Supervisor Huff.

Motion carried.

RESOLUTION 132

From Land Use Committee a Resolution Approving the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035.

WHEREAS, Wisconsin's comprehensive planning law, set forth in Section 66.1001 of the Wisconsin Statutes, requires County and local governments that enforce general zoning, shoreland zoning, subdivision, or official mapping ordinances to adopt a comprehensive plan by January 1, 2010; and,

WHEREAS, Kenosha County, in cooperation with the City of Kenosha, Village of Bristol, Village of Pleasant Prairie, Village of Silver Lake and the Towns of Brighton, Bristol, Paris, Salem, Somers and Wheatland, has developed a comprehensive plan that meets the requirements set forth in Section 66.1001 of the Wisconsin Statutes; and,

WHEREAS, the comprehensive plan includes all nine elements specified in Section 66.1001 of the Wisconsin Statutes; and,

WHEREAS, copies of the plan report were available for public review in the Kenosha County Department of Planning and Development, at public libraries in Kenosha County, and on the County's website; and,

WHEREAS, throughout the development of the plan Kenosha County has solicited public input consistent with the Public Participation Plan adopted in 2007 to ensure the public had ample opportunity for involvement in the development of the comprehensive plan; and,

WHEREAS, each of the ten municipal partners (City of Kenosha, Village of Bristol, Village of Pleasant Prairie, Village of Silver Lake, Towns of Brighton, Bristol, Paris, Salem, Somers and Wheatland, has adopted the multi-jurisdictional comprehensive plan or a local plan based on the multi-jurisdictional plan, including changes presented at the March 17, 2010 public hearing for Kenosha County and the April 5, 2010 public hearing for the City of Kenosha; and,

WHEREAS, Kenosha County has duly noticed a public hearing on the comprehensive plan and held said public hearing on March 17, 2010 in accordance with Section 66.1001(4); and,

WHEREAS, after a well publicized series of public informational meetings and public hearing, the Kenosha County Land Use Committee recommends approval of the plan by ordinance by the Kenosha County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Sections 59.69 and 66.1001(4) of the Wisconsin Statutes, the Kenosha County Board of Supervisors hereby approves the comprehensive plan as set forth in a report entitled, A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035.

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors enact an ordinance adopting the comprehensive plan.

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Resolution 132. Seconded by Supervisor Nudo.

Motion carried.

Ordinance - one reading required

ORDINANCE 30

30. From the Land Use regarding an Ordinance from Land Use Committee (Sponsor), State of Wisconsin Department of Natural Resources (Owner) requesting rezoning from B-2 Community Business District and C-1 Lowland Resource Conservancy District to PR-1 Park and Recreational District and C-1 Lowland 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 #66-4-120-283-1500 located in the southwest quarter of Section 28, Township 1 North, Range 20 East, Town of Salem be changed from B-2 Community Business District and C-1 Lowland Resource Conservancy District to PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of 277th Avenue approximately 300' north of the intersection of 114th 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 30. Seconded by Supervisor Morton.

Motion carried.

ORDINANCE 31

31. From the Land Use Committee an Ordinance for Diane Reese (Owner), Mark Eberle (Agent) requesting rezoning from A-2 General Agricultural District to PR-1 Park and Recreational 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 part of Tax Parcel #60-4-119-363-0600 located in the southwest quarter of Section 36, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District to PR-1 Park and Recreational District. For informational purposes only, this property is known as Wilmot Mountain, Inc., located on the east side of the intersection of County Trunk Highway "W" (Fox River Road) and County Trunk Highway "CK" (125th 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 31. Seconded by Supervisor Breunig.

Roll call vote.

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

Nays: none.

Abstain: Supervisor Clark.

Ayes: 22. Nays: 0. Abstain: 1

Motion carried.

Ordinance - first reading - two required

ORDINANCE 32

From the Legislative, Finance and Administrative Committees an Ordinance to Create Ch. 19 of the Municipal code of Kenosha County entitled "Ethics code for Kenosha County board Supervisors.

CHAPTER 19 - ETHICS CODE FOR KENOSHA COUNTY BOARD SUPERVISORS

19.01-1 TITLE

This code shall be known as, referred to, or cited as the Kenosha County Code of Ethics for County Board Supervisors.

19.02-1 DECLARATION OF POLICY

The proper operation of democratic government requires that elected County Board Supervisors be independent, impartial and responsible to the people; that government decisions and policies be made in proper channels of the government structure; that public elected office not be used for improper personal gain; and that the public have confidence in the integrity of its government. The County Board believes that a code of ethics for the guidance of County Board Supervisors will help them avoid conflicts which are substantial and material between their personal interests and their public responsibilities. In recognition of these goals, there is hereby established a Code of Ethics for Kenosha County Board Supervisors. Nothing herein contained is intended to deny to any individual, rights granted by the United States Constitution, the Constitution of the State of Wisconsin, the laws of the State of Wisconsin.

19.03-1 RESPONSIBILITY OF PUBLIC OFFICE

Elected County Board Supervisors are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin and to carry out impartially the laws of the nation, state and county, and to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in their official actions is to be above reproach so as to foster respect for all government.

All future County Board Supervisors and candidates for such office shall be given notice of the fact that they will be subject to the provisions of this Code of Ethics as well as any financial disclosure requirements that they will be subject to and the need to reveal any potential or actual conflict of interests.

19.04-1 STANDARDS OF CONDUCT

(1) Public Trust. The county board hereby reaffirms that each Supervisor holds his or her position as a public trust, and any effort to realize an improper personal gain through official conduct is a violation of that trust. Except as may be provided for herein, this section does not prevent any Kenosha County Board Supervisor from accepting other employment or following any pursuit which in no way interferes with the faithful discharge

of his or her duties to this county. The county board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as elected County Supervisors retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for elected County Board Supervisors need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that elected County Board Supervisors may need to engage in employment, professional or business activities, other than their official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this section.

(2) Use of Public Property. No Kenosha County Board Supervisor shall request or permit the use of county services or manpower or of county-owned vehicles, equipment, materials or property for non-official purposes or personal profit unless in accordance with County policy.

(3) Obligations to Citizens. All persons shall be treated fairly and impartially and without discrimination in accordance with the federal and state constitution and laws.

(4) Special Conflicts and Standards of Conduct Enumerated. Conflicts of interest prohibited under this section and expected standards of conduct by County Board Supervisors include:

(a) Disclosure of Confidential Information. No County Board Supervisor shall, without proper legal authorization from the County Board or pursuant to a Court order or Court-approved subpoena, disclose legally confidential information as defined in this ordinance gathered in the course of his or her duties concerning the affairs of the county or of a citizen, nor shall he or she use such information to advance the financial or personal interest of himself or others. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest as determined by a test balancing the right of the public to know versus the right of individual or governmental privacy, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

(b) Reserved for future use.

(c) Representing Private Interests Before County Agencies or Courts. No County Board Supervisor shall represent as a paid advocate any private interests adverse to Kenosha County, other than for himself, his spouse or his children, before any county agency or department; nor, except as hereinafter provided, shall any County Board Supervisor who is admitted to practice law in the State of Wisconsin represent as an advocate any private interests other than for himself, his spouse or children, in any proceeding adverse to the county in any county court without prior County authorization. County Board Supervisors who are licensed to practice law in the State of Wisconsin may, however, act as a criminal or ordinance defense or Juvenile Court counsel and as a Guardian ad Litem only in conformity with State law and the Rules and Regulations of the State Bar of Wisconsin.

(d) Gifts, Favors, Raffles and Door Prizes. No person or organization may offer or give to a County Board Supervisor, directly or indirectly, and no County Board Supervisors may solicit or accept from any person or organization, directly or indirectly, anything of value as herein defined if it could reasonably be expected to influence such County Board Supervisor's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such County Board Supervisor. This provision does not apply to monetary donations to Kenosha County which are accepted by the County Board or donations to Brookside Care Center or its "Sunshine Fund" which are accepted by either the County Board or the Brookside Trustees.

