

February 8, 2005

**RESOLUTION NO. 2004-176**

**RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE  
AUTHORIZING PARTICIPATION IN THE WISCONSIN WINS PROGRAM,  
AUTHORIZING A CONTRACT WITH THE CITY OF RACINE AND AUTHORIZING THE  
TRANSFER OF FUNDS**

To the Honorable Members of the Racine County Board of Supervisors:

**BE IT RESOLVED** by the Racine County Board of Supervisors that the Racine County Sheriff's Department is authorized to participate in the Wisconsin WINS which is an underage tobacco sale program whereby the City of Racine Health Department has received funds from the State of Wisconsin to conduct compliance checks at various licensed establishments throughout the County.

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that the execution of the contract which is attached hereto as Exhibit "A" and incorporated herein by reference is authorized and approved.

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that the transfer of funds as set forth in Exhibit "B" which is attached hereto and incorporated herein is authorized and approved.

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that any two of the County Clerk, the County Executive and/or the County Board Chairman are authorized to execute any contracts, agreements or other documents necessary to carry out the intent of this resolution.

Respectfully submitted,

1st Reading \_\_\_\_\_

**FINANCE AND HUMAN RESOURCES  
COMMITTEE**

2nd Reading \_\_\_\_\_

BOARD ACTION \_\_\_\_\_

\_\_\_\_\_  
Peter L. Hansen, Chairman

Adopted \_\_\_\_\_

For \_\_\_\_\_

\_\_\_\_\_  
Van H. Wanggaard, Vice-Chairman

Against \_\_\_\_\_

Absent \_\_\_\_\_

VOTE REQUIRED: 2/3's M.E.

\_\_\_\_\_  
Pamela Zenner-Richards, Secretary

Prepared by:  
Corporation Counsel

\_\_\_\_\_  
David J. Hazen

\_\_\_\_\_  
Thomas Pringle

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6 \_\_\_\_\_  
7 Q. A. Shakoor, II

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9 \_\_\_\_\_  
10 Kenneth Lumpkin

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12 **INFORMATION ONLY**

13  
14 **WHEREAS**, the City of Racine Health Department has applied for a grant from the  
15 State of Wisconsin whereby compliance checks will be conducted at various licensed  
16 establishments throughout the County in regard to the sale of tobacco products to  
17 underage individuals; and

18  
19 **WHEREAS**, the program will involve using 15-17 year old individuals who will  
20 participate in the compliance checks; and

21  
22 **WHEREAS**, the grant will involve a minimum of 252 compliance checks and will  
23 generate a maximum of \$6,300.00 for the Sheriff's Department.  
24  
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## Memorandum of Understanding-WI WINS Program 2005

City of Racine Health Department  
Racine County Sheriff's Department

This Memorandum of Understanding is between the City of Racine Health Department and the Racine County Sheriff's Department in order to reduce the rate of illegal tobacco sales to minors at retail outlets. Enforcement activities will be integrated into the Wisconsin Wins (WI WINS) protocols. WI WINS is an intervention program designed to help the state of Wisconsin come into and stay in compliance with requirements of the federal Synar Regulation, as well as reduce youth tobacco consumption. Increased enforcement of local and state laws prohibiting the sale of tobacco to minors has been shown to strengthen these efforts.

The Sheriff's Department will conduct the compliance investigations through the use of minor student volunteers. The following objectives must be achieved by the Health Department through this agreement with the Sheriff's Department:

1. By December 31, 2005, enforcement activities will be implemented by the Racine County Sheriff in the jurisdiction of the Racine on the Lake Tobacco Free Coalition in collaboration with Wisconsin Wins tobacco compliance inspections.
2. By December 31, 2005, 252 compliance investigations at licensed tobacco retail vendors, 5 related public outreach activities, and 5 related media outreach activities will be completed in the jurisdiction of the Racine on the Lake Tobacco Free Coalition according to the prescribed schedule.

The following requirements are part of this Memorandum of Understanding:

Protocols

1. The Sheriff's Department must comply with the requirements of State Statute 254, Sub Chapter 9, Sale or Gift of Cigarettes or Tobacco Products to Minors.

