

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
September 20, 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, Rose, Goebel, Celebre, Kubicki, Hallmon, Grulich, J. Gentz, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, G. Gentz, Clark, Noble, Underhill, Decker, Breunig, Elverman, Ekornaas.

Excused: Zerban, Arrington, Esposito, Haas.
Present: 24. Excused: 4.

CITIZEN COMMENTS

Captain Paul Falduto, 1000 55th St., stated he is the Detention Division Commander of the Sheriff's Department. He spoke on behalf of Tom Genthner who is the chosen replacement for the Director of Joint Services. He has had the pleasure of working with Tom and feels he would do well to take Joint Services into the next decade and encourages the board to approve his appointment.

Peter Ress, 558 11th Pl., spoke against the approval of the Cabaret License for Climaxx Tavern.

Jim Moore, 9218 74th Pl., spoke against the extension of the Intergovernmental Cooperation Agreement with Menominee Indian Nation in regard to the casino.

Angela Hale, 1091 Sheridan Rd., stated she is the owner of Climaxx and stated she has a certificate of compliance from the county development division director. She feels she got judged for no apparent reason and just wanted to open a tavern.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Molinaro stated flu shots will be October 4th before the County Board meeting. There will be a resolution on conceal and carry in public buildings coming soon. Because of the conceal and carry law he asked Judiciary & Law and Public Works/Facilities chairmen to look into the courthouse security with regards to certain people being able to bypass the metal detectors because they were able to purchase a pass. Bill Anderson, a former County Board Supervisor passed away recently at the age of 87. He was a gentleman who advocated in business, local politics and ran for a state office. He has done a great deal for Kenosha throughout his life and should not go unnoticed. Any committee in need of a SD card for downloading the audio from committee meetings should contact Carl Samuelson in the I.T. Department.

SUPERVISOR REPORTS

Supervisor Michel stated it was at the request of the Judges that Attorneys be able to receive a yearly pass so they're able to enter the courthouse quickly. Judiciary & Law approved unanimously the appointment of Mr. Genthner as the Joint Services Director. He stated the Cabaret Licenses for Lumpy's and Climaxx will both be pulled from the agenda.

Supervisor Elverman stated there will be Oktoberfest on October 1st at Old Settlers Park in Paddock Lake. Courthouse/Molinaro restoration project is a little behind right now but they now have 37 workers on site; 13 from Illinois, 7 from Kenosha and 17 from other Wisconsin areas. Brookside demo project should be completed in October. Corporation Counsel remodel/relocation project should be completed by November 1st. The golf cart repaving projects which were funded by FEMA are completed. The south bike trail paving project is completed and soon the north bike path will be also. Both projects were done by the Highway Department. The State and certain members of legislative groups along with heavy highway lobbyists tried to block the county's ability to do their own work. Cooler heads prevailed and Kenosha County Highway Department was able to do this work themselves; keeping the paving crew working and saving Kenosha County dollars. Golf rounds are down however we are getting more dollars per round. We are getting a higher profit amount from the people at the golf courses.

Supervisor Kohlmeier stated he attended the annual Kenosha Unified School Board meeting where Kenosha Unified proposed to increase the tax levy by 2.29%. This is the first time in his memory that the residents of Kenosha County did not accept the proposed tax levy and decided to freeze the tax levy from last year. The message is clear and the board needs to work harder this year to get the tax levy for the county to 0%; he feels the people expect and want that.

Supervisor Clark stated the general fund year end estimate is on the supervisor's desks. First meeting in October the board will get the County Executive's budget.

OLD BUSINESS

Resolution - one reading.

46. From Judiciary & Law Committee regarding Probationary Cabaret License for the Climax Tavern.

Supervisor Michel requested Resolution 46 be removed from the agenda. The Judiciary & Law Committee was polled and the decision to remove Resolution 46 from the agenda was unanimous.

NEW BUSINESS

Ordinance - one reading.

ORDINANCE 12

12. From Planning, Development & Extension Education Committee regarding Proposed Comprehensive Plan Amendment, Paul Oleksiuk, (Owner), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 from Park & Recreational to Suburban-Density Residential in the Town of Randall.

