

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
August 23, 2011**

The **Regular Meeting** was called to order by Chairman Molinaro at 7:30 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.

Excused: None.
Present: 28. Excused: 0.

At this time the County Executive and the County Board Chairman presented Judge Barbara Kluka with a Proclamation as she retires for her many years of service to Kenosha County serving as a Circuit Court Judge. Also receiving a Certificate of Recognition were the Cyclones 14 and Under Blue Team.

CITIZEN COMMENTS

David Buehn, 24607 67th St., an employee of the Highway Department spoke against the mandatory overtime in Policy Resolution 1. He stated they will always be here for the public and would like it removed.

Peter Ress, 558 11th Pl., requested the Cabaret License for Club Climax be denied. Among his reasons for the denial is noise and crowd disturbances for are residents. He feels the club doesn't meet the standards set forth in the Cabaret Ordinance regarding parking and lighting. The posted capacity for the club is 93 people and he believes there are only enough spaces for 16 cars. The club doesn't have good enough signage and witnessed many missed accidents because of people looking for the entrance.

Mark Montague, 7835 36th Ave, stated would like to see the standard work day hours remain 7a - 3:30p. He feels seniority is important. Last year his job was temporarily eliminated. Since his 23 years of seniority mattered at that time, he was able to bump into a different job. He has invited anyone on the board to show up on their job sites to see what they're up against. Supervisor Clark is the only one that has showed up. It is more efficient having assigned trucks. One reason is you know everything about the truck and can get on the road right away in the morning. The county has created a hostile work environment, not Act 10. They are going into their busiest season with a lot of questions. He stated there is still some money going out the back door in the golf operations; that's some serious business that needs to be taken care of. He would love to see the golf courses break even.

Danielle Palmer, 6016 33rd Ave., stated she is a manager at Club Climax and is here on behalf of her bosses Lisa Patterson and Angela Hale. She stated that items that were brought up about the parking lot are being addressed. They are looking into changing the name of Climax that is why they don't have a sign yet. If they were to have a big event they will rent out parking spaces from the hotel across the parkway.

David Hindenburg, 518 Fellows Rd. stated he works for the Highway Department. He has been in construction all his life operating heavy equipment. His fellow employees at the Highway Department are the most diverse group of people he has ever worked with. There are electricians, carpenters, arborists, masons, concrete finishers, heavy equipment operators, truck drivers; there isn't a thing that this Highway Department can't do for the public. When it comes to plowing snow, it is the most efficient group he has ever seen. He would put their safety record up against any county in the state. He does not think there is a need for mandatory overtime; call in rate is 80%. It is an asset to the taxpayers and the county that they have a good, efficient and dedicated group of people working for the Highway Department. Many of whom have given up Christmas with their families to assure the roads are safe for others. All they are asking for is what is fair; a work day they can count on and a job that they like to come to and to do a good job for the citizens of Kenosha County.

Nick Kasmer, 6517 94th Ave., thanked the Finance/Administration Committee for the ability to speak on behalf of the employees last week and for the amendments that were made to the policies. There are a few other amendments he would like the board to consider. He would like the wording for 2nd shift as "volunteers will be sought on the basis of seniority and employees will be forced on the basis of inverse of seniority." Another issue is seniority for lay-offs and bumping; years of service should count for something. The third change is regarding overtime. At the very least he would like to see 1 ½ for hours worked over 160 hours per pay period for corrections. For highway

he would like to see 1 ½ after 8 hours worked as well as 1 ½ for hours worked on weekends. Forth change is regarding the grievance procedure; he would like to see the full impartial hearing officer be applied to all disciplines. The last thing is the truck assignment for the highway based on seniority. He feels this is a safety issue and a smart issue.

Jim Dowell, 24020 77th St., explained when a highway employee is assigned a vehicle it doesn't mean when the employee is not working the vehicle sits idle. Those vehicles can go out and do often go out. The safety concern with someone being assigned to a vehicle is since they drive it a majority of the time, they are familiar with the things that are an issue and are not an issue with the vehicle. He also spoke about mandatory overtime. He would like the people who are so inconvenienced by dialing a few extra numbers show up with their evidence for wanting such a controlling rule. This is just an attempt to gain control over people's lives. A year and a half ago when all the budget cuts began; they were told by the higher ups that "we are all in this together." Apparently it must have meant in the same room together because none of their wages have been cut and the employees are the ones taking all the heat on this.