County Board Supervisors attending an event at the expense of the County must reimburse the County the value of any raffle or door prize obtained at that particular event unless its value is diminimus or unless it is donated to or used solely for County purposes.

(e) Insider Advantage. No County Board Supervisor may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization, if the information has not been communicated to the public or is not public information.

(f) Reserved for Future Use

(g) Contracting. (Personal Gain). Except as otherwise provided by section 946.13 of the Wisconsin Statutes, no County Board Supervisor shall, in his private capacity, negotiate or bid for or enter into a contract in which he or she has a private pecuniary interest, direct or indirect, if at the time he or she is authorized or required by law to participate in his or her capacity as such County Board Supervisor in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on his or her part, nor shall any County Board Supervisor, in his or her official capacity, participate in the making of a contract in which he or she has a private pecuniary interest, direct or indirect, or perform in regard to that contract some function requiring the exercise of discretion on his or her part. A violation of section 946.13 of the Wisconsin Statutes, shall also constitute a violation of this code.

A County official or employee or a member of the official's or employee's immediate family, as defined in this ordinance, may not contract with the County.

The employer of a County Board Supervisor may contract with the County only if the County Board Supervisor abstains from voting and attests in writing that he or she will receive no direct or indirect benefit from such contract and further attests that he or she has had no discussions with any county official or employee with respect to such contract and has made no direct or indirect attempt to influence the awarding of such contract.

(h) Consulting. No County Board Supervisor is to serve as a consultant to or, except as hereinafter provided, serve as a member of the Board of Directors of any entity or corporation doing business either as a contractor or sub-contractor or otherwise with, or seeking to do business with, Kenosha County, subject to exemptions in the Wisconsin State Statutes. This provision shall not apply to County Board Supervisors serving on a Board of Directors where such service as a County Board Supervisor has been required and approved by the County Executive or County Board or in cases where the Corporation Counsel's Office has reviewed such membership and found no conflict of interest.

(I) Business Associates and Clientele. No County Board Supervisor shall render service to, ENGAGE IN DEBATE, LOBBY FOR or make any decision concerning or involving any former, present or known future business associate or client. WHERE SUCH RELATIONSHIP AND CIRCUMSTANCES EXIST THE SUPERVISOR SHALL FILE AN AMENDED FINANCIAL DISCLOSURE STATEMENT AS REQUIRED BY THIS CODE AND reveal in writing and filing with the County Clerk the nature and extent of the relationship. This provision, however, shall not be applied in the case of a legally recognized privilege, such as in the case of an attorney-client or doctor-patient relationship.

(j) Issuance of Permits. No County Board Supervisor empowered to vote upon issuance of a discretionary permit under either state or local laws or regulations shall vote on the issuance of any such permit to himself or herself or to any member of that individual's immediate family.

(k) Material Conflict of Interest. No County Board Supervisor shall engage in any material conflict of interest as defined in section 19.06-1(3).

(l) Personal Services. No County official or employee shall be required to perform any private work or private or personal service for any County Board Supervisor or make a contribution to any such County Board Supervisor. Nothing contained herein shall be construed to bar voluntary campaign contributions to a County Board Supervisor.

(m) Falsifying Claims or Records. No County Board Supervisor shall intentionally engage in submitting any falsified claim and knowingly false document.

(n) Misuse or Misappropriation of County Property or Funds. No County Board Supervisor shall misuse or misappropriate any county funds or property including, but not limited to, the use of County copiers, computers, or cell or land-based phones for personal use on County time. The County maintains the right to access, monitor and review the use of such equipment and recognizes no claim of confidentiality regarding the use of such County equipment. No County property, facility or personnel on County time may be used to repair or maintain a County Board Supervisor's personal property.

(o) Notification of Conflicts. County Board Supervisor shall disclose to the County Corporation Counsel any conflict of interest involving another county employee or official.

(p) Reserved for future use.

(q) State Standards of Conduct for Municipal Employees. Those standards incorporated in Wisconsin Statutes § 19.59 for municipal officials and employees are incorporated herein by reference as if fully set forth. In case of a conflict between the State standards and this Code, the more restrictive standard shall apply.

19.05-1 COMPLIANCE WITH STATE STATUTES

(1) The following sections of the Wisconsin Statutes as they may be amended or re-numbered from time to time are hereby incorporated by reference and made a part of this Code of Ethics:

(a) Section 19.01---Oaths and Bonds.

(b) Section 19.21---Custody and Delivery of Official Property and Records.

(c) Section 19.31 through 19.39---Public Records.

(d) Section 19.59 - Code of Ethics for Local Government Officials, Employees and Candidates

(e) Section 19.81 through 19.89---Open Meeting of Governmental Bodies.

(f) Section 946.12---Misconduct in Public Office.

(g) Section 946.13---Private Interest in Public Contract Prohibited.

(h) Any provision of Chapter 17 of the Wisconsin Statutes justifying removal of an official or employee for cause.

(2) County Board Supervisor shall comply with the provisions of these enumerated sections of the Wisconsin Statutes and failure to so comply shall, in addition, constitute a breach of this Code of Ethics.

19.06-1 ACTION UPON CONFLICT

(1) Any County Board Supervisor who, in the discharge of his or her official duties, is involved or about to be involved in any matter that could result in a violation of this code or a material conflict of interest as defined herein on his or her part shall:

(a) Discuss such matter and the nature of the possible conflict of interests with the Corporation Counsel's Office prior to acting on the matter and

(b) Take no further action in regard to such matter until an opinion has been rendered by the Corporation Counsel.

(2) Notwithstanding any other provision to the contrary in the Municipal Code of Kenosha County, the Corporation Counsel's Office is authorized to issue an ethics/conflict of interests opinion to any County Board Supervisor and at the request of such official shall keep the matter confidential as it pertains to that individual and request. In situations where guidance is sought on prospective conduct and the official making the request supervises the Corporation Counsel or is authorized to vote on the annual budget of the Corporation Counsel's Office, the Corporation Counsel may issue an advisory opinion or refer the matter to either the Attorney General, the State Ethics Board, the Kenosha District Attorney or outside counsel. In situations where an opinion is sought pertaining to some act or omission that has already occurred, the Corporation Counsel shall refer the request to outside counsel.

(3) A material conflict of interest on the part of a County Board Supervisor is deemed to exist within the meaning of this section in regard to a matter in which he or she is involved, or is about to be involved, in the discharge of his or her official duties, whenever the County Board Supervisor utilizes and exploits his or her official capacity in such a way as to obtain a personal financial benefit for himself or herself or his or her immediate family or an organization with which he or she is associated.

19.07-1 EXCEPTIONS

(1) Fees and Honorariums.

(a) In order to achieve the broadest possible public discussion and understanding of county government, the legislative process and the specific policy issues and proposals pending before the legislature, every County Board Supervisor is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups and other gatherings to discuss and to interpret these topics.

(b) Notwithstanding any provisions of this code, reasonable compensation for any such activity or for any published work or creation of any product or matter qualifying as intellectual property and reimbursement of actual and necessary expenses incurred in connection therewith may be accepted by a County Board Supervisor, but if such activity, product or published work or intellectual property that is created is accomplished by an official or employee with the use of county time or of its facilities, services or supplies not generally available to all citizens of this county in the course of his or her official duties, the County Board Supervisor may not retain such compensation or reimbursement of expenses but shall deposit it with the County Treasurer and the activity, product, published work or intellectual property created shall be deemed to be the property of Kenosha County and any copyright, trademark or patent obtained by such individual shall be transferred without compensation to Kenosha County.

