

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
March 19, 2013**

The **Regular Meeting** was called to order by Chairman Gentz at 7:30 p.m., in the County Board Room located in the Administration Building.

Roll call was taken.

Present: Supervisors Grady, Rose, Gentz, Montemurro, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Underhill, Breunig, Decker, Elverman.

Present: 23. Excused: 0.

CITIZEN COMMENTS

Lou Rugani, 4526 29th Ave., stated he feels it is doing a disservice to the business in Kenosha when people are bused from Southport Plaza to shop at the Wal-Mart in Lake Geneva and Antioch IL.

John Thibodeau, 2832 55th Ave., gave a presentation regarding the Gateway Technical College Referendum which will be on the April 2nd 2013 Spring Election Ballot.

At this time County Executive Jim Kreuser gave the State of the County Address.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Gentz reminded everyone that the next County Board Meeting will be Wednesday, April 3rd. This is changed due to the Spring Election.

SUPERVISOR REPORTS

Supervisor Elverman stated the next Public Works/Facilities meeting will be held at the newly acquired Parks Department Building which is west of the KD Park. There will be an open house at 5:00pm followed by the meeting on April 1st.

Supervisor Rose brought the boards attention to the inclusion in the packet of the 2012 preliminary general fund estimated year end unaudited draft. We met the standard we set for ourselves and compared to nationwide we're at the highest of general fund expenditures.

Supervisor Breunig stated the Youth In Governance interviews will be held next week. On ~~May~~ before the County Board Meeting there will be a reception for the new members. They also finished interviews for the Community Natural Resource and Economic Development Position. The supervisors received the Economic Impact Study on County Thunder. Any questions can be directed to Supervisor Breunig.

Supervisor Hallmon stated the next Human Services meeting will be held at the Kenosha County Job Center/Human Services Building (KCJC/HSB). There have been some small changes in the information received regarding grant programs; look for this next month. He will give an update on the NACo Conference he attended in Washington DC at the next County Board Meeting.

OLD BUSINESS

Resolution – one reading

RESOLUTION 90

90. From the Executive Committee a Resolution to urge the Governor to veto any Legislation that would eliminate Election Day Registration.

WHEREAS, Wisconsin has one of the strongest voter turnouts of any state in the nation; and

WHEREAS, Democracy is strengthened by encouraging the largest number of eligible voters to participate in the process; and

WHEREAS, Wisconsin has allowed voters to register or update their registration information on Election Day (hereinafter "Election Day Registration") since 1976, contributing significantly to our high voter turnout rate; and

WHEREAS, Typically 10 to 15 percent of voters on Election Day participate in Election Day Registration; and

WHEREAS, Not only does Wisconsin's Election Day Registration exempt the state from the National Voter Registration Act of 1993, which requires, among other mandates, registration at welfare offices and Department of Motor Vehicle offices, but the elimination of Election Day Registration has been estimated by the Government Accountability Board to cost approximately \$5.2 million dollars; and

WHEREAS, Wisconsin Municipality Clerk's Association has indicated their opposition to eliminating Election Day Registration; and

WHEREAS, Despite all of these factors it has been reported that there are some in the State Legislature giving consideration to introducing and passing legislation to eliminate Election Day Registration; therefore

BE IT RESOLVED that the Kenosha County Board of Supervisors hereby urges Governor Scott Walker to veto any legislation seeking to eliminate Election Day Registration and to publicly state his intention to do so; and

BE IT FURTHERRESOLVED that the Clerk is hereby directed to send a copy of this resolution to Kenosha County's representatives in the State Assembly and State Senate, the Office of the Governor, and the Wisconsin Counties Association.

SUBMITTED BY:

Executive Committee

Jeff Gentz

Edward Kubicki

Terry Rose

Dennis Elverman
Dayvin Hallmon
Kimberly Breunig

It was moved by Vice-chair Kubicki to adopt Resolution 90. Seconded by Supervisor Rose.
Roll call vote.

Aye: Supervisors Grady, Rose, Gentz, Dodge, Kubicki, Hallmon, R. Johnson, Arrington, R. Frederick, B. Frederick, Noble, A. Johnson, Underhill, Breunig.

Nay: Supervisors Montemurro, O'Day, Nudo, Kohlmeier, Molinaro, Esposito, Skalitzky, Decker, Elverman.
Aye: 14. Nay: 9.

Motion carried.

NEW BUSINESS

Ordinance – first reading, two required

30. From Public Works/Facilities Committee an Ordinance to Repeal and Recreate Chapter 10 of the Municipal Code of Kenosha County Entitled "County Parks"

Resolutions – one reading

RESOLUTION 100

100. From the 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 March 31, 2013 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 November 30, 2011; and whereas the attached Indian Gaming Extension Agreement provides for an extension based upon the conditions provided for therein for a term set forth therein.