Dave Holtze, 4314 47th Ave., stated the Highway Department's product is safe passage and he would like to continue providing that to the county. The current working conditions are not contusive to that. There is no reason to knock seniority into the ground except to beat the tar out of the employees. He would like a little leadership and the opportunity to continue to value his job.

Sharon Schultz, PO Box 549, stated her husband is a Detention Center worker. She would like to board when voting on the policies on the agenda tonight to ask themselves, are these policies something that they would want to work with. It's hard enough to find good workers and it's even harder to keep workers in the jail.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Molinaro stated there was a meeting today to discuss the new information which came out of Washington in regards to the casino. The Green Ribbon Planning Committee for the KD park will be meeting to see some preliminary concepts from the consultant which was brought on to master plan the park. September 8th at 6:30 there will be a Legislative Round Table with our State Legislatures.

SUPERVISOR REPORTS

Supervisor G. Gentz stated the Kenosha County's Weight Watchers Group will be hosting a food drive to benefit the Shalom Center from August 30th thru September 30th.

Supervisor Michel reported the Judiciary and Law Committee met and approved two cabaret licenses and one activity control license. Although the Club Climax probationary cabaret license passed by a 6-1 margin he will be requesting Resolution 46 pulled from the agenda. He just received documentation and additional information from the Dept. Planning and Development regarding some violations that need to be addressed that the committee was unaware of.

Supervisor Clark reported on Finance/Administration Committee, Human Service is projecting a 1.2 million dollar surplus for the year. They received the 2nd quarter Brookside report; they are anticipating a \$42,000 surplus as of June 30th. We're looking good going into the 3rd quarter, however there is concerning news for the 4th quarter. The Federal Government has informed us that the Medicare rates are going to be reduced by approximately 11%. Joint Services is anticipating a 4.5 million dollar project that Kenosha County will have to pay half. There are questions if they need that scope of projects. They also received a report on the general fund. We finished 2010 at almost 7.7 million, currently this year it is anticipated to be an overall surplus and projecting to finish up at 8.4 million.

J. Gentz stated the Joint Services Board didn't meet due to a lack of a quorum but will meet again on September 13th.

Supervisor Michel requested Resolution 46 to be pulled from the agenda. Judiciary and Law Committee polled and agreed.

COUNTY BOARD CHAIRMAN APPOINTMENTS

1. William P. Michel, II to serve on the Joint Services Board.
2. Jeffrey A. Gentz to serve on the Joint Services Board.

COUNTY EXECUTIVE APPOINTMENTS

11. Patrice A. Hall to serve as the Kenosha County Medical Examiner.

Chairman Molinaro referred County Executive Appointment 11 to Human Services.

NEW BUSINESS

Ordinance - first reading, two required.

4. From the Executive Committee an Ordinance to repeal and recreate Section 2.05(4) of the Municipal Code of Kenosha County Committee Operations.
Ordinances - one reading.

ORDINANCE 5

5. From Planning, Development & Extension Education Committee regarding Comprehensive Plan Amendment, Planning, Development & Extension Education Committee, (Sponsor), requests approval of Draft Annual Report, "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads.

AN ORDINANCE TO AMEND CHAPTER 11 OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR
KENOSHA COUNTY: 2035

The Kenosha County Planning, Development & Extension Education Committee held a public hearing August 10, 2011, to review "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035;

The Planning, Development & Extension Education Committee, P.O. Box 520, Bristol, WI 53104 (Sponsor), requests approval of "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads.

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Daniel Esposito

Aaron Kohlmeier

Michael Underhill

Erin Decker

Dayvin Hallmon

Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 5. Seconded by Supervisor Esposito.

Motion carried.

ORDINANCE 6

6. From Planning, Development & Extension Education Committee regarding Proposed Comprehensive Plan Amendment, Town of Paris, 16607 Burlington Rd, Union Grove, WI 53182 (Sponsor), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 in the Town of Paris from Suburban-Density Residential to Business/Industrial Park.