(2) Reimbursements. Nothing in this section prevents or limits reimbursement by the county of actual and reasonable expenses incurred by a County Board Supervisor in the performance of official duties.

(3) Reward Points and Frequent Flyer Miles

Nothing contained in this Ordinance shall preclude a County Board Supervisor from obtaining credit card reward points or frequent flyer miles where the initial payment, prior to County reimbursement, was paid for by the County Board Supervisor.

19.08-1 Campaign Activity

(1) Nothing contained herein shall be construed as prohibiting anyone employed by Kenosha County from voluntarily endorsing or contributing to a candidate or working on their behalf outside of County facilities or on their personal time. Furthermore, nothing contained herein shall be construed as prohibiting anyone employed by Kenosha County from making their support known by way of a displaying campaign button or vehicle signage.

(2) It is prohibited to require current employees of Kenosha County to campaign on behalf of elected officials as a condition of maintaining continued employment with Kenosha County.

(3) Campaign solicitation on County property or in violation of work rules is prohibited, provided, however, that photographs of or on County common areas are permitted.

(4) Use of County property for campaign purposes is prohibited

19.09-1 Financial / Personal Legislative Interest Disclosure

The Financial / Interest Disclosure Form set forth in Appendix 1 shall be completed by all County Board Supervisor and candidates for such office, and filed with the Kenosha County Clerk as a public record prior to the end of business on the last day for filing nomination papers for the Spring election. In non-election years the disclosure statements shall be filed prior to January 7.

19.10-1 Post County Employment Conflicts

County Board Supervisor who have voted on the awarding of a contract with a particular contractor, provider or vendor or who have had input into such award may not accept employment with such contractor, provider or vendor or their sub-

contractors for a period of one year after termination of their term of office. No contractor, provider or vendor or their sub-contractor may make an offer of employment to such County Board Supervisor or any member of their immediate family within one year after the completion of their contract with Kenosha County.

19.11-1 PENALTY

Any County Board Supervisor found by a court of competent jurisdiction to have violated any provision of this code shall be subject to a fine of not less than \$ 100 nor more than \$1000 for each violation and may be required to reimburse the County for any costs, including attorney fees and for direct or indirect costs and damages resulting from such violation, including, but not limited to, the costs of investigation . Violations shall be prosecuted by the District Attorney's Office

Any action taken on behalf of Kenosha County and found to be in violation of this code may be reconsidered by the Kenosha County Board of Supervisors and deemed void. Any party found to have violated County ethics ordinances or policies may be debarred from doing business with Kenosha County for a period not to exceed five years.

In addition to any penalty imposed in this section, any County Board Supervisor failing to file a disclosure form as required by this code shall forfeit any and all compensation to which he or she is entitled until such time as the required disclosure statement is received and filed by the County Clerk. The County Clerk shall accept nomination papers in cases where the candidate has not filed a financial disclosure statement as required herein, however, any candidate who fails to timely file a disclosure statement as required herein shall not have his or her name placed on the ballot.

19.12-1 EFFECTIVE DATE

This code shall take effect upon publication.

19.13-1 SEVERABILITY

If any provision of this code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this code to any person or circumstances is found by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this code which can be given effect without the invalid or unconstitutional provision or application.

19.14-1 DEFINITIONS

In this code, and for purposes of this code only:

(1) "Anything of Value" means any of the following items [either alone or in combination] whose value in a calendar year from any one person or entity is in excess of \$25 or as this amount may be amended from time to time by the Internal Revenue Service: money, gift card, credit card reward points, frequent flyer miles, or property, favor, service, gift, loan payment, subscription, advance forbearance, lodging, food or drink, travel, recreational or entertainment expense, thing or promise of future reward or employment that could reasonably be expected to influence such County Board Supervisor's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such county public official, BUT DOES NOT INCLUDE compensation and expenses paid by the county, speaking fees, honorariums [except as may be otherwise allowed by this Ordinance] and expenses, political contributions which are properly reported, tips for food service normally given to waiters and waitresses or for customary services provided at County golf facilities, unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal value or hospitality extended for a nonbusiness purpose or used for County purposes.

(2) "Associated", when used with reference to an organization, includes any organization in which a person or member of his or her immediate family is an employee, director, officer or trustee or owner or controls, directly or indirectly and severally or in the aggregate at least 10% of the outstanding equity.

(3) "Employee" means all persons filling an allocated position of county employment or any volunteer with the exception, however, that "employee" does not include judges but does include court commissioners.

(4) "Financial Interest" shall mean any interest that will yield directly or indirectly a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the official or employees or any member of the immediate family of said official or employee, except as permitted by section 946.13 of the Wisconsin Statutes.

(5) "Gift" means the payment or receipt of anything of value without valuable and sufficient consideration.

(6) "Personal Interest" shall mean any interest arising from a blood or marriage relationship.

(7) "Immediate Family" means either a wife, husband, or any other person, including a domestic partner, who is a member of the immediate household or receives more than 50% of their support from such employee or official.

(8) "Income" has the meaning given under the federal internal revenue code.

(9) "Ministerial Action" means an action that a person performs in a given set of facts in a prescribed manner in obedience to the mandate of legal authority without regard to the exercise of the persons own judgment as to the propriety of the action being taken.

(10) "Non-official Purpose" means unrelated to county business but does not include assistance to a non-profit entity.

(10) "Official" or "County Public Official" shall mean any person holding an elected or appointed county office, but not elected Judges.

(11) "Person" shall mean any natural person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, trust or other legal entity recognized as such by the laws of the State of Wisconsin.

(12) "Privileged Information" or "Confidential Information" or " Legally Confidential Information" is information recognized by State or Federal law as being entitled to confidentiality or privilege or matters that may be legally considered in closed session pursuant to the Wisconsin Open Meetings law or written or oral material related to county government which has not become a part of the body of public information and which is designated by statute, court decision, lawful orders or custom as being either privileged or confidential. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

(13) "Security" has the meaning given in section 19.42(12) of the Wisconsin Statutes.

19.15-1 Reference

This Ordinance may be referred to as the Kenosha County Ethics Code for County Board Supervisors.

**APPENDIX 1 STATEMENT OF ECONOMIC INTEREST
AND FINANCIAL DISCLOSURE**

DUE DATE: In an election year [even numbered years] this statement is due prior to the end of business on the last day for filing nomination papers.

In non-election years [odd numbered years] this statement is due PRIOR to January 7.

RETURN TO: Kenosha County Clerk Kenosha County Administration Building, 1010-56th Street, Kenosha WI 53140. Provide additional information and explanations as required. If the answer to any question is "yes" please explain below with specificity.

**THESE QUESTIONS SHOULD BE ANSWERED
TO THE BEST OF YOUR KNOWLEDGE.**

Definitions are found in Section 19.14(1) of the Municipal Code of Kenosha County.

"Immediate Family" means either a wife, husband, or any other person, including a domestic partner, who is a member of the immediate household or receives more than 50% of their support from such employee or official.

1 Are you or your spouse related to any Kenosha County employee?

YES NO

If yes, please explain to whom, what the relationship is and where that employee works.

2 To the best of your knowledge, does your or your spouse's employer or the employer of a member of your immediate family do business with Kenosha County?

YES NO

If yes, please explain who the employer is, the nature of the business, the dollar amount of the business and whether the business is continuous.

3 To the best of your knowledge, is your or your spouse's employer or the employer of any member of your immediate family regulated by Kenosha County [for example, by zoning, health, cabaret etc regulations or licensing]?

YES NO

If yes, please explain who the employer is and the nature of the regulation.

4 To the best of your knowledge, do you know of any debt incurred by you, your spouse or member of your immediate family that is owed to any entity doing business with Kenosha County or is regulated by Kenosha County?