Pictures

2. The Sheriff's Department will take individual pictures of the students each day before conducting compliance investigations. The pictures need to be dated.

Earned Media

3. The Sheriff's Department will provide the City of Racine Health Department with documentation of 5 media outreach activities (e.g., press release, letter to editor, interviews) and 5 public outreach activities (e.g., informational presentations to policy makers, civic groups, retailers, educators, law enforcement officials, etc.). In addition, all media shall include the City of Racine Health Department name.

### Vendor Letters

4. The Sheriff's Department will issue a letter to the vendor detailing the occurrence (sell or not) in accordance with § 254 within 72 hours of any inspection.

### Citations

5. Citations will be issued to all second offenders (would have sold) as defined by the second compliance investigation offense since the Sheriff Department's WINS Program was initiated in the city of Racine.

### Compliance Investigation Schedule

6. The Sheriff's Department will conduct at least 126 compliance investigations by July 1, 2005, and the remainder by December 31, 2005.

### Deliverables

7. Palm OS real-time reports must be submitted by the Sheriff's Department to Wisconsin Wins. Quarterly written reports must be filed by the Health Department with Wisconsin Wins within 15 days of the end of the calendar quarter listing the number of compliance investigations completed in the Racine on the Lake Tobacco Free Coalition's jurisdiction, the number of citations issued, and a description of related public and media outreach activities.

### The City of Racine Health Department will provide the following:

8. a. Buy Money:  
Each student will receive \$5.00 to purchase gum or a candy bar and possible cigarettes. When the student is purchasing gum or candy, the student should spend no more than \$1.00 and recycle the leftover change for further investigations. The \$5.00 is made available for the possibility of a cigarette purchase.
- b. Lunches:  
The City of Racine Health Department will reimburse the Sheriff's Department for student lunches during compliance investigations upon receiving a receipt, with a limit of \$7.00 per person (not to exceed \$3,528 in 2005).
- c. Compliance Investigation Reimbursement:  
For each compliance investigation, \$25.00 will be given to the Sheriff's Department to offset their expenses (not to exceed \$6,300 in 2005) based on the quarterly reports.
- d. Vendor Certificates:  
The City of Racine Health Department will provide certificates of recognition for the vendors who are in compliance.
- e. Volunteer Party:  
After all compliance investigations are completed, the City of Racine Health Department will host a party for the student volunteers.

The City of Racine Health Department is the fiscal agent for the WI WINS grant. Receipts for expenditures and information on compliance investigations completed by the Sheriff's Department must be submitted quarterly to:

Sarah Clemons  
City of Racine Health Department, Rm. 106  
730 Washington Avenue  
Racine, WI 53403

Signature below signifies agreement of all parties to the terms outlined in the Memorandum of Understanding.

City of Racine Health Department

Racine County Sheriff's Department

By:

By:

*Sarah Clemons 12/16/04*  
Name

\_\_\_\_\_  
Name

Public Health Administrator

Title

\_\_\_\_\_  
Title

EXHIBIT "B"

| ACCOUNT NAME | ACCOUNT NUMBER | CURRENT BUDGET | CURRENT BALANCE |
|--------------|----------------|----------------|-----------------|
|--------------|----------------|----------------|-----------------|

**DARE/DEPUTY FRIENDLY PROGRAMS**

|               |            |   |   |
|---------------|------------|---|---|
| TOBACCO FUNDS | 10192.3188 | 0 | 0 |
|---------------|------------|---|---|

THESE FUNDS ARE EQUAL TO A MAXIMUM OF \$6,300, AND ARE USED COVER THE REGULAR WAGES AND ASSOCIATED FRINGE BENEFITS OF THE DARE AND DEPUTY FRIENDLY OFFICERS, WHO WILL ADMINISTER COMPLIANCE CHECKS ON RACINE COUNTY BUSINESSES WHO SELL TOBACCO PRODUCTS.

After reviewing the Resolution/Ordinance and fiscal information supplied, your Finance Committee recommends FOR--AGAINST adoption.  
REASONS

|     |         |
|-----|---------|
| FOR | AGAINST |
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