AN ORDINANCE TO AMEND CHAPTER 11 OF THE MULTI-JURISDICTIONAL COMPREHENSIVE PLAN FOR
KENOSHA COUNTY: 2035

That part of Tax Parcels #:

- 45-4-221-131-0115, 45-4-221-131-0120, 45-4-221-131-0125, 45-4-221-131-0105, & 45-4-221-131-0100 located in the NE ¼ of Section 13, T2N, R21E. FYI - CTH E & 120th Ave.
- 45-4-221-134-0400, 45-4-221-134-0430, 45-4-221-134-0420, 45-4-221-134-0410 & 45-4-221-134-0405 located in the SE ¼ of Section 13, T2N, R21E. FYI - 120th Ave., N of STH 142.
- 45-4-221-251-0105, 45-4-221-244-0455, 45-4-221-244-0450, 45-4-221-244-0445, 45-4-221-244-0440, & 45-4-221-244-0430 located in the SE ¼ of Section 24, T2N, R21E. FYI - 120th Ave., S of STH 142.
- 45-4-221-254-0135 & 45-4-221-254-0140 located in the SE ¼ of Section 25, T2N, R21E. FYI - CTH N, W of 120th Ave.

located in the Town of Paris be changed from Suburban-Density Residential to Business/Industrial Park as presented in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 6. Seconded by Supervisor Kohlmeier.

Motion carried.

ORDINANCE 7

7. From Planning, Development & Extension Education Committee regarding Full Gospel First Church,(Owner) requests a rezoning from I-1Institutional Dist., A-2 General Agricultural Dist., & C-1 Lowland Resource Conservancy Dist. to I-1Institutional Dist., R-3 Urban Single-Family Residential Dist., A-2 General Agricultural Dist., C-1 Lowland Resource Conservancy Dist. & C-2 Upland Resource Conservancy Dist. 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 #67-4-120-353-0301 located in the SW ¼ of Section 35, T1N, R20E, Town of Salem, requests a rezoning from I-1Institutional Dist., A-2 General Agricultural Dist., & C-1 Lowland Resource Conservancy Dist. to I-1Institutional Dist., R-3 Urban Single-Family Residential Dist., A-2 General Agricultural Dist., C-1 Lowland Resource Conservancy Dist. & C-2 Upland Resource Conservancy District. For informational purposes only, this property is located on the west side of 240th Avenue at the intersection of 125th Street.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 7. Seconded by Supervisor Underhill.

Motion carried.

ORDINANCE 8

8. From Planning, Development & Extension Education Committee regarding Wayne H. Kaddatz,(Owner), Planning, Development & Extension Education Committee,(Sponsor), requests a rezoning from R-3 Suburban Single-Family Residential Dist. to R-7 Suburban Two-Family & Three-Family Residential Dist. in the Town of Wheatland.

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

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #95-4-119-061-0130 located in the NE ¼ of Section 6, T2N, R19E, Town of Wheatland, requests a rezoning from R-3 Suburban Single-Family Residential Dist. to R-7 Suburban Two-Family & Three-Family Residential District. For informational purposes only, this property is located on the southeast corner of 398th Avenue and 60th Street, Town of Wheatland.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill

Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 8. Seconded by Supervisor Decker.

Motion carried.

ORDINANCE 9

9. From Planning, Development & Extension Education Committee regarding Roger W & Ethel Seno, (Owner), Planning, Development & Extension Education Committee, (Sponsor), requests a rezoning from R-7 Suburban Two-Family & Three-Family Residential Dist. to R-3 Suburban Single-Family Residential Dist in the Town of Wheatland.

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

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #95-4-119-061-0140 located in the NE ¼ of Section 6, T2N, R19E, Town of Wheatland, requests a rezoning from R-7 Suburban Two-Family & Three-Family Residential Dist. to R-3 Suburban Single-Family Residential District. For informational purposes only, this property is located at the southeast corner of 398th Avenue and 60th Street.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 9. Seconded by Supervisor Hallmon.

Motion carried.