NOW THEREFORE BE IT RESOLVED THAT the Kenosha County Board of Supervisors does hereby approve of an extension of the three above-referenced Intergovernmental Agreements pertaining to Indian gaming, County sales tax revenues and City/County revenue sharing as set forth in the attached Extension to a date of ____.

BE IT FURTHER RESOLVED that said Extension Agreements reflect the intent of the parties pertaining to the continuous and uninterrupted term of the original agreements and does hereby authorize the County Executive of Kenosha County to execute all necessary documents related to such extensions.

SUBMITTED BY:

Executive Committee

Jeff Gentz

Edward Kubicki

Terry Rose

Dennis Elverman

Dayvin Hallmon

Daniel Esposito

It was moved by Supervisor Elverman to adopt Resolution 100. Seconded by Vice-chair Kubicki.

Roll call vote.

Supervisors Grady, Rose, Gentz, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, Arrington, R. Frederick, Nudo, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Underhill, Breunig, Decker, Elverman.

Nay: Supervisors Montemurro, Kohlmeier, Skalitzky.

Aye: 20. Nay: 3.

Motion carried.

RESOLUTION 101

101. From Human Services and Finance/Administration Committees a Resolution to Modify Division of Aging & Disability Services 2013 budget to add Behavioral Health Treatment Court Grant.

WHEREAS, the Division of Aging and Disability Services has received a grant to support a Behavioral Health Treatment Court; and

WHEREAS, this specialty court will provide an alternative to incarceration through supervised, comprehensive treatment for adult offenders of non-violent crimes who are diagnosed with mental illness; and

WHEREAS, this grant is supported by local judges, the District Attorney, Public Defender, Department of Corrections, and other partners who will be part of an implementation team; and

WHEREAS, all positions included in the grant shall be terminated when the grant funding terminates and alternate, non-levy funding is not available; and

WHEREAS, this budget modification poses no additional levy-funded costs to the County for 2013,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Department of Human Services, Division of Aging and Disability Services 2013 budget be modified as follows: Authorize increase of expenditures of \$116,223 and to increase revenues by \$116,223, per the attached budget modification incorporated herein by reference. Any unexpended dollars as of December 31, 2013 will be carried over until all funds have been exhausted.

SUBMITTED BY:

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|--------------------------|----------------------------------|
| Human Services Committee | Finance/Administration Committee |
| Dayvin Hallmon | Terry Rose |
| Boyd Frederick | Ronald Frederick |
| Anita Johnson | John O'Day |
| Erin Decker | Aaron Kohlmeier |
| David Arrington | Edward Kubicki |
| Angelina Montemurro | Mark Molinaro, Jr. |
| Gabe Nudo | William Grady |

It was moved by Supervisor Hallmon to adopt Resolution 101. Seconded by Supervisor Rose. Roll call vote passed unanimously.

RESOLUTION 102

102. From Judiciary & Law Committee regarding Regular Cabaret License for Jeddy's Bar.

WHEREAS, the application of Lawrence Erdman for a probationary cabaret license for Jeddy's Bar, 1660 240th Ave. Kansasville, Wisconsin, in the Town of Brighton, was made during the month of September, was turned over to this office on September 18th, 2012, and

WHEREAS, the establishment known as Jeddy's Bar, was granted a Probationary Cabaret License per County Board Resolution on October 19th, 2012, and

WHEREAS, the establishment known as Jeddy's Bar was found to be in conformity with County Ordinance # 8.02 governing it's 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 Lawrence Erdman, for Jeddy's Bar.

SUBMITTED BY:

Judiciary and Law Enforcement Committee
Daniel Esposito
Ronald Johnson
Boyd Frederick
David Arrington
Anita Johnson
Angelina Montemurro
Douglas Noble

It was moved by Supervisor Esposito to adopt Resolution 102. Seconded by Supervisor R. Johnson. Motion carried.

RESOLUTION 103

103. From Judiciary & Law Committee regarding Regular Cabaret License for Kickstand LLC.

WHEREAS, the application of Kenneth Zandrowicz for a probationary cabaret license for Kickstand LLC, 9622 Camp Lake, Wisconsin, in the Town of Salem, was made during the month of September, was turned over to this office on September 18th, 2012, and

WHEREAS, the establishment known as Kickstand LLC, was granted a Probationary Cabaret License per County Board Resolution on October 19th, 2012, and

WHEREAS, the establishment known as Kickstand LLC was found to be in conformity with County Ordinance # 8.02 governing it's 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 Kenneth Zandrowicz, for the Kickstand LLC.

SUBMITTED BY:

Judiciary and Law Enforcement Committee
Daniel Esposito
Ronald Johnson
Boyd Frederick

David Arrington
Anita Johnson
Angelina Montemurro
Douglas Noble

It was moved by Supervisor Esposito to adopt Resolution 103. Seconded by Supervisor B. Frederick.
Motion carried.

RESOLUTION 104

104. From Public Works/Facilities Committee a Resolution to approve the appointment of Lieutenant Thomas A. Puidokas, Sr. to the Kenosha County Traffic Safety Commission.

WHEREAS, pursuant to County Executive Appointment 2012/13-35, the County Executive has appointed Lieutenant Thomas A. Puidokas, Sr. to serve on the Kenosha County Traffic Safety Commission, and

WHEREAS, the Public Works/Facilities Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Traffic Safety Commission 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 Lieutenant Thomas A. Puidokas, Sr. to the Kenosha County Traffic Safety Commission. Lieutenant Thomas A. Puidokas, Sr. appointment shall be effective immediately and continuing until the 1st day of April 2013 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Lieutenant Thomas A. Puidokas, Sr. will serve without pay.

SUBMITTED BY:

Public Works/Facilities Committee
Dennis Elverman
Douglas Noble
Rick Dodge
Mick Skalitzky

It was moved by Supervisor Elverman to adopt Resolution 104. Seconded by Supervisor Dodge.
Motion carried.

RESOLUTION 105

105. From Public Works/Facilities and Finance/Administration Committees a Resolution to apply for a National Fish and Wildlife Foundation Grant to fund removal of invasive species from 64 acres of Petrifying Springs Parks.

WHEREAS, Kenosha County Parks Division requests approval to apply for a grant to remove invasive species from Petrifying Springs Park, and

WHEREAS, the National Fish and Wildlife Federation is offering opportunities through their Five Star Grant Program to fund invasive species removal; and

WHEREAS, this grant will compliment Pike River restoration efforts and is further commitment by Kenosha County to follow a restoration plan developed for Kenosha County in 2011; and

WHEREAS, the total estimated cost of the project is \$50,000.00, of which \$25,000.00 will be the Kenosha County match, and

WHEREAS, if Kenosha County receives the grant the County 50% match will be from the Parkland Development Fund, and

THEREFORE, BE IT RESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf and apply for a grant from the National Fish and Wildlife Federation for financial assistance.

It was moved by Supervisor Elverman to adopt Resolution 105. Seconded by Supervisor Skalitzky.
Motion carried.

SUBMITTED BY:

Public Works/Facilities Committee
Dennis Elverman
Douglas Noble
Rick Dodge
Mick Skalitzky

Finance/Administration Committee
Terry Rose
Ronald Frederick
John O'Day
Aaron Kohlmeier
Edward Kubicki
Mark Molinaro, Jr.

RESOLUTION 106

106. From Public Works/Facilities and Finance/Administration Committees a Resolution to accept grant funding for the purposes of having an Emerald Ash Bore Management Plan Developed for Petrifying Springs and Fox River Parks.

WHEREAS, Kenosha County Parks Division requests approval to accept an Urban Forestry grant, and
WHEREAS, the Wisconsin Department of Natural Resources Urban Forestry Department requires that an EAB Management Plan be in place before Kenosha County would be eligible for further funding ; and

WHEREAS, this EAB Plan will include an inventory of ash trees, plan for removal and site specific reforestation and make Kenosha County eligible for further funding in removing and reforestation of two County Parks; and

WHEREAS, the total estimated cost of the Emerald Ash Bore Management Plan is \$25,000.00, of which \$12,500.00 will be the Kenosha County match, and

WHEREAS, if Kenosha County receives the grant the County match will be from the Parkland Development Fund, and

THEREFORE, BE IRESOLVED that Kenosha County hereby authorizes the General Manager of Parks Operation to act on its behalf and accept the grant from Department of Natural Resources for financial assistance in the amount of \$12,500 and amend the budget as per budget modification which is incorporated by reference.

SUBMITTED BY:

Public Works/Facilities Committee

Dennis Elverman

Douglas Noble

Rick Dodge

Mick Skalitzky

Finance/Administration Committee

Terry Rose

Ronald Frederick

John O'Day

Aaron Kohlmeier

Edward Kubicki

Mark Molinaro, Jr.

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

Roll call vote passed unanimously.

CLAIM

17. From Vicki Lynn Hein – vehicle damage.

Chairman Gentz referred Claim 17 to Corporation Counsel

It was moved by Supervisor B. Frederick to approve the minutes from the February 20, 2013 Committee of the Whole and Regular County Board meetings. Seconded by Supervisor Decker.

Motion carried.

It was moved by Supervisor Decker adjourn. Seconded by Supervisor by Esposito.

Meeting adjourned at 9:21 p.m.

Prepared by:

Edie LaMothe

Deputy Clerk

Submitted by:

Mary Schuch-Krebs

County Clerk