

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

February 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, Huff, Montemurro, Wisnefski, West, Noble, Rose, Kessler, Molinaro, Bergo, Pitts, Larsen, Kerkman, Elverman, Smitz, Faraone, O'Day, Singer, Modory, Gorlinski, Carbone, Clark, Ekornaas, Carey-Mielke, Ruffolo.

Excused: Supervisor Johnson, Marrelli.

Present. 26. Excused. 2.

A moment of silence was observed for the seven astronauts who died Saturday.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Kessler stated that it was requested by several supervisors to move Resolution 120 to the end of the agenda.

Roll call vote requested.

Ayes: Supervisors Kessler, Grady, Boyer, Bergo, Carbone, Faraone, Pitts, Larsen, Wisnefski, Carey-Mielke, Noble, West, Smitz, Elverman.

Nays: Supervisors Rose, Huff, Molinaro, Modory, O'Day, Singer, Ruffolo, Montemurro, Clark, Kerkman, Gorlinski, Ekornaas.

Ayes. 14. Nays: 12.

Motion carried.

Chairman Kessler stated that the next regular County Board Meeting will be held February 25th due to the Spring Primary Election.

Chairman Kessler stated that there will be a Round Table Legislative Meeting of the Southeast District of the Wisconsin Counties Association on Monday, February 24th just outside Milwaukee. All the legislatures from the southeast districts are invited. More information will be coming.

Chairman Kessler stated that he will be attending the first meeting of the Gateway Board Appointment Committee on Monday, February 17th in the Racine County Board Chambers at 5:00 p.m.

SUPERVISOR REPORTS

Supervisor Ruffolo asked if there has been thought given to the Workforce Development Committee regarding to shrinking it's size or making some re-appointments so that they can meet more regularly? Chairman Kessler responded by saying that this was going to be a long drawn out process and it was going to take anywhere from three to five years to complete the whole program. As things progress more people will be attending.

Supervisor Elverman reported on the Highway & Parks Committee regarding the retirement of the Director of Parks & Golf. Sometime within the next few weeks the rates for the golf courses will be discussed. He attended the Winter Highway Conference in Stevens Point last week.

Supervisor Gorlinski spoke regarding the SEWRPAC Study having to do with the water supply in this area and he had asked for comments relative to the funding of that study so he could bring comments to the Committee Meeting that will be held March 5th. So far he has received one reply.

Supervisor Gorlinski spoke regarding County Executives Appointments. The back-up information is not attached. Things should be more consistent.

Supervisor Gorlinski asked the Building & Grounds Committee to investigate having handicap doors in this building.

Supervisor Gorlinski spoke regarding the vacated position of Director of Parks. In his district there is a citizens advisee group that meets on a monthly basis. The discussion of a recreational director is needed in this county. The Towns could share the cost with the County. The Highway & Parks should consider this for the future.

Supervisor Larsen reported that the DOT had a meeting to discuss the Highway 32 Project. Ideas were shared. Sometime this month there will be a Town meeting scheduled so that the citizens can share their concerns.

Supervisor Carbone reported that the Register of Deeds reported that they will be returning back to the General Fund a half million dollars in earned income done this past year. The register of Deeds had 53,000 documents that they processed. Total receipts were over three million dollars in which half goes to the State.

Supervisor Carbone stated that on a positive note there is a building being used by youth baseball on 81st Street off of 22nd Avenue that has been going seven days a week. There was about four thousand dollars of astro turf installed and a couple of batting cages that youth baseball is using.

Supervisor Clark reported that the Village of Pleasant Prairie was putting out a newsletter that was talking about the tax inequities and that the village is a donor community and that if you have questions call your County Board Supervisor. The supervisors representing the Village met with the elected officials from the Village and there was a nice discussion. The solution to the tax inequity is really a state solution. There will be a meeting the fifth Monday in March. The place and time has not been determined. Hopefully the Mayor, County Executive and State Representative Steinbrink can all get together to discuss the issue at hand. There should be a communication coming.

Supervisor Pitts stated that he attended the Highway Conference in Stevens Point. 375 people from all over the state attended. The Executive Secretary of the DOT gave a speech regarding the bleak outlook about the finances in the Department of Transportation. Every department is going to be hit with some grave decision making. There will be lay-offs and vacated jobs will not be filled. The message is that there is no money. A resolution regarding seat belts from Rock County failed because the police authorization to stop any car would be an invasion of privacy. Another resolution was to raise the maintenance rates for safer highways. The state is cutting back on maintenance. Be prepared because the highway system is not going to be the same.