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

That part of Tax Parcel #60-4-119-163-0800 located in the SW ¼ of Section 16, T1N, R19E, Town of Randall be changed from Park & Recreational to Suburban-Density Residential District as presented in the Multi-Jurisdictional Comprehensive Plan for Kenosha County:2035.

For informational purposes only, this property is located on the north side of CTH Z approx. 0.1 mi. west of CTH O.

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 Ordinance 12. Seconded by Supervisor Kohlmeier.

Motion carried.

Resolutions - one reading.

RESOLUTION 54

54. From Executive Committee a Resolution in support of Extension of Intergovernmental Cooperation Agreement with Menominee Indian Nation.

WHEREAS, the Menominee Indian Tribe of Wisconsin is a federally recognized Indian Tribe with all rights and powers thereto pertaining and which acts through its duly constituted governing body, the Tribal Legislature; and

WHEREAS, the Tribe acting through its legally constituted government, the Menominee Tribal Legislature, is vested with all executive and legislative powers under the Menominee Constitution and by-laws, and

WHEREAS, the Tribe, the Menominee Kenosha Gaming Authority and the City and County of Kenosha have entered into an Intergovernmental Agreement effective as of March 28, 2005 and which Agreement expired on December 31, 2009, and

WHEREAS, the City and County of Kenosha authorized previous extensions of the Intergovernmental Agreement and said agreement is now set to expire on September 28, 2011 unless all approvals necessary to implement the Tribe's and the Authority's proposal to develop and operate a gaming facility in Kenosha have been obtained prior to that date, and

WHEREAS, the above referenced necessary approvals have not been obtained to this date and the Tribe has sought extension of the Intergovernmental Agreement from the City and County of Kenosha in order to obtain the necessary approvals, and

WHEREAS, it is the intent of the parties to the IGA that an extension will be necessary with the understanding between the parties that the Intergovernmental Agreement is still in effect and did not expire on or about January 7, 2009 [the date the Bureau of Indian Affairs denied the Tribe's application to place lands in trust for the Casino]; and whereas such extension will also apply to the Intergovernmental Agreement between the Tribe, the Authority and the County of Kenosha pertaining to sales taxes revenues and to the IGA between the City and the County pertaining to

revenue sharing; and whereas such extension is recommended based upon the oral representations made by the Tribe to the Executive Committee of the Kenosha County Board of Supervisors on September 13, 2011; and whereas the attached Extension Agreement provides for an extension based upon the conditions provided for therein for an additional 90 days.

NOW THEREFORE BE IT RESOLVED THAT the Kenosha County Board of Supervisors does hereby approve of an extension of the above-referenced Intergovernmental Agreement as provided for in the attached Extension Agreement and does hereby authorize the County Executive of Kenosha County to execute all necessary documents related to such extension.

SUBMITTED BY:
Executive Committee
Mark Molinaro
Fred Ekornaas
Joseph CLark
Dennis Elverman
William Michel II
Douglas Noble
Kimberly Breunig

It was moved by Supervisor Ekornaas to adopt Resolution 54. Seconded by Supervisor Noble.

Roll call vote.

Aye: Supervisors Goebel, Celebre, Kubicki, Hallmon, Grulich, J. Gentz, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Molinaro, G. Gentz, Clark, Noble, Underhill, Decker, Breunig, Elverman, Ekornaas.

Nay: Grady, Rose, Kohlmeier.

Aye: 21. Nay: 3.

Motion carried.

RESOLUTION 55

55. From Human Service and Administration/Finance Committee a Resolution to modify 2011 budget for additional funding for the Kenosha County WIC Program Demonstration Kitchen Project.

WHEREAS, the Kenosha County Division of Health, is the Fiscal Agent for the Kenosha County Women, Infants, and Children (WIC) Program, and

WHEREAS, the Kenosha County Division of Health subcontracts the operation of the Kenosha County WIC to the Racine/Kenosha Community Action Agency, and

WHEREAS, the Kenosha County WIC Program has received approval and additional funding from the US Department of Agriculture to utilize \$13,332 of FY10 Infrastructure funds to purchase kitchen appliance and plumbing fixtures for the creation of a demonstration kitchen for WIC program participants, to better educate them on healthy cooking habits, 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:

Increase budgeted grant revenues and expenditures by \$13,332 as indicated in the attached budget modification, which is incorporated into this resolution by reference.