YES NO

If yes, please explain who the entity is.

5 To the best of your knowledge, are you, your spouse or any member of your immediate family on the Board of Directors of any entity [including a non-profit or not for profit corporation] that does business with Kenosha County?

YES NO

If yes, please identify the entity, the business that is associated with Kenosha County, the dollar amount of the business, whether the entity is for profit, non-profit or not-for-profit.

6 To the best of your knowledge, do you, your spouse or any member of your immediate family own stock or have any equity in any local [ie., Kenosha County] entity doing business with Kenosha County? If yes, with who and what is the value?

YES NO

If yes, please explain.

7 To the best of your knowledge, have you, your spouse or any member of your immediate family received any thing of value as defined in this Code from any party doing business with Kenosha County or regulated by Kenosha County?

YES NO

If yes, please explain.

8 To the best of your knowledge, have you reported all campaign contributions as required by Federal and State law?

YES NO

If not, please explain.

9 To the best of your knowledge, do you or your spouse, member of your immediate family, business associates own any real property that is regulated by Kenosha County land use, health or cabaret etc regulations? Have you or your spouse been compensated or expect to be compensated for advocating on behalf of anyone, including clients, for the purpose of obtaining for them a permit or privilege or eligibility for anything of value from Kenosha County or a settlement of a claim or disposition of a criminal or municipal ordinance violation?

YES NO

If yes, please explain who or what is regulated and how, and who you advocated for and how.

10 To the best of your knowledge, do you or your spouse or any member of your immediate family have any claim against Kenosha County?

YES NO

If yes, please explain.

11 Are any delinquent taxes owed by you, your spouse or member of your immediate family to any federal, state or local gov?

YES NO

If yes, please explain to whom, how much and how long the taxes have been delinquent.

12 To the best of your knowledge, do you have any unpaid judgments?

YES NO

If yes, please explain to whom and how much.

Executed this _____ day of _____. 20__

This document must be signed AND SWORN TO before a notary.

SUBMITTED BY:

Legislative Committee	Finance Committee	Administrative Committee
Jim Huff	John O'Day	David Singer
Terry Rose	Mark Molinaro, Jr.	Fred Ekornaas
William Michel, II	David Singer	Joseph Clark
Bob Haas	Mark Modory	
Dayvin Hallmon	Jeff Gentz	

It was moved by Supervisor Molinaro to suspend the rules regarding the first reading on Ordinances 32 and 33 so action can be taken immediately on both. Seconded by Supervisor Rose.

Roll call vote.

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

Nays: Supervisors Zerban, Nudo, Noble, Roger Johnson, Elverman.

Ayes: 18. Nays: 5.

Motion carried.

It was moved by Supervisor Huff to adopt Ordinance 32. Seconded by Supervisor O'Day.

It was moved by Supervisor Elverman to amend Ordinance 32 by removing the words "and the amount of the debt" from question 4 of the Statement of Economic Interest and Financial Disclosure. Seconded by Supervisor Molinaro.

Roll call vote.

Ayes: Supervisors Grady, Zerban, Kessler, Huff, Kubicki, Gentz, Modory, Michel, O'Day, Nudo, Molinaro, Morton, Clark, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Hallmon, Ronald Johnson, Singer, Noble, Rose.

Ayes: 18. Nays: 5.

Motion carried.

Roll call vote on Ordinance 32 as amended passed unanimously.

ORDINANCE 33

33. From the Administrative, Finance and Legislative Committees an Ordinance to Create Chapter 20 of the Municipal Code of Kenosha County Entitled "Code of Ethics for Officials and Employees."

The Kenosha County Board of Supervisors does hereby ordain that Chapter 20 of the Municipal Code of Kenosha County be, and hereby is, created to read as follows:

CHAPTER 20 - ETHICS CODE FOR OFFICIALS AND EMPLOYEES

20.01-1 TITLE

This code shall be known as, referred to, or cited as the Kenosha County Code of Ethics for Officials and Employees.

20.02-1 DECLARATION OF POLICY

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policies be made in proper channels of the government structure; that public office and employment not be used for improper personal gain; and that the public have confidence in the integrity of its government. The County Board believes that a code of ethics for the guidance of County officials and employees will help them avoid conflicts which are substantial and material between their personal interests and their public responsibilities. In recognition of these goals, there is hereby established a Code of Ethics for Kenosha County officials and employees. Except as hereinafter provided it is intended that this code shall apply to all persons whose functions require the exercise of discretion and judgment including all County government officials elected by ballot in Kenosha County and members of

boards and commissions or committees which are considered part of Kenosha County government. Specifically exempt from the provisions of this ordinance are the Kenosha County Board of Supervisors and the following State employees who are governed by separate codes of ethics: Circuit Court Judges, the District Attorney and Assistant District Attorneys. Nothing herein contained is intended to deny to any individual, rights granted by the United States Constitution, the Constitution of the State of Wisconsin, the laws of the State of Wisconsin.

20.03-1 RESPONSIBILITY OF PUBLIC OFFICE

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of Wisconsin and to carry out impartially the laws of the nation, state and county, and to observe in their official acts the highest standards of ethics and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in their official actions is to be above reproach so as to foster respect for all government.

All current employees and job applicants and any individual applying for membership on a County board or commission shall be given notice of the fact that they will be subject to the provisions of this Code of Ethics, any financial disclosure requirements that they will be subject to and the need to reveal any potential or actual conflict of interests.

20.04-1 STANDARDS OF CONDUCT

(1) Public Trust. The county board hereby reaffirms that a county public official or employee holds his or her position as a public trust, and any effort to realize an improper personal gain through official conduct is a violation of that trust. Except as may be provided for herein, this section does not prevent any county public employee or official from accepting other employment or following any pursuit which in no way interferes with the faithful discharge of his or her duties to this county. The county board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as county public officials employees retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for county public officials and employees need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that county public officials and employees may need to engage in employment, professional or business activities, other than official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with the specific provisions of this section.

(2) Use of Public Property. No official or employee shall request or permit the use of county services or manpower or of county-owned vehicles, equipment, materials or property for non-official purposes or personal profit unless authorized or unless in accordance with County policy.

(3) Obligations to Citizens. All persons shall be treated fairly and impartially and without discrimination in accordance with the federal and state constitution and laws. In exercising a ministerial duty, no official or employee shall grant any special consideration, treatment, or advantage for themselves or any citizen beyond that which is available to every other citizen. Nor shall any official or employee hinder or obstruct the efforts of any citizen to acquire or exercise rights duly afforded him or her.

(4) Special Conflicts and Standards of Conduct Enumerated. Conflicts of interest prohibited under this section and expected standards of conduct by

county employees and officials include:

(a) Incompatible Employment. No official or employee shall engage in or accept private employment or render services for compensation for a private interest when such employment or service is consistently incompatible with the proper discharge of official duties or would impair the independence or judgment or action in the performance of official duties or would lessen the time to perform such duties. Disclosure of all outside employment must be made to an immediate supervisor regarding the nature and extent of the outside employment prior to accepting such employment. Where employment is not consistently or inherently incompatible, the employee must avoid all county involvement in any matter where a conflict or appearance of a conflict or impropriety may arise.

(b) Disclosure of Confidential Information. No County Board Supervisor shall, without proper legal authorization from the County Board or pursuant to a Court order or Court-approved subpoena, disclose legally confidential information as defined in this ordinance gathered in the course of his or her duties concerning the affairs of the county or of a citizen, nor shall he or she use such information to advance the financial or personal interest of himself or others. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest as determined by a test balancing the right of the public to know versus the right of individual or governmental privacy, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

(c) Representing Private Interests Before County Agencies or Courts. No official or employee shall represent as an advocate any private interests, other than himself, his spouse or his children, before any county agency or department; nor shall, except as hereinafter provided, any official or employee who is admitted to practice law in the State of Wisconsin represent as an advocate any private interests other than himself, his spouse or children, in any proceeding adverse to the county in any county court without prior County authorization.