NEW BUSINESS

Policy Resolution - first reading, two required.

5. Tuition Reimbursement Program.

Resolutions - one reading.

RESOLUTION 119

119. From Administration and Finance Committees regarding Transfer of Funds in Personnel/Health Insurance Budget.

WHEREAS, Kenosha County must comply with the Health Insurance Portability and Accountability Act (HIPAA) of 1996 on April 14, 2003, and

WHEREAS, compliance requires strict adherence to enhanced standards regarding confidential management of employee health information, and

WHEREAS, the Division of Personnel Services manages Worker's Compensation, Accident and Sickness Pay Maintenance Plan, Family and Medical Leave, and its self-funded health benefit using employee health information, and

WHEREAS, to comply with HIPAA standards, all aspects of exchange and management of employee health information must be conducted in workstations designed to protect the confidential nature of employee health information, and

WHEREAS, the Personnel Services Coordinator, manager of the self-funded employee health benefit, does not presently work at a station which permits HIPAA compliance, and

WHEREAS, the estimated cost of enclosing a workstation in the Personnel Services area, based on a quotation from Corporate Express, is \$7,560, which expenses are properly charged to object code 580010, Furniture and Fixtures exceeding \$500, and

WHEREAS, the estimated cost of a dedicated fax machine for the enclosed workstation, along with miscellaneous costs for moving and wiring the equipment inside the workstation, is \$1,000, which expenses are properly charged to object code 580050, Machinery and Equipment exceeding \$500, and

WHEREAS, the 2003 Personnel/Health Insurance budget does not contain funds in these line items, and

WHEREAS, the 2003 Personnel/Health Insurance budget contains excess funds in object code 575040, Administration Expense, and

WHEREAS, the Administration and Finance Committees have reviewed and approved the requested transfer of funds as summarized below and as shown on the attached budget modification form,

Administration Expense	575040	decrease by \$8,560
Furniture/Fixtures>\$500	580010	increase by \$7,560
Machinery/Equipment>\$500	580050	increase by \$1,000

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors authorize the transfer of funds within the 2003 Personnel/Health Insurance budget as outlined above.

RESPECTFULLY SUBMITTED,

Administration Committee
David Singer
Thomas Kerkman
Joe Clark
John Ruffolo
Mark Modory

Finance Committee
Robert Carbone
Terry Rose
John O'Day
Robert Pitts

It was moved by Supervisor Singer to approve Resolution 119.
Seconded by Supervisor Carbone.

Roll call vote.

Ayes: Supervisors Grady, Boyer, Huff, Montemurro, Wisnefski, West, Noble, Rose, Kessler, Molinaro, Bergo, Pitts, Larsen, Kerkman, Elverman, Smitz, Faraone, O'Day, Singer, Modory, Gorlinski, Carbone, Clark, Ekornaas, Carey-Mielke, Ruffolo.

Nays: Supervisors Molinaro, Faraone, Carey-Mielke.

Ayes. 23. Nays. 3.

Motion carried.

Resolution 121

121. From Finance Committee regarding Bills over \$5,000.00.

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	\$ 480,891.73
FINANCE GROUPING # 2	\$ 304,352.92
PERSONNEL GROUPING # 1	\$ 157,695.45
DISABILITY GROUPING # 1	\$ 171,435.03
PAYMENT GROUPS GRAND TOTAL:	\$1,114,375.13

Submitted by:

FINANCE COMMITTEE
Robert Carbone
John O'Day
Terry Rose
Gordon West
Robert Pitts

It was moved by Supervisor Carbone to adopt Resolution 121. Seconded by Supervisor Rose. Supervisor Clark abstained from voting on the Spanish Center, Women Horizons and the Shalom Center. Motion carried.

From Human Services Committee regarding Appointments: 122 and 123. Re-Appointments of Louis DeMarco and Eunice Boyer to serve on the Brookside Board of Trustees.