SUBMITTED BY:

Human Services Committee	Finance/Administration Committee
Douglas Noble	Joseph Clark
Jeffrey Gentz	John O'Day
David Celebre	Jeffrey Gentz
Erin Decker	Fred Ekornaas
David Arrington	Terry Rose
Edward Kubicki	David Singer
Terry Rose	William Grady

It was moved by Supervisor Noble to adopt Resolution 55. Seconded by Supervisor Clark.

Roll call vote.

Aye: Supervisors Grady, Rose, Goebel, Celebre, Kubicki, Hallmon, Grulich, J. Gentz, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, G. Gentz, Clark, Noble, Underhill, Decker, Breunig, Elverman, Ekornaas.

Abstain: Supervisor Molinaro.

Aye: 23. Nay: 0. Abstain: 1.

Motion carried.

RESOLUTION 56

56. From Human Service and Administration/Finance Committee a Resolution to modify 2011 budget to add Well being Classes Funding.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services requests approval to accept a one year grant of \$41,000 through the UW Madison Institute for Aging to provide Well Being classes for older adults; and

WHEREAS, 8-week classes will involve facilitated group discussion and daily journaling to help participants discover and expand on positive experiences; and

WHEREAS, research indicates that older adults with higher levels of well-being have lower biological disease risk and can lead to happier lives; and

WHEREAS, no additional County Levy is required;

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services 2011 budget be modified as follows:

Authorize increase of expenditures of \$41,000 and to increase revenues by \$41,000, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2011 will be carried over into the 2012 budget.

SUBMITTED BY:

Human Services Committee	Finance/Administration Committee
Douglas Noble	Joseph Clark
Jeffrey Gentz	John O'Day
David Celebre	Jeffrey Gentz
Erin Decker	Fred Ekornaas
David Arrington	Terry Rose
Edward Kubicki	David Singer
Terry Rose	William Grady

It was moved by Supervisor Noble to adopt Resolution 56. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

RESOLUTION 57

57. From Human Service Committee a Resolution to approve the appointment of Patrice Hall as the Kenosha County Medical Examiner.

WHEREAS, pursuant to County Executive Appointment 2011/12-11, the County Executive has appointed Patrice Hall to the position of the Kenosha County Medical Examiner, and

WHEREAS, the Human Services Committee has reviewed the County Executive's request for review and approval of his appointment of the above-named to serve in this position and is recommending to the County Board the approval of this appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approves the appointment of Patrice Hall to the position of Kenosha County Medical Examiner, effective immediately upon passage of this resolution. Ms. Hall will receive \$70,000 in annual salary.

SUBMITTED BY:

Human Services Committee
Douglas Noble
Jeffrey Gentz
David Celebre
Erin Decker
David Arrington
Edward Kubicki
Terry Rose

It was moved by Supervisor Noble to adopt Resolution 57. Seconded by Supervisor J. Gentz.

Motion carried.

58. From Judiciary & Law Committee regarding Regular Cabaret License for Lumpy's Sports Bar & Grill.

Supervisor Michel requested Resolution 58 be removed from the agenda. The Judiciary & Law Committee was polled and the decision to remove Resolution from the agenda was unanimous.

RESOLUTION 59

59. From Judiciary & Law Committee regarding confirmation of the appointment of Thomas W. Genthner to the position of Director, Kenosha Joint Services.

WHEREAS, the position of Director, Kenosha Joint Services, was vacated January 25, 2011 due to the retirement of the previous director, and

WHEREAS, recruitment for the position of director was conducted on a nationwide basis beginning in October, 2010, and

WHEREAS, the previously selected candidate declined the position after approval of the County Board, and

WHEREAS, Mr. Thomas W. Genthner was then selected for the position based on the interviews he had with the Joint Services Board on July 5, 2011 and August 25, 2011, and

WHEREAS, the Intergovernmental Agreement requires that the selection of the Director by the Kenosha Joint Services Board is subject to confirmation by both the City of Kenosha Common Council and the Kenosha County Board of Supervisors,

NOW THEREFORE BE IT RESOLVED, that the Kenosha Joint Services Board recommends that the Kenosha County Board of Supervisors confirm the appointment of Thomas W. Genthner to the position of Director, Kenosha Joint Services.