(d) Gifts, Favors, Raffles and Door Prizes. No person or organization may offer or give to a county public official or employee, directly or indirectly, and no county public official or employee may solicit or accept from any person or organization, directly or indirectly, anything of value as herein defined if it could reasonably be expected to influence such county public official's or employee's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such county public official or employee. Non-monetary gratuities, such as but not limited to food or flowers given by members of the public at holidays or on special occasions may not exceed \$25 in total value annually [or as this amount may be amended from time to time by the Internal Revenue Service] and may be accepted only when made available to an entire department and not an individual official or employee. This provision does not apply to monetary donations to Kenosha County which are accepted by the County Board or donations to Brookside Care Center or its "Sunshine Fund" which are accepted by either the County Board or the Brookside Trustees.

Officials and employees attending an event at the expense of the County must reimburse the County the value of any raffle or door prize obtained at that particular event unless its value is diminimus or unless it is donated to or used solely for County purposes.

(e) Insider Advantage. No county public official or employee may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization, if the information has not been communicated to the public or is not public information.

(f) Reserved for Future Use

(g) Contracting. (Personal Gain). Except as otherwise provided by section 946.13 of the Wisconsin Statutes, no official or employee shall, in his private capacity, negotiate or bid for or enter into a contract in which he has a private pecuniary interest, direct or indirect, if at the time he is authorized or required by law to participate in his capacity as such officer or employee in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on his part, nor shall any official or employee, in his official capacity, participate in the making of a contract in which he has a private pecuniary interest, direct or indirect, or perform in regard to that contract some function requiring the exercise of discretion on his part. A violation of section 946.13 of the Wisconsin Statutes, shall also constitute a violation of this code.

A County official or employee or a member of the official's or employee's immediate family, as defined in this ordinance, may not contract with the County.

(h) Consulting. Except as otherwise may be expected as part of an official's or employee's job description and in the normal course of employment by Kenosha County, no official or employee is to serve as a consultant to or, except as hereinafter provided, serve as a member of the Board of Directors of any entity or corporation doing business either as a contractor or sub-contractor or otherwise with, or seeking to do business with, Kenosha County, subject to exemptions in the Wisconsin State Statutes. This provision shall not apply to officials or employees serving on a Board of Directors where such service has been required and approved by the County Executive or County Board or in cases where the Corporation Counsel's Office has reviewed such membership and found no conflict of interest.

(i) Business Associates and Clientele. No county official or employee shall render service to or make any decision concerning or involving any former, present or known future business associate or client without first revealing in writing to his or her immediate superior the nature and the extent of the relationship. This provision, however, shall not be applied in the case of a legally recognized privilege, such as in the case of an attorney-client or doctor-patient relationship.

(j) Issuance of Permits. No county official or employee empowered to issue a discretionary permit under either the state or local laws or regulations shall issue any such permit to himself or herself or to any member of that individual's immediate family without first revealing in writing the request for such permit to that individual's immediate superior who shall then assign another official or employee to process such permit.

(k) Material Conflict of Interest. No county employee shall engage in any material conflict of interest as defined in section 20.06-1(3).

(l) Personal Services. No employee shall be required to perform any private work or private or personal service for any other county employee or official or make a contribution to any other such employee or official of Kenosha County.

(m) Falsifying Claims or Records. No county employee or official shall intentionally engage in submitting any falsified claim including time cards or in preparing or presenting any false information or record or misrepresentation, either oral or written, in the course of any work falling within the scope of their employment. Time cards for non-represented or exempt employees, however, shall be submitted in compliance with Federal FLSA guidelines.

(n) Misuse or Misappropriation of County Property or Funds. No county official or employee shall misuse or misappropriate any county funds or property including, but not limited to, the use of County copiers, computers, or cell or land-based phones for personal use on County time. The County

maintains the right to access, monitor and review the use of such equipment and recognizes no claim of confidentiality regarding the use of such County equipment. No County property, facility or personnel on County time may be used to repair or maintain an official's or employee's personal property.

(o) Notification of Conflicts. No county official or employee shall willfully fail to disclose to his or her immediate superior any conflict of interest involving another county employee or official.

(p) Nepotism. No county official or employee shall be the direct supervisor of any relative or in-law relative or member of the official's or employee's immediate family as defined herein. Where a supervisory relationship is created while two such related officials or employees are employed in the same department or division, the County shall make every effort to transfer one of the officials or employees as soon as practical. In cases of a conflict with Kenosha's Fair Hiring Policy, this ordinance shall apply.

(q) State Standards of Conduct for Municipal Employees. Those standards incorporated in Wisconsin Statutes § 19.59 for municipal officials and employees are incorporated herein by reference as if fully set forth. In case of a conflict between the State standards and this Code, the more restrictive standard shall apply.

20.05-1 COMPLIANCE WITH STATE STATUTES

(1) The following sections of the Wisconsin Statutes as they may be amended or re-numbered from time to time are hereby incorporated by reference and made a part of this Code of Ethics:

- (a) Section 19.01---Oaths and Bonds.
 - (b) Section 19.21---Custody and Delivery of Official Property and Records.
 - (c) Section 19.31 through 19.39---Public Records.
 - (d) Section 19.59 - Code of Ethics for Local Government Officials, Employees and Candidates
 - (e) Section 19.81 through 19.89---Open Meeting of Governmental Bodies.
 - (f) Section 946.12---Misconduct in Public Office.
 - (g) Section 946.13---Private Interest in Public Contract Prohibited.
 - (h) Any provision of Chapter 17 of the Wisconsin Statutes justifying removal of an official or employee for cause.
- (2) Officials and employees shall comply with the provisions of these enumerated sections of the Wisconsin Statutes and failure to so comply shall, in addition, constitute a breach of this Code of Ethics.
- (3) Attorneys employed by Kenosha County are required to comply with all aspects of the Wisconsin State Bar Code of Ethics and any breach of the State Bar Code of Ethics shall constitute a breach of this Ethics Code.

20.06-1 ACTION UPON CONFLICT

(1) Any county public official or employee who, in the discharge of his or her official duties, is involved or about to be involved in any matter that could result in a violation or the reasonable perception of a violation of this code or a material conflict of interest or reasonable perception of such conflict on his or her part shall:

- (a) Prepare a written statement describing such matter and the nature of the possible conflict of interests; and
- (b) Deliver copies of the statement to his or her immediate supervisor or the county executive.

(c) Take no further action in regard to such matter except as hereinafter set forth.

(2) If the county public official or employee is not a department or division head, such person's supervisor shall assign the matter to another employee, who does not have a possible conflict of interest, or contract with outside sources to complete the matter. If the official or employee is a department or division head, he or she shall be guided by written advice from the Corporation Counsel in regard to the matter. The Corporation Counsel shall review the written statement submitted by such official or employee who has no

immediate superior, and on the basis thereof and such further investigation of the matter as he deems advisable, shall as promptly as practicable advise such person in writing as to the course of action he or she should follow in regard to the matter. The provisions of this code concerning advisory opinions of the Corporation Counsel apply to advice given under this paragraph.

(3) Notwithstanding any other provision to the contrary in the Municipal Code of Kenosha County, the Corporation Counsel's Office is authorized to issue an ethics / conflict of interests opinion to any County official or employee and at the request of such official or employee shall keep the matter confidential as it pertains to that individual and request. In situations where guidance is sought on prospective conduct and the official making the request supervises the Corporation Counsel or is authorized to vote on the annual budget of the Corporation Counsel's Office, the Corporation Counsel may issue an advisory opinion or refer the matter to either the Attorney General, the State Ethics Board, the Kenosha District Attorney or outside counsel. In situations where an opinion is sought pertaining to some act or omission that has occurred, the Corporation Counsel shall refer the request to outside counsel.

