

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS

COUNTY ADMINISTRATION BUILDING

March 4, 2003

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

Present: Supervisors Grady, Boyer, Rose, Kessler, Huff, Molinaro, Marrelli, Bergo, Carbone, Modory, Faraone, Johnson, Pitts, Singer, Ruffolo, Montemurro, Larsen, Wisnefski, Carey-Mielke, Clark, Noble, Gorlinski, Smitz, Elverman, Ekornaas.

Excused: Supervisors West, Kerkman, O'Day.

Present. 25. Excused. 3.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Kessler stated that Supervisor West has been released from the Hospital and is recovering at home. He also announced that there will be a retirement reception for Ric Ladine on Friday at the Petrified Springs Club House.

Chairman Kessler spoke with the Staff of the WCA and they will give a presentation to the board on the State Budget at the end of April or sometime in May.

SUPERVISOR REPORTS

Supervisor Larsen stated that on March 24th at 6:00 p.m., at the Somers Town Hall the DOT and elected representatives from Madison will be here for a Public Hearing on the Hwy 32 project. He also reported that there will be a Town Meeting in Paris on March 12 at 7:00 p.m., at the Paris Town Hall to discuss the Equalized Tax Situation. He urged everyone who can to attend.

Supervisor Bergo stated that due to prior commitments, she will not be able to attend the Joint Meeting of the Finance, Building & Grounds and Parks on Thursday.

Rose stated that he caused to be left on the desks an attendance record of the members of the Work Force Development Board. It demonstrates why the Work Force Development Board is having difficulty. Since the County Board approved the nominations he thought it was important for everyone to see.

Supervisor Elverman reported that the Highway & Parks Committee met to discuss the golf course rates, promotions, and park fees. The rates for the golf course have increased, also ideas to increase promotions. Anyone who cares to assist the department and the Highway & Parks Committee with any ideas they may have for the golf courses will be appreciated. Lists of promotional ideas that have already been thought of can be obtained at the Highway & Parks Department and the fees are also published.

Supervisor Gorlinski stated he would move the agenda. Seconded by Supervisor Johnson.

Roll Call vote requested.

Ayes: Supervisors Grady, Bergo, Johnson, Singer, Wisnefski, Gorlinski.

Nays: Supervisors Kessler, Boyer, Rose, Huff, Molinaro, Marrelli, Carbone, Modory, Faraone, Pitts, Ruffolo, Montemurro, Larsen, Carey-Mielke, Clark, Noble, Smitz, Elverman, Ekornaas.

Ayes: 6 Nays: 19

Motion failed.

Supervisor Clark reported that the Village of Pleasant Prairie is having a meeting on March 31st on the Tax Equity and is supposed to invite members from all municipalities to create a structure or dialog to accept phase two or get ready to discuss consolidation or tax equity.

Supervisor Wisnefski also urged Supervisors to attend the meeting on March 12th in Paris.

NEW BUSINESS

Resolutions - one reading.

Resolution 134

134. From Finance Committee regarding Bills over \$5,000.

WHEREAS, the Wisconsin State Statutes provides that the County Board may act On all bills over \$10,000.00 and

WHEREAS the County Resolution requires that the Finance Committee must act on all bills over \$5,000.00, and

NOW, THEREFORE LET IT BE RESOLVED, that the following bills be approved for payment:

KENOSHA COUNTY PAYMENT GROUPS BILLS OVER \$5,000.00

APPROVAL BY FINANCE COMMITTEE AND COUNTY BOARD ARE REQUIRED:

<u>DIVISIONS</u>	<u>PAYMENT GROUPS</u>
FINANCE GROUPING # 1	\$ 332,953.29
PERSONNEL GROUPING #1	\$ 159,863.21
DISABILITY GROUPING # 1	\$ 23,083.00
PAYMENT GROUPS GRAND TOTAL:	\$ 515,899.50

Submitted by:

FINANCE COMMITTEE

Robert Carbone

John O'Day

Terry Rose

Gordon West

Robert Pitts

It was moved by Supervisor Carbone to adopt Resolution 134. Seconded by Supervisor Rose.

Motion carried unanimously.

Resolution 135

135. From Finance Committee regarding requesting a Waiver from State Mandate Administrative Code, Chapter 20 regarding Lottery Tax Credit Processing.

WHEREAS, pursuant to Wis. Stat. §66.0143, a political subdivision may file a request with the Department of Revenue for a waiver from a state mandate, except for mandates related to health or safety; and,

WHEREAS, pursuant to Wis. Admin. Code Tax §20.15, Counties are mandated to certify Lottery Tax Credit claims against real estate taxes by sending cards to all improved parcels every five years, known as "pre certification years", and this mandate is not related to health or safety; and,

WHEREAS, the certification process involves printing and finishing the cards including removing the perforated tractor feed, folding, sealing and mailing the cards, and then entering all the responses in the database, all of which is extremely labor intensive; and,

WHEREAS, the State of Wisconsin reimburses counties at the rate of \$.70 per card, but said reimbursement is insufficient to cover county costs involved in processing these cards; and,

WHEREAS, Kenosha County has developed an electronic computerized system whereby it maintains and reviews the Lottery Credit Authorization on an annual basis by reviewing and testing each properties for factors that would authorize or disallow lottery credit pursuant to state regulation and guidelines. The method has been in use for 4 tax years with an accuracy percent of over 99.8 percent. Leaving only new property, changed property or property transfers to be maintained manually. This process has been actively used since the 1999 tax year.

WHEREAS, the County is confident its system of maintaining records of Lottery Tax Credit claims is accurate based on the number of late claims made each year and the minimal number of charge backs ordered by the State Lottery Credit Audit Committee for errors, and erasing the current files and sending cards to all improved parcels, as the Administrative Code mandates, would likely generate a less than favorable return while increase costs for taxpayers.

NOW THEREFORE BE IT RESOLVED by the Kenosha County Board of Supervisors, met in regular session, hereby requests a waiver from the mandate imposed by Wisconsin Admin. Code Tax §20.15 regarding recertification of the Lottery Tax

Credits because the system utilized by Kenosha County is certifiably accurate and will save the County and the State money.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

Fiscal Note: Estimated cost savings to Kenosha County is 700 hours labor plus programming costs at \$40.00 per hour. Cost savings to the State of Wisconsin estimated at \$44,100.00 based on \$.70 per card and approximately 63,000 real properties.

It was moved by Supervisor Carbone to adopt Resolution 135. Seconded by Supervisor Pitts.

Motion carried unanimously.

Resolution 136

136. From Finance Committee regarding Cancellation of Interest and Penalties on Taxes for the former Budget Motel.

WHEREAS, the County of Kenosha closed the former Budget Motel located at 1800 - 60th Street, due to numerous violations of the County's Health Code; and thereafter the City of Kenosha issued a raze order of the building based upon numerous violations of the Building Code; and after litigation commenced on such raze order, the City of Kenosha obtained ownership and legal title to the property; and property taxes have not been paid on said property, identified as Tax Parcel Numbers 12-223-31-358-014 and 12-223-31-358-015; and

WHEREAS tax certificates have been issued in 2000 and 2001 on such parcels by the Kenosha County Treasurer, and taxes are owed in the amount of \$34,487.59, plus special assessments are owed in the amount of \$28,233.91, and there are penalties owed on such delinquent charges, if paid as of 2/28/2003, in the amount of \$6560.26 and interest owed on such charges, as of 2/28/2003, in the amount of \$13,120.55; and

WHEREAS, the site at this time needs to have hazardous substances (asbestos) removed and to be environmentally restored at a cost of approximately \$135,000 and further needs to be demolished and cleaned for redevelopment at an additional cost of approximately \$150,000; and the City of Kenosha intends to undertake such efforts and pay for such costs; and

WHEREAS, a request has been made by the City of Kenosha to the County of Kenosha to waive the penalties and interest on such property, while the City would pay the existing outstanding property taxes, in order to assist in restoring such parcels into productive and safe property for the community, and return the property to the tax rolls; and Section 75.105 permits a county board to cancel all or part of the unpaid taxes, interest and/or penalties associated therewith, if the owner of a contaminated property agrees to clean up such property.

NOW THEREFORE BE IT RESOLVED, That the County Board of Supervisors hereby approves the forgiveness and waiver of the interest and penalties on the real estate taxes owed on the property at 1800- 60th Street, Kenosha, Wisconsin, known as Tax Parcel Numbers 12-223-31-358-014 and 12-223-31-358-015, and authorizes the Kenosha County Treasurer to discharge same, upon the condition that the City of Kenosha pays the outstanding property taxes, removes all asbestos and other hazardous materials from the property, demolishes the buildings on site, prepares the property for redevelopment, and an agreement is reached between the City of Kenosha and the County of Kenosha whereby the City agrees that any proceeds received by the City by sale of the subject property, that are above and beyond the costs incurred by the City, will be shared with the County for payment of such interest and penalties incurred prior to the date of this resolution.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

Gordon West

It was moved by Supervisor Carbone to adopt Resolution 136. Seconded by Supervisor Rose.

Roll call vote passed unanimously.

It was moved by Supervisor Bergo to approve the February 25, 2003 minutes. Seconded by Supervisor Gorlinski.

It was moved by Supervisor Wisnefski to adjourn. Seconded by Supervisor Grady.

Meeting adjourned at 8:10 p.m.

Prepared by: Edie LaMothe

Submitted by: Edna R. Highland
County Clerk