

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
March 6, 2012**

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, J. Gentz, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, G. Gentz, Esposito, Molinaro, Clark, Noble, Decker, Breunig, Elverman, Ekornaas.

Excused: Supervisors Grulich, Underhill, Haas.

Present: 25. Excused: 3.

CITIZEN COMMENTS

Virgil Gentz, 16906 38th St., thanked Frank Volpintesta for the 33 years he has worked with him on different issues and also for his many years of service to the community. He wished him a happy retirement.

ANNOUNCEMENTS OF THE CHAIRMAN

Frank Volpintesta spoke regarding his retirement. He thanked his staff and noted they worked as a team and together they were able to accomplish a lot of things.

Chairman Molinaro and County Executive Kreuser presented Frank Volpintesta with a Proclamation and a plaque.

Supervisor Zerban made a motion to officially recognize Frank Volpintesta through roll call. Seconded by the County Board as a Whole.

Roll call was unanimous.

SUPERVISOR REPORTS

Supervisor Breunig stated Extension Education will be meeting next Wednesday to discuss the combination of the committees. March 28 & 29 they will be having the Youth In Governance interviews.

Supervisor Elverman stated some of the communication towers are in need of assistance. The 60th St. tower will probably need replacement; the tower on Hwy 45 & 50 needs some reconstruction. Signs for the dog parks are being made. Golf had a booth at two major golf shows and gave out promotions and had a lot of interest.

Supervisor O'Day stated the revised Brookside Care Center closeout report is on the supervisor's desks. Any questions can be directed to either Laurie Staves or himself. They are looking into putting an LED sign in front of Brookside which will be paid for out of the trust fund and not by the taxpayers.

OLD BUSINESS

Ordinance second reading - two required.

ORDINANCE 16

16. From Supervisor Rose and the Public Works/Facilities Committee an Ordinance to amend Chapter 10 of the Municipal Code of Kenosha County Entitled "County Parks". The Kenosha County Board of Supervisors does hereby ordain that section 10.02(2) of the Municipal Code of Kenosha County be, and hereby is, amended to add the following:

Legislative Intent. This ordinance is enacted for the well being of the public and its opportunity to enjoy outdoor recreation in its parks in a safe and wholesome atmosphere. The regulations herein are intended to protect park resources for future generations, prevent accidents and injury, and maintain order for those who visit these parks. Recognizing that U.S. Supreme Court decisions interpreting the Constitution have declared public parks to be traditional forums for expression of free speech, citizens shall be allowed to carry signs, banners, pickets, and similar items to express their free speech message, without a permit, except as provided herein. However, no such sign, banner, etc., may be erected upon, or posted upon park property.

The Kenosha County Board of Supervisors does hereby further ordain that section 10.05(3)(h) of the Municipal Code of Kenosha County be, and hereby is amended to read as follows:

(h) When considering an application for a permit to hold a public assembly, public meeting or gathering for the purpose of exercising any right which is protected by the Constitution of the United States or the Constitution of the State of Wisconsin, the County Park Manager/Director or Kemper Center Director shall grant said permit unless he specifically finds that the granting of said permit is in substantial conflict with subsections (c), (f) or (g) above.

SUBMITTED BY:

Terry Rose
Public Works/Facilities Committee
Dennis Elverman
William Grady
Gail Gentz

Boyd Frederick
Daniel Esposito
Aaron Kohlmeier

It was moved by Supervisor Elverman to adopt Ordinance 16. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

ORDINANCE 17

17. From the Executive Committee an Ordinance to amend Section 2.08(4) of the Municipal Code of Kenosha County.

The Kenosha County Board of Supervisors does hereby ordain that section 2.08(4) of the Municipal Code of Kenosha County be, and hereby is, amended to read as follows:

(4) Readings and Notations. Every resolution and report, except as otherwise noted, shall only require one reading. All ordinances and all resolutions which are intended to reflect policy or which are otherwise required by law to have more than one reading shall be read at two successive board sessions. **Notwithstanding anything to the contrary contained in the Kenosha County Municipal Code, zoning map amendments shall only require one reading.** The county board may suspend this rule requiring a second successive reading by two-thirds vote of the members present and consider such matter on the day presented. Notice of possible suspension of the second reading shall appear on all county board agendas. In regards to ordinances and resolutions requiring two readings, no debate shall be permitted at the first reading. Unless otherwise indicated, all resolutions shall remain in effect until such time as repealed. Any resolution intending to reflect the policy of the county board of supervisors shall be so duly noted and properly indexed and incorporated into a policy manual. When presenting these items for first reading, they shall read them by number and title only, but when requested by any one member of the county board, said item shall be read in its entirety. A copy of said resolution and ordinance shall be presented in writing to each supervisor at the time of the first reading. Thereafter, board action shall be had after the second reading. Any resolutions or ordinances shall be read by title only unless any one supervisor requests a reading of the resolution or ordinance in its entirety, which request can be overridden by a 2/3 vote of the members present.

SUBMITTED BY:

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

It was moved by Supervisor Breunig to adopt Ordinance 17. Seconded by Vice-chair Ekornaas.

Roll call vote passed unanimously.

ORDINANCE 18

18. From the Executive Committee an Ordinance to amend Section 8.02(5) and (d) of the Municipal Code of Kenosha County, Special Event Licenses.

The Kenosha County Board of Supervisors does hereby ordain that sections 8.02(5)(c) and (d) of the Municipal Code of Kenosha County be, and hereby are, amended to read as follows:

(c) Application for said license will be made with the County Clerk and shall require a fee of \$50.00. The application shall be made at least three business days prior to the event and shall be forwarded to the Sheriff's Department and the Department of Planning and Development to determine if the premises are in compliance with local ordinances.

(d) The County Clerk is authorized to issue a special event cabaret license without further county board action unless the Clerk is notified by the Sheriff or Planning and Development within the 3 business day time period that the premises are not in compliance with local ordinances.

SUBMITTED BY:

Executive Committee
Mark Molinaro
Fred Ekornaas
Joseph Clark
Dennis Elverman
William Michel II

Douglas Noble
Kimberly Breunig

It was moved by Supervisor Michel to adopt Ordinance 18. Seconded by Vice-chair Ekornaas.

It was moved by Supervisor Clark to amend Ordinance 18 to include the phrase "within the three business day time period" after "unless the Clerk is notified by the Sheriff or Planning and Development". Seconded by Supervisor Breunig.
Motion carried.

It was moved by Supervisor Breunig to amend Ordinance 18 to increase the fee for Special Event Cabaret to \$50.00. Seconded by Vice-chair Ekornaas.
Motion carried.

Roll call vote on Ordinance 18 as amended.

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

Nay: Supervisor Esposito.

Aye: 24. Nay: 1.

Motion carried.

ORDINANCE 19

19. From Planning, Development & Extension Education Committee regarding Richard E. Sr. and Carol Flocker, (Owner), Doug Hughes, (Agent) requests a rezoning from R-4 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District & C-2 Upland 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 # Tax Parcel #66-4-120-212-1000 located in the NW ¼ of Section 21, T1N, R20E, Town of Salem, be changed from R-4 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District & C-2 Upland Resource Conservancy District. For informational purposes only, this property is located on the northeast side of CTH "SA" approximately 0.04 mi. northwest of 272nd Avenue.

SUBMITTED BY:

Planning, Development & I Extension Education Committee
Kimberly Breunig
Aaron Kohlmeier
Erin Decker
Michael Goebel

It was moved by Supervisor Breunig to adopt Ordinance 19. Seconded by Supervisor Kohlmeier.

Motion carried.

Policy Resolutions, second reading, two required

POLICY RESOLUTION 5

5. From the Executive Committee a Policy Resolution to Create a Contracting Policy for Kenosha County.

WHEREAS, IT IS IN THE BEST INTEREST OF Kenosha county to have a policy regarding the authority to negotiate, approve and administer contracts entered into on behalf of kenosha county and to provide for and to insure fairness, equal opportunity, non-discrimination and uniformity wherever possible and to provide procedures which set forth authority to execute and award contracts and to provide for administration and appeals of administrative action, and

WEREAS, the attached policy addresses all of the above concerns.

NOW, THEREFORE BE IT RESOLVED that the attached policy entitled Kenosha County Contracting Policy, Chapter CO, be incorporated into the Kenosha County Policy Manual.

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 Clark to adopt Policy Resolution 5. Seconded by Vice-chair Ekornaas.