SUBMITTED BY:

Judiciary & Law Committee

William Michel II

Bob Haas

Ronald Johnson

David Singer

Ronald Frederick

John Grulich Jr

Rob Zerban

It was moved by Supervisor J. Gentz to adopt Resolution 59. Seconded by Supervisor Michel.

Motion carried.

RESOLUTION 60

60. From Judiciary & Law and Administration/Finance Committees regarding Organized Crime Drug Enforcement Task Forces - Supplement 2 - Overtime Funds.

WHEREAS, the federal Organized Crime Drug Enforcement Task Forces (OCDETF) office has allocated another \$10,000 to the Sheriff's drug unit, K-DOG, to cover overtime costs incurred while assisting in an OCDETF drug trafficking investigation, and

WHEREAS, the funding is for overtime incurred through September 30, 2011, and

WHEREAS, the Sheriff will submit reimbursement claims, monthly, to OCDETF Executive Office for the overtime worked, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the \$10,000 and approve the Revenue and Expenditure line item modifications to the Sheriff's 2011 budget as per the attached budget modification form, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining at year end be hereby authorized for carryover to the subsequent year until such time as the funds are expended in accord with the OCDETF requirements, and that Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

SUBMITTED BY:

Judiciary & Law Committee Finance/Administration Committee

William Michel II Joseph Clark

Bob Haas John O'Day

Ronald Johnson Jeffrey Gentz

David Singer Fred Ekornaas

Ronald Frederick Terry Rose

John Grulich Jr David Singer

Rob Zerban William Grady

It was moved by Supervisor Michel to adopt Resolution 60. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

RESOLUTION 61

61. From Planning, Development & Extension Education Committee regarding Proposed Comprehensive Plan Amendment, Paul Oleksiuk, (Owner), requests an amendment to the

Adopted Land Use Plan Map for Kenosha County: 2035 from Park & Recreational to Suburban-Density Residential in the Town of Randall.

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, Paul Oleksiuk, 2057 W. Chicago Ave., Chicago, IL 60622 (Owner), requests an amendment to the Adopted Land Use Plan Map for Kenosha County: 2035 (Map 65 of the comprehensive plan) from Park & Recreational to Suburban-Density Residential on Tax Parcel #60-4-119-163-0800 located in the SW ¼ of Section 16, T1N, R19E, Town of Randall and,

WHEREAS, Kenosha County Department of Planning and Development has published said request in accordance to State Statutes; and

WHEREAS, the petitioner's request is consistent with the existing Town of Randall Comprehensive Plan; and,

WHEREAS, the Kenosha County Planning, Development & Extension Education Committee held a public hearing on the request on September 14, 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 Parcel 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 61. Seconded by Supervisor Kohlmeier.

Motion carried.

COMMUNICATION

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

Chairman Molinaro referred Communication 2 to Planning, Development & Extension Education Committee.

SUPERVISOR COMMENTS

Supervisor Clark stated he wasn't sure what prompted a draft letter that was accidentally emailed to all supervisors with the Oktoberfest flyer. He was shocked that the executive and administration would waste staff time in trying to outline the Executive's accomplishments to him. He feels they have accomplished many great things in Kenosha County and will continue to do so when the County Board and Executive and Administration can respect each other's differences in approaches and ideas. He spoke in favor of a position for the County Board that would realize levy reduction. He made it clear he is not interested in the position for himself. There are many comparable counties whose county board has staff members. This is not about being critical of the administration; it's about the County Board having independent evaluation. He asks the board to look into this with an opened mind. This is the type of position that is going to help keep the levy down.

It was moved by Supervisor Michel to approve the September 6, 2011 minutes. Seconded by Supervisor Elverman.

It was moved by Supervisor Breunig to adjourn. Seconded by Supervisor Rose.
Motion carried.

Meeting adjourned at 9:06 p.m.

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