(4) No official or employee shall be disciplined for seeking an ethics or conflict of interest opinion or for reporting any violation of County ethics ordinances or policies. Failure to report such a violation as required by this ordinance may, however, be grounds for discipline.

(5) A material conflict of interest on the part of a County official or employee is deemed to exist within the meaning of this section in regard to a matter in which he or she is involved, or is about to be involved, in the discharge of his or her official duties, whenever the County Board Supervisor utilizes and exploits his or her official capacity in such a way as to obtain a personal financial benefit for himself or herself or his or her immediate family or an organization with which he or she is associated.

(6) In cases where an official or employee is aware that a violation has occurred, the matter shall be reported to and reviewed by the Corporation Counsel's Office and reported by that Office to the Kenosha County Executive, the immediate supervisor of an employee, and to the employee, and if the situation warrants to the, the Kenosha County Sheriff's Department and the Office of the Kenosha County District Attorney. When, in the opinion of the Corporation Counsel's Office there is a finding of probable cause that a violation of this ordinance has occurred, he may issue a warning or citation for violation of this ordinance and in cases involving a value of more than \$500, he shall refer the matter to the District Attorney.

20.07-1 EXCEPTIONS

(1) Fees and Honorariums.

(a) In order to achieve the broadest possible public discussion and understanding of county government, the legislative process and the specific policy issues and proposals pending before the legislature, every county public official and employee is encouraged to meet with clubs, conventions, special interest groups, political groups, school groups and other gatherings to discuss and to interpret these topics.

(b) Notwithstanding any provisions of this code, reasonable compensation for any such activity or for any published work or creation of any product or matter qualifying as intellectual property and reimbursement of actual and necessary expenses incurred in connection therewith may be accepted by a county public official or employee, but if such activity, product or published work or intellectual property that is created is accomplished by an official or employee with the use of the county time or of its facilities, services or supplies not generally available to all citizens of this county in the course of his or her official duties, the official or employee may not retain such compensation or reimbursement of expenses but shall deposit it with the county treasurer and the activity, product, published work or intellectual property created shall be deemed to be the property of Kenosha County and any

copyright, trademark or patent obtained by such individual shall be transferred without compensation to Kenosha County.

(2) Reimbursements. Nothing in this section prevents or limits reimbursement by the county of actual and reasonable expenses incurred by a county public official or employee in the performance of official duties.

(3) Use of Certain Vehicles. Notwithstanding any provision of this code, it is recognized that it is in the public interest to make immediate transportation available to certain public officials for use in emergencies or other circumstances approved by the County Board. For this purpose, motor vehicles may be provided to those employees assigned a vehicle through the annual budget process or by Executive Order.

Employees assigned a county vehicle shall use that vehicle only in compliance with administrative use and reporting directives issued by the Finance Division [Appendix 2 as amended from time to time by the Finance Department].

Personal use of a vehicle is restricted to commuting as defined by Kenosha County Fiscal Procedures unless otherwise directed by the County Board.

(4) Reward Points and Frequent Flyer Miles

Nothing contained in this Ordinance shall preclude an official or employee from obtaining credit card reward points or frequent flyer miles where the initial payment, prior to County reimbursement, was paid for by the official or employee.

20.08-1 Campaign Activity

(1) Nothing contained herein shall be construed as prohibiting anyone employed by Kenosha County from voluntarily endorsing or contributing to a candidate or working on their behalf outside of County facilities or on their personal time. Furthermore, nothing contained herein shall be construed as prohibiting anyone employed by Kenosha County from making their support known by way of a displaying campaign button or vehicle signage.

(2) It is prohibited to require current employees of Kenosha County to campaign on behalf of elected officials as a condition of maintaining continued employment with Kenosha County.

(3) Campaign solicitation on County property or in violation of work rules is prohibited, provided, however, that photographs of or on County common areas are permitted.

(4) Use of County property for campaign purposes is prohibited

20.09-1 Financial / Personal Legislative Interest Disclosure

With the exception of Judges and other State employees, the Financial / Interest Disclosure Form set forth in Appendix 1 shall be completed annually by all elected County officials and candidates for such office, members of all County Boards and Commissions and nominees for appointment to such Boards and Commissions, all Department and Division heads and first assistants or first deputies. Except as hereinafter provided, the Disclosure form shall be filed with the Kenosha County Clerk as a public record prior to January 7 of each year. In case of a person holding or seeking elective office, the form shall be so filed prior to the end of business on the last day for filing nomination papers for an election. In non-election years the form shall be filed with the County Clerk prior to January 7.

20.10-1 Post County Employment Conflicts

Officials or employees of Kenosha County who have voted on the awarding of a contract with a particular contractor, provider or vendor or who have had input into such award may not accept employment with such contractor, provider or vendor or their sub-contractors for a period of one year after termination of their term of office or termination of employment with Kenosha County. Except as may be allowed by the County Board Administration Committee and the County Executive, no contractor, provider or vendor or their sub-contractor may make an offer of employment to such official or employee or any member of their immediate family within one year after the

commencement of their contract with Kenosha County.

20.11-1 PENALTY

In addition to any disciplinary action that may be taken by Kenosha County, up to an including termination of employment, any employee or official found by a court of competent jurisdiction to have violated any provision of this code shall be subject to a fine of not less than \$ 100 nor more than \$1000 for each violation and may be required to reimburse the County for any costs, including attorney fees and for direct damages. Violations shall be prosecuted by the District Attorney's Office

Any action taken on behalf of Kenosha County and found to be in violation of this code may be reconsidered by the Kenosha County Board of Supervisors and deemed void. Any party found to have violated County ethics ordinances or policies may be debarred from doing business with Kenosha County for a period not to exceed five years.

In addition to any penalty imposed in this section, any official, or employee failing to file a disclosure form as required by this code shall forfeit any and all compensation to which the official or employee is entitled until such time as the required disclosure statement is received and filed by the County Clerk. The County Clerk shall accept nomination papers in cases where the candidate has not filed a financial disclosure statement as required herein, however, any candidate who fails to timely file a disclosure statement as required herein shall not have his or her name placed on the ballot.

20.12-1 EFFECTIVE DATE

This code shall take effect upon publication.

20.13-1 SEVERABILITY

If any provision of this code is found by a court of competent jurisdiction to be invalid or unconstitutional, or if the application of this code to any person or circumstances is found by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this code which can be given effect without the invalid or unconstitutional provision or application.

20.14-1 DEFINITIONS

In this code, and for purposes of this code only:

(1) "Anything of Value" means any of the following items [either alone or in combination] whose value in a calendar year from any one person or entity is in excess of \$25 or as this amount may be amended from time to time by the Internal Revenue Service: money, gift card, credit card reward points, frequent flyer miles, or property, favor, service, gift, loan payment, subscription, advance forbearance, lodging, food or drink, travel, recreational or entertainment expense, thing or promise of future reward or employment that could reasonably be expected to influence such County Board Supervisor's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of such county public official, BUT DOES NOT INCLUDE compensation and expenses paid by the county, speaking fees, honorariums [except as may be otherwise allowed by this Ordinance] and expenses, political contributions which are properly reported, tips for food service normally given to waiters and waitresses or for customary services provided at County golf facilities, unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal value or hospitality extended for a nonbusiness purpose or used for County purposes.

(2) "Associated", when used with reference to an organization, includes any organization in which a person or member of his or her immediate family is an employee, director, officer or trustee or owner or controls, directly or indirectly and severally or in the aggregate at least 10% of the outstanding equity.