ORDINANCE 10

10. From Planning, Development & Extension Education Committee regarding Payne & Dolan, Inc, (Owner), requests a rezoning from M-2 Heavy Manufacturing Dist., B-3 Highway Business Dist., R-2 Suburban Single-Family Residential Dist., & C-1 Lowland Resource Conservancy Dist. to M-2 Heavy Manufacturing Dist., B-3 Highway Business Dist. & C-1 Lowland Resource Conservancy Dist. in the Town of Paris.

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

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #45-4-221-134-0400 located in the SE ¼ of Section 13, T2N, R21E, Town of Paris, requests a rezoning from M-2 Heavy Manufacturing Dist., B-3 Highway Business Dist., R-2 Suburban Single-Family Residential Dist., & C-1 Lowland Resource Conservancy Dist. to M-2 Heavy Manufacturing Dist., B-3 Highway Business Dist. & C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of 120th Avenue approximately 0.7 mile north of STH 142.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 10. Seconded by Supervisor Goebel.

Motion carried.

ORDINANCE 11

11. From Planning, Development & Extension Education Committee regarding Northern Alpine Group LLC, (Owner) requests a rezoning from A-2 General Agricultural Dist. to R-2

Suburban Single-Family Residential Dist., A-2 General Agricultural Dist., C-1 Lowland Resource Conservancy Dist., & C-2 Upland Resource Conservancy Dist. in the Town of Wheatland.

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

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcel #95-4-119-011-0100 located in the NE ¼ of Section 1, T2N, R19E, Town of Wheatland, requests a rezoning from A-2 General Agricultural Dist. to R-2 Suburban Single-Family Residential Dist., A-2 General Agricultural Dist., C-1 Lowland Resource Conservancy Dist., & C-2 Upland Resource Conservancy District. For informational purposes only, this property is located on the south side of 60th Street at intersection of CTH NN.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved Supervisor Breunig to adopt Ordinance 11. Seconded by Supervisor Esposito.

Motion carried.

Resolutions - one reading.

RESOLUTION 45

45. From Administration/Finance a Resolution Authorizing a Notice to be Given of the Desire of Kenosha County to Terminate the Collective Bargaining Agreement Between Kenosha County and Local 990 Jail Staff.

WHEREAS, Kenosha County has been a party to a 2009-2010 Collective Bargaining Agreement along with Kenosha County Employees, Local 990 (Jail Staff), America Federation of State, County and Municipal Employees, AFL-CIO, and

WHEREAS, Section 25.1 of that Agreement provides:

Term. This Agreement shall become effective January 1, 2009, and shall remain in effect through December 31, 2010, and shall be automatically renewed for periods of one (1) year thereafter unless either party shall serve upon the other a written notice of its desire to modify or to terminate this Agreement. Such notice is to be served no later than September 1 (Emphasis added), and

WHEREAS, Recent Changes in State law now address most matters previously agreed to in the above Collective Bargaining Agreement;

NOW THEREFORE BE IT RESOLVED THAT the Kenosha County Board of Supervisors authorize and direct that a notice be given to Local 990 Jail Staff of its desire to terminate the Collective Bargaining Agreement with AFSCME, AFL-CIO, Local 990 Jail Staff, with said termination to be effective the date the policy rules are passed by the County Board but no later than August 31, 2011.

SUBMITTED BY:

Finance/Administration Committee
Joseph Clark
John O'Day
Jeffrey Gentz
Fred Ekornaas
Terry Rose
David Singer

It was moved by Supervisor Clark to adopt Resolution 45. Seconded by Supervisor O'Day.

Motion carried.

46. From Judiciary & Law Committee regarding Probationary Cabaret License for The Climax Tavern. (pulled from agenda)

RESOLUTION 47

47. From Judiciary & Law Committee regarding Probationary Cabaret License for Hob Nob Restaurant.

WHEREAS, the application of Lydia Glowacki for a probationary cabaret license for the the Hob Nob Restaurant, 227 South Sheridan Road, Racine, Wisconsin, in the Town of Somers, was made during the month of June, was turned over to this office on June 30th, 2011, and

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

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

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Lydia Glowacki for the Hob Nob Restaurant.

It was moved by Supervisor Michel to adopt Resolution 47. Seconded by Supervisor Haas.