RESOLUTION 122

WHEREAS, pursuant to County Executive Appointment 2002/03-40, the County Executive has appointed Louis DeMarco to serve on the Brookside Board of Trustees, 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 Brookside Board of Trustees 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 Louis DeMarco to the Brookside Board of Trustees. Mr. DeMarco's appointment shall be effective immediately and continuing until the 3rd day of January, 2006 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. DeMarco will serve without pay but will receive per diem as defined under Resolution 65 (1982-83) and is succeeding himself

Submitted by:
HUMAN SERVICES COMMITTEE
Eunice Boyer
Don Smitz
Anne Bergo
William Grady
John O'Day

RESOLUTION 123

WHEREAS, pursuant to County Executive Appointment 2002/03-43, the County Executive has appointed Supervisor Eunice Boyer to serve on the Brookside Board of Trustees, 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 Brookside Board of Trustees 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 Supervisor Eunice Boyer to the Brookside Board of Trustees. Supervisor Boyer's appointment shall be effective immediately and continuing until the 3rd day of January, 2006 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Boyer will serve without pay but will receive per diem as per Policy Resolution 65 (1982-83) She will be succeeding herself.

Submitted by:
HUMAN SERVICES COMMITTEE:
Eunice Boyer
Donald Smitz
Anne Bergo
William Grady
John O'Day

It was moved by Supervisor Bergo to adopt Resolutions 122 & 123. Seconded by Supervisor O'Day. Motion carried.

124 and 125. Re-Appointments of Ronald Johnson and Anne Bergo to serve on the Kenosha County Commission of Aging.

RESOLUTION 124

WHEREAS, pursuant to County Executive Appointment 2002/03-41, the County Executive has appointed Supervisor Ronald Johnson to serve on the Kenosha County Commission on Aging; 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 Commission on Aging 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 Supervisor Ronald Johnson to the Kenosha County Commission on Aging. Supervisor Johnson's appointment shall be effective immediately and continuing until the 31st day of December, 2005 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Johnson will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Supervisor Johnson will be succeeding himself.

Submitted by:

HUMAN SERVICES COMMITTEE:

Eunice Boyer
Donald Smitz
Anne Bergo
William Grady
John O'Day

RESOLUTION 125

WHEREAS, pursuant to County Executive Appointment 2002/03-42, the County Executive has appointed Supervisor Anne Bergo to serve on the Kenosha County Commission on Aging; 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 Commission on Aging 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 Supervisor Anne Bergo to the Kenosha County Commission on Aging. Supervisor Bergo's appointment shall be effective immediately and continuing until the 31st day of December, 2005 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Bergo will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). Supervisor Bergo will be succeeding herself.

Submitted by:

HUMAN SERVICES COMMITTEE:

Eunice Boyer
Donald Smitz
Anne Bergo
William Grady
John O'Day

It was moved by Supervisor Boyer to adopt Resolutions 124 & 125.
Seconded by Supervisor Smitz.
Motion carried.

RESOLUTION 126

126. Re-Appointment of Mario Maritato to serve on the Kenosha County Board of Health.

WHEREAS, pursuant to County Executive Appointment 2002/03-44, the County Executive has appointed Mario Maritato, DDS, to serve on the Kenosha County Board of Health, 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 Board of Health 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 Mario Maritato, DDS, to the Kenosha County Board of Health. Dr. Maritato's appointment shall be effective immediately and continuing until the 4th day of February, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Dr. Maritato will serve without pay and will be succeeding himself.

Submitted by:
HUMAN SERVICES COMMITTEE
Eunice Boyer
Don Smitz
Anne Bergo
William Grady
John O'Day

It was moved by Supervisor Boyer to adopt Resolution 126.
Seconded by Supervisor Bergo.
Motion carried.

RESOLUTION 120

120. From Administration Committee regarding Approval of the Successor Labor Agreement between Kenosha County and the Deputy Sheriff's Association.

WHEREAS, negotiations for a successor labor agreement between Kenosha County and the Deputy Sheriff's Association were recently concluded, and

WHEREAS, the negotiations have culminated in a three-year labor agreement ending on December 31, 2005 which agreement has since been ratified by the union, and

WHEREAS, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with its employee organizations, and

WHEREAS, the Administration Committee and Finance Committees of the County Board have reviewed said labor agreement, and

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County board of Supervisors approve and adopt said labor agreement, the originals of which are herewith attached and on file in the County Clerk's Office.

BE IT FURTHER RESOLVED that the County Executive be directed and empowered for and on behalf of this body to make, sign, and execute all documents necessary to implement this directive.

It was moved by Supervisor Singer to refer Resolution 120 to Finance and Judiciary & Law Committee. Seconded by Supervisor Modory.

It was moved by Supervisor Rose to close debate. Seconded by Supervisor Kerkman.