(3) "Employee" means all persons filling an allocated position of county employment or any volunteer with the exception, however, that "employee" does

not include judges but does include court commissioners.

(4) "Financial Interest" shall mean any interest that will yield directly or indirectly a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the official or employees or any member of the immediate family of said official or employee, except as permitted by section 946.13 of the Wisconsin Statutes.

(5) "Gift" means the payment or receipt of anything of value without valuable and sufficient consideration.

(6) "Personal Interest" shall mean any interest arising from a blood or marriage relationship.

(7) "Immediate Family" means either a wife, husband, or any other person, including a domestic partner, who is a member of the immediate household or receives more than 50% of their support from such employee or official.

(8) "Income" has the meaning given under the federal internal revenue code.

(9) "Ministerial Action" means an action that a person performs in a given set of facts in a prescribed manner in obedience to the mandate of legal authority without regard to the exercise of the persons own judgment as to the propriety of the action being taken.

(10) "Non-official Purpose" means unrelated to county business but does not include assistance to a non-profit entity.

(10) "Official" or "County Public Official" shall mean any person holding an elected or appointed county office, but not elected Judges.

(11) "Person" shall mean any natural person, corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, trust or other legal entity recognized as such by the laws of the State of Wisconsin.

(12) "Privileged Information" or "Confidential Information" or "Legally Confidential Information" is information recognized by State or Federal law as being entitled to confidentiality or privilege or matters that may be legally considered in closed session pursuant to the Wisconsin Open Meetings law or written or oral material related to county government which has not become a part of the body of public information and which is designated by statute, court decision, lawful orders or custom as being either privileged or confidential. Nothing contained herein shall be construed to be a violation of this Code if the information communicated is in the public interest, not the subject of pending litigation and relates to a violation of law, mismanagement of County funds, or neglect of duty.

(13) "Security" has the meaning given in section 20.42(12) of the Wisconsin Statutes.

20.15-1 Reference

This Ordinance may be referred to as the Kenosha County Ethics Code for Officials and Employees.

**APPENDIX 1 STATEMENT OF ECONOMIC INTEREST
AND FINANCIAL DISCLOSURE**

DUE DATE:

Disclosure form shall be filed with the Kenosha County Clerk as a public record prior to January 7 of each year. In case of a person holding or seeking elective office, the form shall be so filed prior to the end of business on the last day for filing nomination papers for an election. In non-election years the form shall be filed with the County Clerk prior to January 7.

RETURN TO: Kenosha County Clerk Kenosha County Administration Building, 1010 - 56th Street, Kenosha WI 53140. Provide additional information and explanations as required. If the answer to any question is "yes" please explain below with specificity.

**THESE QUESTIONS SHOULD BE ANSWERED
TO THE BEST OF YOUR KNOWLEDGE.**

Definitions are found in Section 20.14(1) of the Municipal Code of Kenosha County.

"Immediate Family" means either a wife, husband, or any other person, including a domestic partner, who is a member of the immediate household or receives more than 50% of their support from such employee or official.

1 Are you or your spouse related to any Kenosha County employee?

YES NO

If yes, please explain to whom, what the relationship is and where that employee works.

2 To the best of your knowledge, does your or your spouse's employer or the employer of a member of your immediate family do business with Kenosha County?

YES NO

If yes, please explain who the employer is, the nature of the business, the dollar amount of the business and whether the business is continuous

3 To the best of your knowledge, is your or your spouse's employer or the employer of any member of your immediate family regulated by Kenosha County [for example, by zoning, health, cabaret etc regulations or licensing]?

YES NO

If yes, please explain who the employer is and the nature of the regulation.

4 To the best of your knowledge, do you know of any debt incurred by you, your spouse or member of your immediate family that is owed to any entity doing business with Kenosha County or is regulated by Kenosha County?

YES NO

If yes, please explain who the entity is.

5 To the best of your knowledge, are you, your spouse or any member of your immediate family on the Board of Directors of any entity [including a non-profit or not for profit corporation] that does business with Kenosha County?

YES NO

If yes, please identify the entity, the business that is associated with Kenosha County, the dollar amount of the business, whether the entity is for profit, non-profit or not-for-profit.

6 To the best of your knowledge, do you, your spouse or any member of your immediate family own stock or have any equity in any local [ie., Kenosha County] entity doing business with Kenosha County? If yes, with who and what is the value?

YES NO

If yes, please explain.

7 To the best of your knowledge, have you, your spouse or any member of your immediate family received any thing of value as defined in this Code from any party doing business with Kenosha County or regulated by Kenosha County?

YES NO

If yes, please explain

8 To the best of your knowledge, have you reported all campaign contributions as required by Federal and State law?

YES NO

If not, please explain

9 To the best of your knowledge, do you or your spouse, member of your immediate family, business associates own any real property that is regulated by Kenosha County land use, health or cabaret etc regulations? Have you or your spouse been compensated or expect to be compensated for advocating on behalf of anyone, including clients, for the purpose of obtaining for them a permit or privilege or eligibility for anything of value from Kenosha County or a settlement of a claim or disposition of a criminal or municipal ordinance violation?

YES NO

If yes, please explain who or what is regulated and how, and who you advocated for and how.

10 To the best of your knowledge, do you or your spouse or any member of your immediate family have any claim against Kenosha County?

YES NO

If yes, please explain.

11 Are any delinquent taxes owed by you, your spouse or member of your immediate family to any federal, state or local gov?

YES NO

If yes, please explain to whom, how much and how long the taxes have been delinquent.

12 To the best of your knowledge, do you have any unpaid judgments?

YES NO

If yes, please explain to whom and how much.

Executed this _____ day of _____. 20__

This document must be signed AND SWORN TO before a notary.

SUBMITTED BY:

Legislative Committee	Finance Committee	Administrative Committee
Jim Huff	John O'Day	David Singer
Terry Rose	Mark Molinaro, Jr.	Fred Ekornaas
William Michel, II	David Singer	Joseph Clark
Bob Haas	Mark Modory	
Dayvin Hallmon	Jeff Gentz	

It was moved by Supervisor Huff to adopt Ordinance 33. Seconded by Supervisor O'Day.

It was moved by Supervisor Huff to amend Ordinance 33 by removing "and the amount of the debt" from question 4 of the Statement of Economic Interest and Financial Disclosure. Seconded by Supervisor Molinaro.

Roll call vote.

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

Nays: Supervisor Rose.

Ayes: 22. Nays: 1

Motion carried.

Roll call vote on Ordinance 33 as amended passed unanimously.

OLD BUSINESS

Ordinance - second reading two required.

ORDINANCE 29

29. From the Legislative Committee an Ordinance to Repeal and to Recreate Chapter 11 of the Municipal Code of Kenosha County as Chapter 21 of the Municipal Code of Kenosha County.

The Kenosha County Board of Supervisors does hereby ordain that Chapter 11 of the Municipal Code of Kenosha County be, and hereby is repealed and recreated as Chapter 21 of the Municipal Code of Kenosha County and to read as follows:

CHAPTER 21

KENOSHA COUNTY

FAIR HOUSING ORDINANCE

A. PRELIMINARY CONSIDERATIONS

21.01-1 AUTHORITY

This ordinance is adopted under the authority granted to the County by sections 101.22, 66.432 and 66.433 of the Wisconsin Statutes, as amended. The County Board of Supervisors of the County of Kenosha do ordain as follows:

21.01-2 PURPOSE

It is the purpose of this ordinance to endorse and recognize the concepts of fair housing for all persons in order to promote the health, safety, human rights, prosperity and general welfare of the people of Kenosha County, Wisconsin.

21.01-3 INTENT

The intent of this ordinance is to prevent and prohibit unlawful discrimination in housing and to provide that all persons shall have an equal opportunity for

housing regardless of sex, race, color, sexual orientation as defined in section 111.32(13m) of the Wisconsin Statutes, handicap, religion, national origin, marital status of the person maintaining a household, lawful source of income, age or ancestry.