Motion carried.

RESOLUTION 48

48. From Judiciary & Law Committee regarding Activity Control License for Shadow Hill Ranch.

WHEREAS, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application from Debbie Crawford, for an Activity Control License for the Shadow Hill Ranch, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, made during the month of May, 2011 and

WHEREAS, the Sheriff's Department has reviewed the documentation of the applicant, and

WHEREAS, an actual physical inspection of said property indicates that all items that could be, have been complied with pursuant to Chapter 8.01 of the Municipal Code of Kenosha County.

NOW, THEREFORE BE IT RESOLVED, by the Kenosha County Board of Supervisors that an Activity Control License for the Shadow Hill Ranch be granted to Debbie Crawford for September 17th & 18th, 2011.

It was moved by Supervisor Michel to adopt Resolution 48. Seconded by Supervisor Johnson

Motion carried.

RESOLUTION 49

49. From Planning, Development & Extension Education Committee regarding Proposed Comprehensive Plan Amendment, Town of Paris, (Sponsor), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 in the Town of Paris from Suburban-Density Residential to Business/Industrial.

WHEREAS, in compliance with Wisconsin's comprehensive planning law set forth in Section 66.1001 of the Wisconsin Statutes, Kenosha County adopted a Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 on April 20, 2010; and,

WHEREAS, the Town of Paris also adopted said comprehensive plan; and,

WHEREAS, Town of Paris, 16607 Burlington Rd, Union Grove, WI 53182 (Sponsor), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 (Map 65 of the comprehensive plan) in the Town of Paris from Suburban-Density Residential to Business/Industrial Park on Tax Parcels #:

- 45-4-221-131-0115, 45-4-221-131-0120, 45-4-221-131-0125, 45-4-221-131-0105, & 45-4-221-131-0100 located in the NE ¼ of Section 13, T2N, R21E. FYI - CTH E & 120th Ave.

- 45-4-221-134-0400, 45-4-221-134-0430, 45-4-221-134-0420, 45-4-221-134-0410 & 45-4-221-134-0405 located in the SE ¼ of Section 13, T2N, R21E. FYI - 120th Ave., N of STH 142.

- 45-4-221-251-0105, 45-4-221-244-0455, 45-4-221-244-0450, 45-4-221-244-0445, 45-4-221-244-0440, & 45-4-221-244-0430 located in the SE ¼ of Section 24, T2N, R21E. FYI - 120th Ave., S of STH 142.

- 45-4-221-254-0135 & 45-4-221-254-0140 located in the SE ¼ of Section 25, T2N, R21E. FYI - CTH N, W of 120th Ave.

and,

WHEREAS, the Town of Paris and the Department of Planning and Development have published said request in accordance to State Statutes; and

WHEREAS, the Town Board of Paris recommended approval of the request; and,

WHEREAS, the Kenosha County Planning, Development & Extension Education Committee held a public hearing on the request on August 10, 2011, and recommended approval of the request.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 59.69 and 66.1001(4) of Wisconsin Statutes, the Kenosha County Board of Supervisors hereby amends the comprehensive plan for the Tax Parcels as described above.

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

SUBMITTED BY:

Planning, Development & Extension Education Committee

Kimberly Breunig

Daniel Esposito

Aaron Kohlmeier

Michael Underhill

Erin Decker

Dayvin Hallmon

Michael Goebel

It was moved by Supervisor Breunig to adopt Resolution 49. Seconded by Supervisor Kohlmeier.

Motion carried.

RESOLUTION 50

50. From Planning, Development & Extension Education Committee regarding Comprehensive Plan Amendment, Planning, Development & Extension Education Committee, (Sponsor), requests approval of Draft Annual Report, "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads.