Roll call vote.

Ayes: Supervisors Kessler, Grady, Boyer, Rose, Bergo, Carbone, Modory, Faraone, Pitts, Larsen, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Huff, Molinaro, O'Day, Singer, Ruffolo, Montemurro.

Ayes. 20. Nays. 6.

Motion carried.

Roll call to refer Resolution 120.

Ayes: Supervisors Grady, Boyer, Molinaro, Modory, Singer, Ruffolo, Montemurro, Carey-Mielke, Noble, Gorlinski.

Nays: Supervisors Kessler, Rose, Huff, Bergo, Carbone, Faraone, Pitts, O'Day, Larsen, Wisnefski, Clark, West, Kerkman, Smitz, Elverman, Ekornaas.

Motion lost.

It was moved by Supervisor Rose to close debate. Seconded by Supervisor Larsen.

Roll call to close debate on Resolution 120.

Ayes: Supervisors Grady, Boyer, Rose, Bergo, Carbone, Modory, Faraone, Pitts, O'Day, Larsen, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Kessler, Huff, Molinaro, Singer, Ruffolo, Montemurro, Elverman.

Ayes. 19. Nays. 7.

Motion carried.

Roll call vote on Resolution 120.

Ayes: Supervisors Kessler, Grady, Huff, Molinaro, Bergo, Carbone, Modory, Singer, Ruffolo, Montemurro, Noble, West, Kerkman, Gorlinski, Smitz.

Nays: Supervisors Boyer, Rose, Faraone, Pitts, O'Day, Larsen, Wisnefski, Carey-Mielke, Clark, Elverman, Ekornaas.

Ayes. 15. Nays. 11.

Motion carried.

COMMUNICATIONS

22. From George E. Melcher, Director of Planning and Development regarding future rezonings.

Chairman Kessler referred Communication 22 to Land Use Committee.

23. From Mayor John Antaramin regarding Creating Ward 44.

Chairman Kessler referred Communication to Corporation Counsel.

CLAIMS

34. Michael Newhouse - broken tooth while at Detention Center.

35. Jonathan Rudic - cut on stall door.

Chairman Kessler referred claims 34 & 35 to Corporation Counsel.

Approval of the January 7th, 14th and 21st minutes by Supervisor Huff.

It was moved by Supervisor Huff to approve the January 7th, 14th And 21st minutes.

Supervisor Molinaro opposes to the write-in roll call vote in the January 7th minutes. A recorded vote should not be added to after the vote and the minutes should reflect what actually happened. You can't go to the clerk and verbally tell her your vote. The meeting had already adjourned and then Supervisor Noble's vote was written in.

It was then moved by Supervisor Molinaro to amend the minutes to reflect a 16 to 9 vote to adjourn the January 7th meeting. Seconded by Montemurro.

It was moved by Supervisor O'Day to close debate. Seconded by Supervisor Elverman.

2/3 vote required.

Ayes: Supervisors Kessler, Grady, Boyer, Huff, Molinaro, Bergo, Carbone, Modory, Faraone, O'Day, Ruffolo, Wisnefski, Carey-Mielke, Clark, West, Kerkman, Elverman.

Nays: Supervisors Rose, Pitts, Singer, Montemurro, Larsen, Noble, Gorlinski, Smitz, Ekornaas.

Ayes. 17. Nays. 9.

Motion lost.

Roll call vote to amend the minutes.

Ayes: Supervisors Grady, Huff, Molinaro, Faraone, Singer, Ruffolo, Montemurro, Carey-Mielke, West, Kerkman.

Nays: Supervisors Kessler, Boyer, Rose, Bergo, Carbone, Modory, Pitts, O'Day, Larsen, Wisnefski, Clark, Noble, Gorlinski, Smitz, Elverman, Ekornaas.

Ayes. 10. Nays. 16.

Motion lost.

Roll call vote on the minutes as presented.

Ayes: Supervisors Kessler, Grady, Boyer, Rose, Huff, Bergo, Carbone, Modory, Pitts, O'Day, Larsen, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Elverman, Ekornaas.

Nays: Supervisors Molinaro, Faraone, Singer, Ruffolo, Montemurro, Carey-Mielke.

Ayes. 20. Nays. 6.

Motion carried.

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

Motion carried.

Meeting adjourned at 10:50 p.m.

Prepared by: Pam Young
Chief Deputy
Submitted by: Edna R. Highland
County Clerk