Motion carried.

POLICY RESOLUTION 6

6. From the Finance/Administration Committee a Policy Resolution to Reclassify one Position in the Sheriff's Department from Office Support Worker to Office Associate.

WHEREAS, a study by David M. Griffith & Associates in 1996 established classifications for clerical jobs, and

WHEREAS, the duties of a job in Kenosha County Sheriff's Department, originally classified as an Office Support Worker, have evolved to include responsibilities more consistent with the classification of Office Associate, and

WHEREAS, the position in question is funded as an Office Associate in the 2012 budget; and

WHEREAS, the Finance/Administration Committee of the Kenosha County board of Supervisors has reviewed and approved the reclassification of this position.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County board of Supervisors approves the reclassification of one Office Support Worker position to an Office Associate.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

Fred Ekornaas

Jeff Gentz

William Grady

John O'Day

David Singer

Terry Rose

It was moved by Supervisor Clark to adopt Policy Resolution 6. Seconded by Supervisor Grady.

Motion carried.

POLICY RESOLUTION 7

7. From the Finance/Administration Committee a Policy Resolution to re-class the Stock Person position to a Shop Operator.

WHEREAS, an evaluation of the Stock person job in the Kenosha County Department of Public Works, Division of Highways, has concluded that the division would benefit from reclassifying the Stock Person position to a Shop Operator, and

WHEREAS, the Finance/Administration Committee of the Kenosha County Board of Supervisors have reviewed and approved the reclassification of this position,

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors approves the reclassification of the Stock Person position to a Shop Operator in the Division of Highways.

SUBMITTED BY:

Finance/Administration Committee

Joseph Clark

Fred Ekornaas

Jeff Gentz

William Grady

John O'Day

David Singer

Terry Rose

It was moved by Supervisor Clark to adopt Policy Resolution 7. Seconded by Chairman J. Gentz.

Motion carried.

NEW BUSINESS

Ordinance - first reading, two required

ORDINANCE 20

20. From the Re-districting Committee an Ordinance related to amending Chapter One of the Kenosha County Municipal Ordinances relating to Supervisory Districts.

It is hereby ordained by the Kenosha County Board of Supervisors that Chapter One of the Municipal Code, entitled "Supervisory Districts" be and hereby is amended in regards to Districts One and Four to conform to the maps and legal descriptions attached hereto and incorporated herein as if fully set forth.

SUBMITTED BY:

Redistricting Committee

Fred Ekornaas

Joseph Clark

Erin Decker

William Michel, II

John O'Day

It was moved by Vice-chair Ekornaas to suspend the rules and act on Ordinance 20 immediately. Seconded by Supervisor Clark.

Motion carried.

It was moved by Vice-chair Ekornaas to adopt Ordinance 20. Seconded by Supervisor Clark.

Motion carried.

Resolution - one reading

RESOLUTION 106

106. From Human Services Committee a Resolution to approve the appointment of Linda Gotsche to the Kenosha County Aging and Disability Resource Center Board.

WHEREAS, pursuant to County Executive Appointment 2011/12-24, the County Executive has appointed Linda Gotsche to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Linda Gotsche to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Gotsche's appointment shall be effective immediately and continuing until the 31st day of December, 2014 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Gotsche will serve without pay and will be filling a vacancy on the board.

SUBMITTED BY:

Human Services Committee

Douglas Noble

Jeff Gentz

David Celebre

David Arrington

Erin Decker

Edward Kubicki

It was moved by Supervisor Noble to adopt Resolution 106. Seconded by Supervisor Celebre.

Motion carried.

It was moved by Supervisor Esposito to approve the March 6, 2012 minutes. Seconded by Supervisor Hallmon.

Motion carried

At this time there was an update by Corporation Counsel and discussion regarding Kenosha County vs. City of Kenosha; Health Department litigation.

No action was taken on a motion made by Supervisor Rose and Seconded by Vice-chair Ekornaas to direct Corporation Counsel to terminate negotiations with the City and to proceed with a Motion for Summary Judgment or trial if necessary.

It was moved by Supervisor Rose to adjourn. Seconded by Supervisor Decker.

Motion carried.

Meeting adjourned at 9:07 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary T. Schuch-Krebs
County Clerk