WHEREAS, in compliance with Wisconsin's comprehensive planning law set forth in Section 66.1001 of the Wisconsin Statutes, Kenosha County adopted a Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 on April 20, 2010; and,

WHEREAS, the Towns of Brighton, Paris, Randall, Salem, Somers, and Wheatland also adopted said comprehensive plan; and,

WHEREAS, the Planning, Development & Extension Education Committee, P.O. Box 520, Bristol, WI 53104 (Sponsor), requests approval of Draft Annual Report, "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads; and,

WHEREAS, the Towns of Brighton, Paris, Randall, Salem, Somers, and Wheatland and the Department of Planning and Development have published said request in accordance to State Statutes; and

WHEREAS, the Town Boards of Brighton, Paris, Randall, Salem, Somers, and Wheatland recommended approval of the request; and,

WHEREAS, the Kenosha County Planning, Development & Extension Education Committee held a public hearing on the request on August 10, 2011, and recommended approval of the request.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 59.69 and 66.1001(4) of Wisconsin Statutes, the Kenosha County Board of Supervisors hereby approve/accept the Draft Annual Report, "A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035, 2010-2011 Annual Report" & text amendment to Part 2 of Chapter XV - Implementation Element of the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 to add exceptions for amendments to the plan for minor lot line adjustments; changes in wetland, surface water, & environmental corridor boundaries; & the addition and/or subtraction of roads.

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

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved by Supervisor Breunig to adopt Resolution 50. Seconded by Supervisor Underhill.
Motion carried.

RESOLUTION 51

51. Planning, Development & Extension Education Committee a Resolution to approve appointments to the Kenosha County Land Information Council.

WHEREAS, Wis. 2009 Act 314 states that "a county board that has created a land information office must create a land information council ... to review the priorities, needs, policies, and expenditures of the land information office; and

WHEREAS, the County Executive makes such appointments to the Land Information Council, subject to confirmation of the County Board as set forth in Act 314, subsection 59.72 (3m); and

WHEREAS, pursuant to Act 314, sec. 59.72 (3m), the Land Information Council shall consist of the register of deeds, the treasurer, and, if one has been appointed, the real property lister or their designees and the following members appointed by the board for terms prescribed by the board: a member of the board, a representative of the land information office, a realtor ..., a public safety or emergency communications representative employed within the county, the county surveyor ..., any other members of the board or public that the board designates; and

WHEREAS, pursuant to County Executive Appointment numbers 2011/12-9 & 2011/12-10, the County Executive has appointed:

Martin Lacock (Other Public Designate - Information Technologies Rep)

George E. Melcher (Land Information Officer) to serve on the Kenosha County Land Information Council; and

WHEREAS, the Planning, Development & Extension Education Committee has reviewed the request of the County Executive for confirmation of his appointments of the above-named individuals to serve on the Kenosha County Land Information Council and is recommending to the Kenosha County Board of Supervisors the approval of these appointments;

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

Martin Lacock (Other Public Designate - Information Technologies Rep)

George E. Melcher (Land Information Officer) to the Kenosha County Land Information Council.

These appointments shall be effective beginning immediately upon the confirmation of the County Board and continuing until

1st day of July, 2012 - Martin Lacock (Other Public Designate - Information Technologies Rep)

1st day of July, 2012 - George E. Melcher (Land Information Officer) or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

SUBMITTED BY:

Planning, Development & Extension Education Committee
Kimberly Breunig
Daniel Esposito
Aaron Kohlmeier
Michael Underhill
Erin Decker
Dayvin Hallmon
Michael Goebel

It was moved by Supervisor Breunig to adopt Resolution 51. Seconded by Supervisor Decker.

Motion carried.

OLD BUSINESS

Policy Resolutions

POLICY RESOLUTION 1

1. From Finance/Administration Committee a Resolution to establish interim employment policies for employees employed by the Kenosha County Division of Highways. (Local 70)

WHEREAS, The State of Wisconsin Legislature has passed Wisconsin Act 10 which limited collective bargaining for public employees to matters of base wages, and

WHEREAS, Wisconsin Act 10 bars renewal of the contract between Kenosha County and AFSCME Local 70, including employment policies and practices contained therein, and

WHEREAS, Kenosha County must establish policies to manage employment practices for its employees in accordance with Wisconsin Act 10;

NOW, THEREFORE BE IT RESOLVED, that with this resolution Kenosha County Board of Supervisors serves upon AFSCME notice that it is terminating its collective bargaining agreement with AFSCME Local 70 as required under Section 23.1 of the 2008 - 2010 Collective Bargaining Agreement.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors established the attached policies to manage employment matters for non-exempt employees of the Division of Highways until the Kenosha County Board establishes new policies.