21.01-4 TITLE

This ordinance shall be known as, referred to, and cited as, "Chapter 21, Fair Housing Ordinance of the Municipal Code of Kenosha County, Wisconsin".

B. INTERPRETATION

21.02-1 INTERPRETATION

It is the intent that this ordinance be interpreted by courts consistently with section 101.22 of the Wisconsin Statutes as amended from time to time, and that it be liberally construed to give full effect to its intent. This ordinance shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

21.02-2 SEVERABILITY

If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

21.02-3 REPEAL

All other ordinances or parts of ordinances of the county inconsistent or conflicting with this ordinance, to the extent of the conflict or inconsistency only, are hereby repealed.

C. STATE LAW ADOPTED

21.03 - 101.22(1) to 21.03 - 101.22(7).

The statutory provisions dealing with Equal Rights found in section 101.22 of the Wisconsin Statutes, as amended from time to time, referred to in this ordinance by prefix 21.03-101.22 and listed below are hereby adopted by reference and made part of this ordinance as if fully set forth herein. Any act prohibited by said section 101.22 is prohibited by this ordinance.

21.03 - 101.22(1) Intent.

21.03 - 101.22(1m) Definitions.

21.03 - 101.22(2) Discrimination Prohibited.

21.03 - 101.22(2g) Exceptions.

21.03 - 101.22(2m) Representations to Induce Panic Sales.

21.03 - 101.22(2p) Animals Assisting the Handicapped.

21.03 - 101.22(4m) Interference, Coercion or Intimidation.

21.03 - 101.22(4n) Requiring References.

21.03 - 101.22(7) Private Civil Actions.

D. PENALTY

21.04-1 PENALTY

(a) Any person who willfully violates this section or any lawful order issued under this section shall, for the first violation, forfeit not less than \$100 nor more than \$1,000 or upon a failure to pay the forfeiture imposed, may be imprisoned in the county jail for not more than 30 days.

(b) Any person adjudged to have violated this section within five years after having been adjudged to have violated this section, for every violation committed within the five years, shall forfeit not less than \$1,000 nor more than \$10,000, or upon failure to pay the forfeiture imposed, may be imprisoned in the county jail for not more than 60 days.

E. ENFORCEMENT

21.05-1 Complaints under this ordinance shall be forwarded to the District Attorney for prosecution. This chapter shall be enforced according to provisions contained in section 66.12 of the Wisconsin Statutes.

SUBMITTED BY:

Legislative Committee

James Huff

Terry Rose

William Michel, II

Bob Haas
Dayvin Hallmon

It was moved by Supervisor Huff to adopt Ordinance 29. Seconded by Supervisor Michel.
Motion carried.

ORDINANCE 28

28. From the Land Use Committee an Ordinance to Create Chapter 11 of the Municipal Code of Kenosha County Pertaining to Comprehensive Planning.
The Kenosha County Board of Supervisors does hereby ordain that Chapter 11 of the Municipal Code of Kenosha County be, and hereby is created and to read as follows:

11.01-1 Comprehensive Plan

The Kenosha County Board of Supervisors, pursuant to Wisconsin Statutes Section 59.62(2) and (3) and the recommendation of the Kenosha County Board Land Use Committee Resolution approved March 17, 2010 (see Appendix 1) adopts as a Comprehensive Land Use Plan the document entitled "Southeastern Wisconsin Regional Planning Commission/SEWRPC Community Assistance Planning Report No. 299, a Multi-Jurisdictional Comprehensive Plan for Kenosha County:2035" consistent with and addressing the requirements of Wisconsin Statutes Section 66.1001.

11.01-2 Consistency

All actions referenced in Wisconsin Statutes Section 66.1001(3), including but not limited to, official mapping, County subdivision regulations, zoning ordinances and shoreland and wetland zoning, shall be consistent with the aforementioned Plan.

11.01-3 Implementation

The aforementioned Plan and amendments thereto shall be implemented in accordance with Chapter XV of said Plan and the procedures therein provided.

11.01-4 Incorporation, Availability and Publication

The Plan designated in Section 11.01-1 and any future amendments thereto is incorporated herein as if fully set forth and shall be made available for inspection by the general public at the Office of the County Clerk and for purchase by the general public at the Office of Planning and Development. The aforementioned Plan and amendments thereto shall also be posted on the County web site.

Due to the length of the aforementioned Plan, this ordinance shall be published in accordance with the provisions of Wisconsin Statutes Section 66.0103. A copy of this portion of the Municipal Code of Kenosha County shall be made available for public inspection not less than 2 weeks before it is enacted and notice of such availability for public inspection shall be published in accordance with State statutory requirements.

11.01-5 Effective Date

This Ordinance and Plan shall become effective upon passage by the Kenosha County Board of Supervisors and publication as provided by law.

SUBMITTED BY:

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

It was moved by Supervisor Ekornaas to adopt Ordinance 28. Seconded by Supervisor Breunig.

Roll call vote passed unanimously.

CLAIMS

34. Richard Joseph Beltoya III - broken cellphone.

Chairman Clark referred Claim 34 to Corporation Counsel.

It was moved by Supervisor Elverman to approve the April 7, 2010 minutes. Seconded by Supervisor Rose.

Motion carried.

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

Motion carried.

Meeting adjourned at 9:09 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
April 20, 2010**

The **Organizational** Meeting was called to order by Chairman Clark at 9:20 p.m., in the County Board Room located in the Administration Building. Roll call was taken.

Present: Supervisors Grady, Zerban, Rose, Goebel, Celebre, Kubicki, Hallmon, Grulich, J. Gentz, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, G. Gentz, Esposito, Clark, Noble, Underhill, Decker, Breunig, Haas, Elverman, Ekornaas.
Present: 28.

County Clerk Mary T. Schuch-Krebs gave the Oath of Office to all County Board Supervisors.

It was moved by Supervisor Noble to nominate Supervisor Clark as the temporary Chairperson. Seconded by Supervisor R. Frederick.
Motion carried.

NOMINATION OF CHAIRPERSON AND VICE-CHAIR

It was moved by Supervisor Zerban to nominate Supervisor Singer as the next Chairperson of the County Board. Seconded by Supervisor R. Frederick.

It was moved by Supervisor Noble to nominate Supervisor Molinaro as the next Chairperson of the County Board. Seconded by Supervisor Ekornaas.

Ballots were cast and counted. Supervisor Singer received 10 votes, Supervisor Molinaro received 18 votes.

Supervisor Molinaro is the new Chairman.

It was moved by Supervisor Rose to nominate Supervisor Kubicki as the next Vice-Chairperson of the County Board. Seconded by Supervisor Zerban.

It was moved by Supervisor Breunig to nominate Supervisor Ekornaas as the next Vice-Chairperson of the County Board. Seconded by Supervisor Clark.

Ballots were cast and counted. Supervisor Kubicki received 10 votes, Supervisor Ekornaas received 18 votes.

Supervisor Ekornaas is the new Vice-Chairman.

NEW BUSINESS

Ordinance - first reading, two required.

ORDINANCE 1

1. From Highway and Parks Committee to Create an Ordinance on Traffic Controls at the Intersection of County Trunk Highway "H" and 95th Street/Terwall Terrace.

COMMUNICATIONS

1. From the DOT - A Jurisdictional Offer for Access Rights to a Tax Deed Parcel Along I-94 Frontage Road.

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

Chairman Molinaro referred Communications 1 & 2 to Land Use.

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

Meeting adjourned at 9:55 p.m.

Prepared by: Edie LaMothe
Deputy Clerk
Submitted by: Mary Schuch-Krebs
County Clerk