SUBMITTED BY

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

It was moved by Supervisor Clark to adopt Policy Resolution 1. Seconded by Supervisor O'Day.

It was moved by Supervisor to introduce a substitute policy for Policy Resolution 1. Seconded by Supervisor Hallmon.

Motion carried.

It was moved by Supervisor Clark to amend the substitute policy for Policy Resolution 1 by changing the paragraph under Overtime from "Kenosha County will continue its practice of equalizing overtime based on years of service in descending order from the most years of service to the least" to "Kenosha County will continue its practice of attempting to equalize overtime annually based on years of service in descending order from the most years of service to the least." Seconded by Supervisor Decker.

Motion carried.

It was moved by Supervisor Noble to amend the substitute policy for Policy Resolution 1 by striking the paragraph under Written Reprimand "Appeal Procedure for Verbal and Written Reprimands. Seconded by Supervisor Decker.

Roll call vote.

Aye: Supervisors J. Gentz, Johnson, Noble, Ekornaas.

Nay: Supervisors Grady, Zerban, Rose, Goebel, Celebre, Kubicki, Hallmon, Arrington, R. Frederick, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, G. Gentz, Esposito, Clark, Underhill, Decker, Breunig, Haas, Elverman.

Aye: 4. Nay: 24.

Motion failed.

Roll call vote on Policy Resolution 1 as amended passed unanimously after Supervisor Arrington changed his vote from nay to aye.

POLICY RESOLUTION 2

2. From Finance/Administration Committee a Resolution to establish interim employment policies for employees employed by the Kenosha County Sheriff's Department Corrections Division.

WHEREAS, The State of Wisconsin Legislature has passed Wisconsin Act 10 which limited collective bargaining for public employees to matters of base wages, and

WHEREAS, Wisconsin Act 10 bars renewal of the contract between Kenosha County and AFSCME Local 990J, including employment policies and practices contained therein, and

WHEREAS, Kenosha County must establish policies to manage employment practices for its employees in accordance with Wisconsin Act 10;

NOW, THEREFORE BE IT RESOLVED, that with this resolution Kenosha County Board of Supervisors serves upon AFSCME notice that it is terminating its collective bargaining agreement with AFSCME Local 990J as required under Section 25.1 of the 2009 - 2010 Collective Bargaining Agreement.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors establishes the attached policies to manage employment matters for non-exempt employees

of the Kenosha County Sheriff's Department Corrections Division until the Kenosha County Board establishes new policies.

SUBMITTED BY

Finance/Administration Committee

Joseph Clark

John O'Day

Jeff Gentz

Fred Ekornaas

It was moved by Supervisor Clark to introduce a substitute policy for Policy Resolution 2 and to adopt Policy Resolution 2. Seconded by Supervisor Hallmon.

It was moved by Supervisor Michel to amend the substitute policy for Policy Resolution 2 under Overtime to change the paragraph "Employees shall be paid at one and 1 ½ their normal pay rate for all hours of work and mandatory school appearances that exceed 171 hours in a 28 day period. The 28 day period will be 2 pay periods that will be sequential and will be assigned by the Sheriff or his designee" to "Employees shall be paid at 1 ½ times their normal pay rate for all hours of work and mandatory school appearances that exceed 40 hours in a 7 day period." Seconded by Supervisor Zerban.

Roll call vote.

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

Nay: Supervisors J. Gentz, Decker.

Motion carried.

Roll call vote on Policy Resolution 2 as amended passed unanimously.

Resolutions

RESOLUTION 43

43. From the Executive Committee regarding National Loss Mitigation Standard.

WHEREAS, 3,353 Kenosha County homes have received foreclosure filings between January 2009 and July 2011;

WHEREAS, a single foreclosure costs \$79,443;

WHEREAS, numerous illegalities and fraudulent practices exist throughout the mortgage industry;

WHEREAS, it is the purview of the Wisconsin Attorney General to prosecute and protect the people of the state of Wisconsin from fraud;

THEREFORE BE IT RESOLVED, that the Wisconsin Attorney General include a mandatory loss mitigation to see if foreclosure is in the best interest of the investor as part of the national 50 states attorney generals settlement with CitiGroup, Wells Fargo, JPMorgan Chase, Bank of America, and Ally Financial;

BE IT FURTHER RESOLVED, that the loss mitigation standard be accompanied by the following:

1. A requirement that the foreclosing party provide homeowners with a loss application in tandem with any pre-foreclosure notice or pre-foreclosure communication
2. A requirement that the foreclosing party submit an affidavit disclosing the specific basis for the denial of a loan modification, including the inputs and of any loss mitigation calculations
3. A defense to foreclosure (or equivalent right in non-judicial foreclosure states) based on failure of the foreclosing party to engage in a good faith review of foreclosure alternatives
4. Work with the U.S. Federal Trade Commission the U.S. Treasury, U.S. Housing and Urban Development, and the Consumer Protection Financial Bureau to create public enforcement mechanisms to safeguard against systemic abuses.

BE IT FURTHER RESOLVED, that copy of this resolution be sent to the W.C.A., the Kenosha County State Legislative delegation, and the Wisconsin Attorney General.

SUBMITTED BY:

Executive Committee

Mark Molinaro, Jr.

Fred Ekornaas

Joseph Clark

Dennis Elverman

William Michel, II

Douglas Noble

Kimberly Breunig

RESOLUTION 44

44. From the Executive Committee regarding Wisconsin Loss Mitigation Standard.
WHEREAS, 3,353 Kenosha County homes have received foreclosure filings between January 2009 and July 2011;

WHEREAS, a single foreclosure costs \$79,443;

WHEREAS, numerous illegalities such as false affidavits persist pushing more and more homeowners into foreclosure and causing confusion in communities as to whom actually owns the home;

WHEREAS, foreclosure mediation, an effective strategy in preventing foreclosure is not capable of addressing whether the foreclosure proceeding is legal or not;

WHEREAS, the Wisconsin State Supreme Court is responsible for creating rules of procedure for Wisconsin County Circuit Courts;

THEREFORE BE IT RESOLVED, that the Wisconsin State Supreme Court institute rules of procedure for circuit courts requiring lenders to present the original note before initiating a foreclosure filing and create rules of procedure creating a mandatory loss mitigation standard to prove that foreclosure is in the best interest of the investor.

BE IT FURTHER RESOLVED, that the loss mitigation standard be accompanied by the following:

1. A requirement that the foreclosing party provide homeowners with a loss application in tandem with any pre-foreclosure notice or pre-foreclosure communication
2. A requirement that the foreclosing party submit an affidavit disclosing the specific basis for the denial of a loan modification, including the inputs and of any loss mitigation calculations
3. A defense to foreclosure based on failure of the foreclosing party to engage in a good faith review of foreclosure alternatives

BE IT FURTHER RESOLVED, that copy of this resolution be sent to the W.C.A., the Kenosha County State Legislative delegation, and the Wisconsin Supreme Court.

SUBMITTED BY:

Executive Committee
Mark Molinaro, Jr.
Fred Ekornaas
Joseph Clark
Dennis Elverman
William Michel, II
Douglas Noble
Kimberly Breunig

It was moved by Supervisor Hallmon to adopt Resolutions 43 and 44. Seconded by Supervisor Clark.

Motion carried.

COMMUNICATION

3. Communication from George E. Melcher regarding future items scheduled before the Planning, Development & Extension Education Committee.

Chairman Molinaro referred Communication 3 to the Planning & Development, Extension Education Committee.

CLAIM

9. Terry Smart - vehicle damage.
10. Hawg Heaven Bar - wire damaged by plow truck.
11. Herbert Quade - denied medication while incarcerated.
12. Esmeralda Sepulveda - fell in courthouse restroom.

Chairman Molinaro referred Claims 9 - 12 to Corporation Counsel.

It was moved by Supervisor Johnson to approve the August 2, 2011 minutes. Seconded by Supervisor Michel.

It was moved by Supervisor Michel to adjourn. Seconded by Supervisor Ekornaas.
Motion carried.

Meeting adjourned at 10:49 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk