

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

SEPTEMBER 18, 2007

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

Present: Supervisors Grady, Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.
Present. 28

RESOLUTION 58A

58A. From Chairman Terry Rose regarding Youth in Governance; Appointment of Students to Kenosha County Committees.

WHEREAS, youth leadership development is critical in building civic capacity and long-term community sustainability in Kenosha County, and

WHEREAS, the Kenosha County Board of Supervisors supports that Youth In Governance recognizes young people as capable citizens addressing concerns, contributing untapped ideas and energy, and providing an enriched forum for powerful strategies and concrete change, and

WHEREAS, the Kenosha County Board of Supervisors has adopted a Youth in Governance program that will include a maximum of two youth members on every County Board Committee, and whereas, youth members will have a non-binding advisory vote on the committee in which they serve, and

WHEREAS, over the past several months, applications have been taken and selections made for participation in the Youth in Governance program, and

WHEREAS, the following students have expressed an interest in participating in the work of the following County Board Committees.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors appoint the following students to serve on the following County Board Committees, said service to commence on September 18, 2007 and ending on the second meeting of the Kenosha County Board in April, 2008:

Student	Committee	Mentor
Andrew Brown	Highway & Parks	William Grady
Martin Cech	Legislative	James Moore
Oliver Debe	Building & Grounds	Mark Molinaro Jr.
Ariana Gillmore	Human Services	Ruth Booth
Virginia Jones	Human Services	Ruth Booth
Taylor MacKinnon	Finance	John O'Day
Leigh Maltby	Legislative	James Moore
Malissa Roberts	Highway & Parks	William Grady
Sally Shumaker	Judiciary & Law	Joseph Clark
Danielle Sienko	Finance	John O'Day
Dana Sorensen	Judiciary & Law	Joseph Clark

Respectfully submitted,
Supervisor Terry Rose

It was moved by Supervisor Marrelli to adopt Resolution 58A. Seconded by Supervisor Molinaro.

Motion carried unanimously.

The students were acknowledged and will start serving on September 18, 2007 and ending on the second meeting in April, 2008.

CITIZEN COMMENTS

Several residents from the Town of Paris spoke in favor of Resolution 69 on tonight's agenda regarding the denial of RRAM Productions d/b/a Great Lakes Dragaway to rezone. The Town of Paris Plan Commission and the Town Board of Paris denied the rezoning request and citizens in the area spoke in opposition to the request at the Land Use Committee's public hearing. The noise and lights force neighbors to stay in-doors all the time and expanding the facility for motor cross races would just not be fair to the residents.

Randy Henning stated that he runs Great Lakes Dragaway. He has stopped running jets on Wednesday nights, by a gentleman's agreement with some people from the Town of Paris. There are no more touring professionals at the track. No more running of nitro cars and those are the nosiest. They now run a lot of cars that are street cars and have mufflers.

CHAIRMAN'S ANNOUNCEMENTS

Chairman Rose stated that for those who will be attending the WCA Convention a packet was placed on their desk. Also, NACo has nominated Ron Johnson from the County Board and Edna Highland, County Clerk to the NACo Steering Committee.

County Executive Allan Kehl gave his State of the County Address.

SUPERVISORS REPORTS

Supervisor Singer reported from Building & Grounds Committee. They will be receiving the study on the Emergency Government Center and a packet will be sent to everyone. There will be a Building & Grounds Committee meeting on September 26th at 7:15 P.M. and everyone is invited to attend. Also, the Molinaro parking lot is taking longer than thought.

Supervisor Rossow stated that the Kemper Center is having a fund raiser this Saturday night from 4-10 P.M.

NEW BUSINESS

Ordinance - first reading, two required.

22. From Highway and Parks Committee to repeal and recreate Ordinance on speed limits on County Trunk Highway "B" from 0.5 miles north of State Trunk Highway 50 southerly to County Trunk Highway "AH" in the Town of Salem and Village of Silver Lake.

It was moved by Supervisor Molinaro to move Resolution 69 up on the agenda. Seconded by Supervisor Huff.
Motion carried.

RESOLUTION 69

69. From the Land Use Committee regarding denial of the request of RRAM Productions d/b/a Great Lakes Dragaway to rezone from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District in the Town of Paris.

WHEREAS, on May 10, 2007, Randall Henning, Raymond Drew, and Dominic Blasco of RRAM Production, Inc. (d/b/a) Great Lakes Dragaway petitioned the Land Use Committee of the Kenosha County Board of Supervisors for a rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District on Tax Parcel #45-4-221-081-0101 located in the northeast quarter of Section 8, Township 2 North, Range 21 East, Town of Paris. For informational purposes only, this property is located immediately south of the existing race track which is located on the south side of County Trunk Highway KR (1st Street) approximately 0.9 miles east of State Trunk Highway "45" (200th Avenue);

WHEREAS, the Town of Paris Plan Commission and the Town Board of Paris denied the rezoning request; and

WHEREAS, citizens in the area spoke in opposition to the request at the Land Use Committee's public hearing; and

WHEREAS, at a public hearing held on September 12, 2007, the Land Use Committee recommended denial of the request based on the aforementioned statements.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors hereby denies the request of RRAM Productions, Inc., d/b/a Great Lakes Dragaway for rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District on Tax Parcel #45-4-221-081-0101.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson
Gabe Nudo

It was moved by Supervisor O'Day to adopt Resolution 69. Seconded by Supervisor Jackson.

Roll call vote.

Ayes: Supervisors Grady, Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman.

Abstain: Supervisor Ekornaas.

Ayes. 27. Abstain. 1.

Motion Carried.

Ordinances - one reading.

ORDINANCE 23

23. From the Land Use Committee regarding Leonard A. Jr., and Carol A. Lois (Owners) requesting rezoning from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District in the Town of Wheatland.

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 part of Tax Parcel #95-4-219-261-0500 located in the northeast quarter of Section 26, Township 2 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District (2.16 acres). For informational purposes only, this property is located on the west side of County Trunk Highway "W" (328th Avenue) approximately 0.36 miles south of County Trunk Highway "JB" (31st Street).

Leonard A. Jr., and Carol A. Lois - Owners

Description: Being a part of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 26, Township 2 North, Range 19 East of the Fourth Principal Meridian, in the Town of Wheatland, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the east $\frac{1}{4}$ corner of said Section 28: thence North 01°16'54" West along the east line of said northeast $\frac{1}{4}$ section 150.00 feet to the place of beginning of this description; thence South 88°43'06" West 448.00 feet; thence North 01°16'54" West 210.00 Feet; thence North 88°43'06" East 448.00 feet to a point on the east line of said northeast $\frac{1}{4}$ section; thence South 01°16'54" East along said east line 210.00 feet to the place of beginning. Containing 2.16 acres of land more or less.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 23. Seconded by Supervisor Jackson.

Motion carried.

ORDINANCE 24

24. From the Land Use Committee regarding Land Use Committee (Sponsor), James R. and Nancy L. Mirek (Owners) requesting rezoning from C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Wheatland.

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 #95-4-219-281-0201 located in the northeast quarter of Section 28, Township 2 North, Range 19 East, Town of Wheatland be changed from C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District and C-1 Lowland Resource

Conservancy District. This rezoning is considered a zoning map amendment to reflect actual field conditions. For informational purposes only, this property is located on the south side of 31st Street approximately ¼ mile east of the intersection of 368th Avenue.

James R. and Nancy L. Mirek - Owners

Description: Presented in Exhibit 1 (attached).

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 24. Seconded by Supervisor Roger Johnson.

ORDINANCE 25

25. From the Land Use Committee regarding Blair and Camille Haltom requesting rezoning from R-4 Urban Single-Family Residential District to B-2 Community Business 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 #67-4-120-303-0710 and part of Tax Parcel #67-4-120-303-0631 located in the southwest quarter of Section 30, Township 1 North, Range 20 East, Town of Salem be changed from R-4 Urban Single-Family Residential District to B-2 Community Business District. For informational purposes only, this property is located on the east side of County Trunk Highway C & W (307th Avenue) approximately 94 feet north of the intersection of 114th Street.

Blair and Camille Haltom - Owners

Description: The north 16.5' of Lot 1 and the west 57.77' of Lot 2, as measured along the north line of Lot 2, of the north 16.5' of Lot 2 and all of Lot 16, Block 14 of the Village of Wilmot Subdivision, in Town 1 North, Range 20 East, Section 30, Town of Wilmot, Kenosha County, Wisconsin. This parcel contains 11,660 sq. ft or 0.265 acres, more or less.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 25. Seconded by Supervisor Nudo.

Motion carried.

ORDINANCE 26

26. From the Land Use Committee regarding Chester and Barbara Welzen requesting rezoning from R-1 Rural Residential District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland 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 #67-4-120-314-0200 located in the southeast quarter of Section 31, Township 1 North, Range 20 East, Town of Salem be changed from R-1 Rural Residential District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the east side of County Trunk Highway "B" (304th Avenue) approximately ¾ mile south of the intersection of County Trunk Highway "C".

Chester and Barbara Welzen - Owners

Description: Presented in Exhibit 1 (attached).

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 26. Seconded by Supervisor O'Day.

Motion carried.

ORDINANCE 27

27. From the Land Use Committee regarding Ronald Jankowski requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Wheatland.

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 part of Tax Parcel #95-4-219-263-0507 located in the southwest quarter of Section 26, Township 2 North, Range 19 East, Town of Wheatland be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of State Trunk Highway "83" approximately 1 mile south of the intersection of County Trunk Highway "JB" (31st Street).

Ronald Jankowski - Owner

Description: Presented in Exhibit 1 (attached).

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 27. Seconded by Supervisor Jackson.

Motion carried.

ORDINANCE 28

28. From the Land Use Committee regarding Charles J. Goralczyk and Tanya A. Mai (Owners) requesting rezoning from R-11 Multiple-Family Residential District and C-1 Lowland Resource conservancy District to R-5 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Bristol.

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 #35-4-121-083-0140 located in the southwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol be changed from R-11 Multiple-Family Residential District and C-1 Lowland Resource Conservancy District to R-5 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of 195th Avenue approximately 80 feet north of the intersection of 83rd Street.

Charles J. Goralczyk and Tanya A. Mai - Owners

Description:

Lot 1 of KENOSHA COUNTY CERTIFIED SURVEY NUMBER 569, being part of the Southwest Quarter of Section 8, Town 1 North, Range 19 East of the 4th Principal

Meridian, as recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on July 14, 1978 in Volume 1023 of Records, page 712, as Document Number 638310, lying and being in the Town of Bristol, County of Kenosha and State of Wisconsin.

ALSO

A parcel of land 75 feet wide (North and South) by 150 feet deep (East and West), lying immediately north of and adjacent to Certified Survey Map Number 569, being part of the Southwest Quarter of Section 8, Town 1 North, Range 21 East of the Fourth Principal Meridian, as per survey recorded in the office of the Register of Deeds for Kenosha County, Wisconsin as Document Number 683310, lying and being in the Town of Bristol, County of Kenosha and State of Wisconsin.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 28. Seconded by Supervisor O'Day.

Motion carried.

ORDINANCE 29

29. From the Land Use Committee regarding Greco Investments LLC, 5315 Somers LLC, and Dennison Real Estate LLC (Joint Owners) requesting rezoning from A-2 General Agricultural District to R-3 Urban Single-Family Residential District in the Town of Somers.

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 part of Tax Parcel #80-4-222-232-0201 located in the northwest quarter of Section 23, Township 2 North, Range 23 East, Town of Somers be changed from A-2 General Agricultural District to R-3 Urban Single-Family Residential District. For informational purposes only, this property is located on the south side of County Trunk Highway "L" (18th Street) approximately ¼ mile west of the intersection of 47th Avenue.

Greco Investments LLC, 5315 Somers LLC and Dennison Real Estate LLC (Owners)

Description: Part of the Northwest Quarter of Section of the Northwest Quarter of Section 23, Town 2 North, Range 22 East of the Fourth Principal Meridian; lying and being in the Town of Somers, Kenosha County, Wisconsin and being more particularly described as:

Commencing at the northwest corner of the Northwest Quarter of said quarter section; which is also the northwest corner of Certified Survey Map No. 285, a plat of record, thence N 89 degrees 06'57" E along the north line of said certified survey map and along the north line of said quarter section 150.00 feet to the northeast corner of said certified survey map and the point of beginning; thence continue N 89 degrees 06'57"E along the north line of said quarter section 1179.49 feet to the east line of the Northwest Quarter of said quarter section and to the northwest corner of Certified Survey Map No. 1822, a plat of record; thence S 01 degrees 32'48" E along said east line and along the west line of said certified survey map 283.00 feet to the southwest corner thereof, thence S 89 degrees 06'57" W parallel to the north line of said quarter section 1179.65 feet to the east line of aforesaid Certified Survey Map No. 285, thence N 01 degrees 30'53" W parallel to the west line of said quarter section and along the east line of said certified survey map 283.00 feet to the northeast corner thereof and to the north line of said quarter section and the point of beginning; containing 7.66 acres, more or less; subject to a public road over and across the northerly portion thereof and subject to easements and restrictions of record.

This description is intended to extend to the center of all roads.

Submitted:

LAND USE COMMITTEE
Fred R. Ekornaas
John J. O'Day
Jennifer S. Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 29. Seconded by Supervisor Roger Johnson.
Motion carried.

ORDINANCE 30

30. From the Land Use Committee regarding Berwick Properties requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-9 Multiple-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Somers.

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 Parcels #80-4-222-151-0561, #80-4-222-151-0563 and part of Tax parcel #80-4-222-151-0560, all located in the northeast quarter of Section 15, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-9 Multiple-Family Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, these properties are located on the south side of County Trunk Highway "E" (12th Street) approximately 0.16 miles west of the intersection of State Trunk Highway "31" (Green Bay Road).

Berwick Properties (Owner)

Description: See Exhibit 1 (attached).

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE
Fred R. Ekornaas
John J. O'Day
Jennifer S. Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 30. Seconded by Supervisor Nudo.
Roll call vote.

Ayes: Supervisors Grady, Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Abstain: Supervisor Clark.

Ayes. 27. Abstain 1.

Motion carried

ORDINANCE 31

31. From the Land Use Committee regarding Delbert L. Benedict Revocable Trust, Delbert L. Benedict Trustee requesting rezoning from A-1 Agricultural Preservation District to R-1 Rural Residential District in the Town of Bristol.

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 part of Tax Parcels #35-4-121-114-0200 and #35-4-121-114-0400 located in the southeast quarter of Section 11, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District to R-1 Rural Residential District. For informational purposes only, this property is located on the east side of 144th Avenue approximately ½ mile south of the intersection of State Trunk Highway 50.

Delbert L. Benedict Trustee - Owner

Description: Part of the West Half of the Northwest Quarter of the Southeast Quarter of Section 11, Township 1 North, Range 21 East of the 4th Principal Meridian, Town of Bristol, County of Kenosha, State of Wisconsin, described as follows: Commencing at the southwest corner of the Southeast Quarter of Section 11, said corner is designated by a Kenosha County concrete monument with a brass cap; thence North 02 degrees 27 minutes 36 seconds West, grid bearing from North, Wisconsin Coordinate System, South Zone, along the west line of the Southwest Quarter of said Southeast Quarter 1297.92 feet to the southwest corner of the Northwest Quarter of said Southeast Quarter as previously surveyed, said corner is designated by a found iron pipe, 1" diameter (with a mushroomed top); thence North 02 degrees 15 minutes 53 seconds West along the west line of the Northwest Quarter of said Southeast Quarter 477.64 feet to the point of beginning of land to be described; thence continue North 02 degrees 15 minutes 53 seconds West along the west line of the Northwest Quarter of said Southeast Quarter 392.61 feet to the southerly line of the former Chicago & Northwestern Railroad right-of-way, said railroad now removed and location determined by evidence of old wire fences and railroad bed; thence southeasterly along the southerly line of said former railroad 667.75 feet along the arc of a curve to the right and not tangent with the last described course, said curve having a radius of 16,699.52 feet, a central angle of 02 degrees 17 minutes 28 seconds, and a chord bearing South 84 degrees 27 minutes 55 seconds East 667.71 feet to the east line of the West Half of the Northwest Quarter of said Southeast Quarter as previously surveyed; thence South 02 degrees 07 minutes 00 seconds East, not tangent with the last described curve, along the east line of the West Half of the Northwest Quarter of said Southeast Quarter as previously surveyed 302.00 feet; thence South 87 degrees 44 minutes 07 seconds West along a line that is perpendicular to the west line of the Northwest Quarter of said Southeast Quarter 660.75 feet to the west line of the Northwest Quarter of said Southeast Quarter and the point of beginning. The parcel contains 5.31 acres of land, more or less.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 31. Seconded by Supervisor O'Day.

Motion carried.

ORDINANCE 32

32. From the Land Use Committee regarding Regency Hills Pike Creek Crossing LLC (Owner), Nancy Washburn (Agent) requesting rezoning from A-1 Agricultural Preservation District and A-2 General Agricultural District to A-1 Agricultural Preservation District, A-2 General Agricultural District, R-4 Urban Single-Family Residential District, R-5 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District in the Town of Somers.

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 part of Tax Parcels #80-4-222-103-0201, #80-4-222-152-0225 and #80-4-222-152-0300 located in the southwest quarter of Section 10 and the northwest quarter of Section 15, Township 2 North, Range 20 East, Town of Somers be changed from A-1 Agricultural Preservation District and A-2 General Agricultural District to A-1 Agricultural Preservation District, A-2 General Agricultural District, R-4 Urban Single-Family Residential District, R-5 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, these properties are generally located on the northeast corner of the intersection of County Trunk Highway "E" (12th Street) and County Trunk Highway "EA" (72nd Avenue).

Regency Hills Pike Creek Crossing LLC - Owner

Description:

R-4 NORTH ZONING LEGAL DESCRIPTION

SITUATED ON 72ND AVENUE, TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN THAT PART OF THE SOUTHWEST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 22 EAST, IN THE TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE NORTH 01°42'28" WEST ALONG THE WEST LINE OF SAID 1/4 SECTION 1496.57 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE CONTINUING NORTH 01°42'28" WEST ALONG THE WEST LINE OF SAID 1/4 SECTION 986.19 FEET TO A POINT; THENCE SOUTH 82°00'00" EAST 50.73 FEET TO A POINT; THENCE SOUTH 01°42'28" EAST 9.71 FEET TO A POINT; THENCE SOUTH 81°19'47" EAST 26.37 FEET TO A POINT; THENCE SOUTH 83°19'40" EAST 36.65 FEET TO A POINT; THENCE SOUTH 72°54'34" EAST 22.79 FEET TO A POINT; THENCE SOUTH 87°23'27" EAST 33.65 FEET TO A POINT; THENCE NORTH 78°32'20" EAST 46.00 FEET TO A POINT; THENCE NORTH 83°05'29" EAST 44.68 FEET TO A POINT; THENCE NORTH 87°53'30" EAST 48.88 FEET TO A POINT; THENCE NORTH 83°22'47" EAST 43.91 FEET TO A POINT; THENCE NORTH 89°02'35" EAST 34.14 FEET TO A POINT; THENCE NORTH 85°24'13" EAST 26.48 FEET TO A POINT; THENCE NORTH 85°57'16" EAST 46.53 FEET TO A POINT; THENCE NORTH 86°48'59" EAST 36.62 FEET TO A POINT; THENCE NORTH 86°17'22" EAST 42.01 FEET TO A POINT; THENCE SOUTH 87°15'46" EAST 28.36 FEET TO A POINT; THENCE NORTH 82°37'39" EAST 36.44 FEET TO A POINT; THENCE SOUTH 84°32'51" EAST 51.37 FEET TO A POINT; THENCE NORTH 74°13'03" EAST 37.06 FEET TO A POINT; THENCE SOUTH 87°40'44" EAST 59.32 FEET TO A POINT; THENCE NORTH 86°27'55" EAST 30.12 FEET TO A POINT; THENCE SOUTH 89°49'20" EAST 36.67 FEET TO A POINT; THENCE SOUTH 87°39'30" EAST 30.70 FEET TO A POINT; THENCE NORTH 78°51'55" EAST 45.45 FEET TO A POINT; THENCE NORTH 89°04'02" EAST 45.00 FEET TO A POINT; THENCE NORTH 88°39'32" EAST 54.18 FEET TO A POINT; THENCE SOUTH 82°36'14" EAST 20.47 FEET TO A POINT; THENCE NORTH 86°17'33" EAST 35.18 FEET TO A POINT; THENCE SOUTH 87°34'24" EAST 34.17 FEET TO A POINT; THENCE NORTH 81°21'36" EAST 31.93 FEET TO A POINT; THENCE SOUTH 83°23'37" EAST 21.81 FEET TO A POINT; THENCE SOUTH 87°49'07" EAST 44.28 FEET TO A POINT; THENCE NORTH 83°43'16" EAST 23.38 FEET TO A POINT; THENCE SOUTH 67°33'40" EAST 44.51 FEET TO A POINT; THENCE SOUTH 51°20'33" EAST 33.92 FEET TO A POINT; THENCE SOUTH 15°03'20" WEST 20.59 FEET TO A POINT; THENCE SOUTH 12°22'33" WEST 19.49 FEET TO A POINT; THENCE SOUTH 19°03'53" EAST 21.09 FEET TO A POINT; THENCE SOUTH 35°59'49" EAST 71.65 FEET TO A POINT; THENCE SOUTH 53°21'26" EAST 48.65 FEET TO A POINT; THENCE SOUTH 79°17'02" EAST 31.50 FEET TO A POINT; THENCE NORTH 79°46'50" EAST 28.45 FEET TO A POINT; THENCE SOUTH 80°27'15" EAST 22.12 FEET TO A POINT; THENCE SOUTH 05°18'29" EAST 13.23 FEET TO A POINT; THENCE SOUTH 59°54'07" EAST 28.32 FEET TO A POINT; THENCE SOUTH 54°30'48" EAST 23.41 FEET TO A POINT; THENCE SOUTH 38°08'01" EAST 23.47 FEET TO A POINT; THENCE SOUTH 54°15'49" EAST 25.82 FEET TO A POINT; THENCE SOUTH 25°51'20" WEST 22.11 FEET TO A POINT; THENCE SOUTH 03°54'59" WEST 22.62 FEET TO A POINT; THENCE SOUTH 03°28'33" WEST 55.31 FEET TO A POINT; THENCE SOUTH 23°20'02" EAST 29.55 FEET TO A POINT; THENCE SOUTH 58°28'56" EAST 33.76 FEET TO A POINT; THENCE SOUTH 74°34'39" EAST 35.44 FEET TO A POINT; THENCE SOUTH 80°01'29" EAST 30.15 FEET TO A POINT; THENCE SOUTH 81°14'41" EAST 21.13 FEET TO A POINT; THENCE SOUTH 76°54'37" EAST 21.76 FEET TO A POINT; THENCE SOUTH 50°19'56" EAST 18.38 FEET TO A POINT; THENCE SOUTH 40°24'43" EAST 22.04 FEET TO A POINT; THENCE SOUTH 39°01'44" EAST 34.13 FEET TO A POINT; THENCE SOUTH 28°23'57" EAST 21.07 FEET TO A POINT; THENCE SOUTH 43°24'35" EAST 16.77 FEET TO A POINT; THENCE SOUTH 41°58'48" EAST 43.54 FEET TO A POINT; THENCE SOUTH 04°45'47" EAST 21.09 FEET TO A POINT; THENCE SOUTH 37°40'05" EAST 38.37 FEET TO A POINT; THENCE SOUTH 61°47'35" EAST 24.66 FEET TO A POINT; THENCE SOUTH 24°02'31" EAST 43.73 FEET TO A POINT; THENCE SOUTH 13°51'10" EAST 41.59 FEET TO A POINT; THENCE SOUTH 08°53'39" EAST 34.91 FEET TO A POINT; THENCE SOUTH 06°46'38" WEST 27.89 FEET TO A POINT; THENCE SOUTH 01°57'12" EAST 22.85 FEET TO A POINT; THENCE SOUTH 05°29'26" WEST 43.93 FEET TO A POINT; THENCE SOUTH 03°53'41" WEST 42.98 FEET TO A POINT; THENCE SOUTH 06°52'45" WEST 31.70 FEET TO A POINT; THENCE SOUTH 06°20'02" WEST 34.88 FEET TO A POINT; THENCE SOUTH 04°29'34" WEST 48.62 FEET TO A POINT; THENCE SOUTH 05°19'48" WEST 39.94 FEET TO A POINT; THENCE SOUTH 04°10'41" WEST 61.81 FEET TO A POINT; THENCE SOUTH 05°00'26" WEST 60.35 FEET TO A POINT; THENCE SOUTH 03°53'44" WEST 92.69 FEET TO

A POINT; THENCE SOUTH 05°53'04" WEST 97.13 FEET TO A POINT; THENCE SOUTH 07°27'40" WEST 58.30 FEET TO A POINT; THENCE SOUTH 02°57'32" WEST 59.82 FEET TO A POINT; THENCE SOUTH 05°43'38" WEST 101.48 FEET TO A POINT; THENCE SOUTH 08°09'49" WEST 68.72 FEET TO A POINT; THENCE SOUTH 02°13'23" WEST 51.43 FEET TO A POINT; THENCE SOUTH 03°47'07" WEST 54.88 FEET TO A POINT; THENCE SOUTH 03°07'42" WEST 70.78 FEET TO A POINT; THENCE SOUTH 05°45'24" WEST 84.78 FEET TO A POINT; THENCE SOUTH 03°52'33" WEST 57.74 FEET TO A POINT; THENCE SOUTH 04°28'24" WEST 95.99 FEET TO A POINT; THENCE SOUTH 84°57'27" EAST 4.35 FEET TO A POINT; THENCE SOUTH 05°02'33" WEST 452.93 FEET TO A POINT; THENCE SOUTH 89°16'47" WEST 374.98 FEET TO A POINT; THENCE NORTH 01°42'28" WEST 201.66 FEET TO A POINT; THENCE SOUTH 89°16'47" WEST 216.00 FEET TO A POINT; THENCE SOUTH 01°42'28" EAST 201.66 FEET TO A POINT; THENCE SOUTH 89°16'47" WEST 156.21 FEET TO A POINT; THENCE NORTH 01°44'15" WEST 183.37 FEET TO A POINT; THENCE NORTHEASTERLY 76.13 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 662.22 FEET AND WHOSE CHORD BEARS NORTH 01°33'21" EAST 76.08 FEET TO A POINT; THENCE NORTH 85°09'03" WEST 33.00 FEET TO A POINT; THENCE NORTHWESTERLY 132.51 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTH, WHOSE RADIUS IS 1363.25 FEET AND WHOSE CHORD BEARS NORTH 87°56'08" WEST 132.46 FEET TO A POINT; THENCE SOUTH 89°16'47" WEST 272.93 FEET TO A POINT; THENCE NORTHWESTERLY 233.03 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTH EAST, WHOSE RADIUS IS 150.00 FEET AND WHOSE CHORD BEARS NORTH 46°12'50" WEST 210.30 FEET TO A POINT; THENCE NORTH 01°42'28" WEST 1084.73 FEET TO A POINT; THENCE SOUTH 88°17'32" WEST 269.00 FEET TO THE POINT OF BEGINNING. CONTAINING 347,0455 SQUARE FEET OR 79.6707 ACRES.

R-5 SOUTH ZONING LEGAL DESCRIPTION

SITUATED ON 72ND AVENUE, TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN THAT PART OF THE NORTHWEST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 22 EAST, IN THE TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE NORTH 01°47'16" WEST ALONG THE WEST LINE OF SAID 1/4 SECTION 1082.27 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE CONTINUING NORTH 01°47'16" WEST ALONG THE WEST LINE OF SAID 1/4 SECTION 240.29 FEET TO A POINT; THENCE NORTH 89°21'36" EAST 664.45 FEET TO A POINT; THENCE NORTH 01°44'15" WEST 1323.47 FEET TO A POINT; THENCE NORTH 89°16'47" EAST 184.55 FEET TO A POINT; THENCE SOUTH 01°44'15" EAST 124.18 FEET TO A POINT; THENCE SOUTHEASTERLY 48.13 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 250.00 FEET AND WHOSE CHORD BEARS SOUTH 07°15'09" EAST 48.05 FEET TO A POINT; THENCE SOUTH 12°46'03" EAST 63.90 FEET TO A POINT; THENCE SOUTHEASTERLY 746.63 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE WEST, WHOSE RADIUS IS 1800.00 FEET AND WHOSE CHORD BEARS SOUTH 00°53'04" WEST 741.29 FEET TO A POINT; THENCE SOUTHWESTERLY 178.39 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE EAST, WHOSE RADIUS IS 1000.00 FEET AND WHOSE CHORD BEARS SOUTH 05°53'17" WEST 178.15 FEET TO A POINT; THENCE SOUTH 00°46'39" WEST 279.59 FEET TO A POINT; THENCE SOUTHWESTERLY 140.63 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE WEST, WHOSE RADIUS IS 314.25 FEET AND WHOSE CHORD BEARS SOUTH 13°35'52" WEST 139.46 FEET TO A POINT; THENCE SOUTH 26°25'05" WEST 33.33 FEET TO A POINT; THENCE NORTH 63°34'55" WEST 92.16 FEET TO A POINT; THENCE NORTHWESTERLY 299.98 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTH WEST, WHOSE RADIUS IS 400.00 FEET AND WHOSE CHORD BEARS NORTH 85°03'59" WEST 293.00 FEET TO A POINT; THENCE SOUTH 73°26'58" WEST 51.08 FEET TO A POINT; THENCE SOUTHWESTERLY 128.83 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES TO THE NORTH, WHOSE RADIUS IS 500.00 FEET AND WHOSE CHORD BEARS SOUTH 80°49'51" WEST 128.47 FEET TO A POINT; THENCE SOUTH 88°12'44" WEST 217.05 FEET TO THE POINT OF BEGINNING. CONTAINING 448,254 SQUARE FEET OR 10.2905 ACRES.

C-1 NORTH ZONING LEGAL DESCRIPTION

SITUATED ON 72ND AVENUE, TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN THAT PART OF THE SOUTHWEST 1/4 OF SECTION 10, TOWN 2 NORTH, RANGE 22 EAST, IN THE TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE NORTH 01°42'28" WEST ALONG THE WEST LINE OF SAID 1/4 SECTION 50.01 FEET TO A POINT BEING ON THE WESTERLY EXTENSION OF THE NORTH LINE OF 12TH STREET; THENCE NORTH 89°16'47"

EAST ALONG SAID NORTH LINE AND PARALLEL WITH THE SOUTH LINE OF SAID 1/4 SECTION 50.01 FEET TO THE EAST LINE OF 72ND AVENUE; THENCE NORTH 01°42'28" WEST ALONG SAID EAST LINE 2415.34 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE CONTINUING NORTH 01°42'28" WEST ALONG SAID EAST LINE 9.71 FEET TO A POINT; THENCE SOUTH 82°00'00" EAST 103.31 FEET TO A POINT; THENCE NORTH 86°00'00" EAST 476.53 FEET TO A POINT; THENCE NORTH 87°00'00" EAST 228.32 FEET TO A POINT; THENCE NORTH 84°00'00" EAST 42.02 FEET TO A POINT; THENCE SOUTH 89°00'00" EAST 210.57 FEET TO A POINT; THENCE NORTH 90°00'00" EAST 80.87 FEET TO A POINT; THENCE SOUTH 77°00'00" EAST 63.86 FEET TO A POINT; THENCE SOUTH 65°00'00" EAST 56.68 FEET TO A POINT; THENCE SOUTH 57°00'00" EAST 184.18 FEET TO A POINT; THENCE SOUTH 45°00'00" EAST 64.17 FEET TO A POINT; THENCE SOUTH 31°00'00" EAST 76.03 FEET TO A POINT; THENCE SOUTH 37°00'00" EAST 252.24 FEET TO A POINT; THENCE SOUTH 31°00'00" EAST 52.47 FEET TO A POINT; THENCE SOUTH 34°00'00" EAST 135.73 FEET TO A POINT; THENCE SOUTH 32°00'00" EAST 66.93 FEET TO A POINT; THENCE SOUTH 05°02'33" WEST 1375.31 FEET TO A POINT; THENCE NORTH 84°57'27" WEST 4.35 FEET TO A POINT; THENCE NORTH 04°28'24" EAST 95.99 FEET TO A POINT; THENCE NORTH 03°52'33" EAST 57.74 FEET TO A POINT; THENCE NORTH 05°45'24" EAST 84.78 FEET TO A POINT; THENCE NORTH 03°07'42" EAST 70.78 FEET TO A POINT; THENCE NORTH 03°47'07" EAST 54.88 FEET TO A POINT; THENCE NORTH 02°13'23" EAST 51.43 FEET TO A POINT; THENCE NORTH 08°09'49" EAST 68.72 FEET TO A POINT; THENCE NORTH 05°43'38" EAST 101.48 FEET TO A POINT; THENCE NORTH 02°57'32" EAST 59.82 FEET TO A POINT; THENCE NORTH 07°27'40" EAST 58.30 FEET TO A POINT; THENCE NORTH 05°53'04" EAST 97.13 FEET TO A POINT; THENCE NORTH 03°53'44" EAST 92.69 FEET TO A POINT; THENCE NORTH 05°00'26" EAST 60.35 FEET TO A POINT; THENCE NORTH 04°10'41" EAST 61.81 FEET TO A POINT; THENCE NORTH 05°19'48" EAST 39.94 FEET TO A POINT; THENCE NORTH 04°29'34" EAST 48.62 FEET TO A POINT; THENCE NORTH 06°20'02" EAST 34.88 FEET TO A POINT; THENCE NORTH 06°52'45" EAST 31.70 FEET TO A POINT; THENCE NORTH 03°53'41" EAST 42.98 FEET TO A POINT; THENCE NORTH 05°29'26" EAST 43.93 FEET TO A POINT; THENCE NORTH 01°57'12" WEST 22.85 FEET TO A POINT; THENCE NORTH 06°46'38" EAST 27.89 FEET TO A POINT; THENCE NORTH 08°53'39" WEST 34.91 FEET TO A POINT; THENCE NORTH 13°51'10" WEST 41.59 FEET TO A POINT; THENCE NORTH 24°02'31" WEST 43.73 FEET TO A POINT; THENCE NORTH 61°47'35" WEST 24.66 FEET TO A POINT; THENCE NORTH 37°40'05" WEST 38.37 FEET TO A POINT; THENCE NORTH 04°45'47" WEST 21.09 FEET TO A POINT; THENCE NORTH 41°58'48" WEST 43.54 FEET TO A POINT; THENCE NORTH 43°24'35" WEST 16.77 FEET TO A POINT; THENCE NORTH 28°23'57" WEST 21.07 FEET TO A POINT; THENCE NORTH 39°01'44" WEST 34.13 FEET TO A POINT; THENCE NORTH 40°24'43" WEST 22.04 FEET TO A POINT; THENCE NORTH 50°19'56" WEST 18.38 FEET TO A POINT; THENCE NORTH 76°54'37" WEST 21.76 FEET TO A POINT; THENCE NORTH 81°14'41" WEST 21.13 FEET TO A POINT; THENCE NORTH 80°01'29" WEST 30.15 FEET TO A POINT; THENCE NORTH 74°34'39" WEST 35.44 FEET TO A POINT; THENCE NORTH 58°28'56" WEST 33.76 FEET TO A POINT; THENCE NORTH 23°20'02" WEST 29.55 FEET TO A POINT; THENCE NORTH 03°28'33" EAST 55.31 FEET TO A POINT; THENCE NORTH 03°54'59" EAST 22.62 FEET TO A POINT; THENCE NORTH 25°51'20" EAST 22.11 FEET TO A POINT; THENCE NORTH 54°15'49" WEST 25.82 FEET TO A POINT; THENCE NORTH 38°08'01" WEST 23.47 FEET TO A POINT; THENCE NORTH 54°30'48" WEST 23.41 FEET TO A POINT; THENCE NORTH 59°54'07" WEST 28.32 FEET TO A POINT; THENCE NORTH 05°18'29" WEST 13.23 FEET TO A POINT; THENCE NORTH 80°27'15" WEST 22.12 FEET TO A POINT; THENCE SOUTH 79°46'50" WEST 28.45 FEET TO A POINT; THENCE NORTH 79°17'02" WEST 31.50 FEET TO A POINT; THENCE NORTH 53°21'26" WEST 48.65 FEET TO A POINT; THENCE NORTH 35°59'49" WEST 71.65 FEET TO A POINT; THENCE NORTH 19°03'53" WEST 21.09 FEET TO A POINT; THENCE NORTH 12°22'33" EAST 19.49 FEET TO A POINT; THENCE NORTH 15°03'20" EAST 20.59 FEET TO A POINT; THENCE NORTH 51°20'33" WEST 33.92 FEET TO A POINT; THENCE NORTH 67°33'40" WEST 44.51 FEET TO A POINT; THENCE SOUTH 83°43'16" WEST 23.38 FEET TO A POINT; THENCE NORTH 87°49'07" WEST 44.28 FEET TO A POINT; THENCE NORTH 83°23'37" WEST 21.81 FEET TO A POINT; THENCE SOUTH 81°21'36" WEST 31.93 FEET TO A POINT; THENCE NORTH 87°34'24" WEST 34.17 FEET TO A POINT; THENCE SOUTH 86°17'33" WEST 35.18 FEET TO A POINT; THENCE NORTH 82°36'14" WEST 20.47 FEET TO A POINT; THENCE SOUTH 88°39'32" WEST 54.18 FEET TO A POINT; THENCE SOUTH 89°04'02" WEST 45.00 FEET TO A POINT; THENCE SOUTH 78°51'55" WEST 45.45 FEET TO A POINT; THENCE NORTH 87°39'30" WEST 30.70 FEET TO A POINT; THENCE NORTH 89°49'20" WEST 36.67 FEET TO A POINT; THENCE SOUTH 86°27'55" WEST 30.12 FEET TO A POINT; THENCE

NORTH 87°40'44" WEST 59.32 FEET TO A POINT; THENCE SOUTH 74°13'03" WEST 37.06 FEET TO A POINT; THENCE NORTH 84°32'51" WEST 51.37 FEET TO A POINT; THENCE SOUTH 82°37'39" WEST 36.44 FEET TO A POINT; THENCE NORTH 87°15'46" WEST 28.36 FEET TO A POINT; THENCE SOUTH 86°17'22" WEST 42.01 FEET TO A POINT; THENCE SOUTH 86°48'59" WEST 36.62 FEET TO A POINT; THENCE SOUTH 85°57'16" WEST 46.53 FEET TO A POINT; THENCE SOUTH 85°24'13" WEST 26.48 FEET TO A POINT; THENCE SOUTH 89°02'35" WEST 34.14 FEET TO A POINT; THENCE SOUTH 83°22'47" WEST 43.91 FEET TO A POINT; THENCE SOUTH 87°53'30" WEST 48.88 FEET TO A POINT; THENCE SOUTH 83°05'29" WEST 44.68 FEET TO A POINT; THENCE SOUTH 78°32'20" WEST 46.00 FEET TO A POINT; THENCE NORTH 87°23'27" WEST 33.65 FEET TO A POINT; THENCE NORTH 72°54'34" WEST 22.79 FEET TO A POINT; THENCE NORTH 83°19'40" WEST 36.65 FEET TO A POINT; THENCE NORTH 81°19'47" WEST 26.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 73,802 SQUARE FEET OR 1.6943 ACRES

NOTE: The A-1 Agricultural Preservation District and A-2 General Agricultural District areas are presented in Exhibit 1 attached.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 32. Seconded by Supervisor Jackson.

Motion carried.

ORDINANCE 33

33. From the Land Use Committee regarding Sands J. Jr. and Marianne Ruffalo (Owners), Anthony Nudo (Agent) requesting rezoning from A-2 General Agricultural District and C-2 Upland Resource Conservancy District to R-3 Urban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Somers.

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 #81-4-223-064-0201 located in the southeast quarter of Section 6, Township 2 North, Range 23 East, Town of Somers be changed from A-2 General Agricultural District and C-2 Upland Resource Conservancy District to R-3 Urban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For information purposes only, this property is located on the east side of 13th Avenue approximately 0.28 miles north of the intersection of County Trunk Highway "A" (7th Street).

Sands J. Jr. and Marianne Ruffalo - Owners

Description:

BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 23 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF SOMERS, COUNTY OF KENOSHA AND STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 88°04'13" WEST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION 1850.07 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 01°29'11" EAST 995.88 FEET; THENCE SOUTH 87°51'34" WEST 220.00 FEET; THENCE SOUTH 01°29'11" EAST 121.91 FEET; THENCE SOUTH 87°51'34" WEST 491.00 FEET; THENCE NORTH 14°22'48" EAST 185.07 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 114.93 FEET ALONG THE ARC OF SAID CURVE, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 124.16 FEET, A CENTRAL ANGLE OF 53°02'18" AND WHOSE LONG CHORD BEARS NORTH 12°09'04" WEST 110.87 FEET; THENCE NORTH 14°22'48" EAST 868.59 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION; THENCE NORTH 88°04'13" EAST ALONG SAID NORTH LINE 443.42 FEET TO THE PLACE OF BEGINNING. CONTAINING 14.57 ACRES OF LAND MORE OR LESS.

LANDS TO BE ZONED: R-3

PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 23 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF SOMERS, COUNTY OF KENOSHA AND STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 88°04'13" WEST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION 2085.87 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 18°34'49" WEST 6.21 FEET; THENCE SOUTH 62°11'30" EAST 20.16 FEET; THENCE NORTH 78°28'28" EAST 23.44 FEET; THENCE SOUTH 74°40'59" EAST 26.31 FEET; THENCE NORTH 86°49'44" EAST 34.87 FEET; THENCE SOUTH 23°01'13" WEST 102.50 FEET; THENCE SOUTH 05°25'15" EAST 124.37 FEET; THENCE SOUTH 17°46'16" EAST 87.86 FEET; THENCE SOUTH 28°50'30" EAST 318.95 FEET; THENCE SOUTH 01°29'11" EAST 390.88 FEET; THENCE SOUTH 87°51'34" WEST 220.00 FEET; THENCE SOUTH 01°29'11" EAST 121.91 FEET; THENCE SOUTH 87°51'34" WEST 491.00 FEET; THENCE NORTH 14°22'48" EAST 185.07 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 114.93 FEET ALONG THE ARC OF SAID CURVE, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 124.16 FEET, A CENTRAL ANGLE OF 53°02'18" AND WHOSE LONG CHORD BEARS NORTH 12°09'04" WEST 110.87 FEET; THENCE NORTH 14°22'48" EAST 868.59 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION; THENCE NORTH 88°04'13" EAST ALONG SAID NORTH LINE 207.63 FEET TO THE PLACE OF BEGINNING. CONTAINING 12.85 ACRES OF LAND MORE OR LESS.

LANDS TO BE ZONED: C-2

PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 23 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF SOMERS, COUNTY OF KENOSHA AND STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 88°04'13" WEST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION 1850.07 FEET; THENCE SOUTH 01°29'11" EAST 426.02 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 01°29'11" EAST 178.98 FEET; THENCE NORTH 28°50'30" WEST 318.95 FEET; THENCE NORTH 17°46'16" WEST 87.86 FEET; THENCE NORTH 05°25'15" WEST 124.37 FEET; THENCE NORTH 23°01'13" EAST 102.50 FEET; THENCE NORTH 83°09'55" EAST 40.62 FEET; THENCE SOUTH 55°42'55" EAST 33.64 FEET; THENCE SOUTH 42°16'24" EAST 33.68 FEET; THENCE SOUTH 13°35'29" EAST 17.93 FEET; THENCE SOUTH 12°34'55" WEST 34.51 FEET; THENCE SOUTH 12°48'16" WEST 50.22 FEET; THENCE SOUTH 58°21'02" WEST 19.91 FEET; THENCE SOUTH 64°05'55" WEST 11.27 FEET; THENCE SOUTH 06°28'22" WEST 22.35 FEET; THENCE SOUTH 02°56'01" WEST 33.71 FEET; THENCE SOUTH 08°55'37" EAST 45.97 FEET; THENCE SOUTH 23°46'29" EAST 29.34 FEET; THENCE SOUTH 34°03'04" EAST 32.04 FEET; THENCE SOUTH 24°50'41" EAST 29.33 FEET; THENCE SOUTH 30°02'25" EAST 24.52 FEET; THENCE SOUTH 35°06'25" EAST 27.68 FEET; THENCE SOUTH 46°00'12" EAST 23.59 FEET; THENCE SOUTH 52°47'58" EAST 10.41 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.01 ACRES OF LAND MORE OR LESS.

LANDS TO BE ZONED: C-1

PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 23 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF SOMERS, COUNTY OF KENOSHA AND STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 6; THENCE SOUTH 88°04'13" WEST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION 1850.07 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 01°29'11" EAST 426.02 FEET; THENCE NORTH 52°47'58" WEST 10.41 FEET; THENCE NORTH 46°00'12" WEST 23.59 FEET; THENCE NORTH 35°06'25" WEST 27.68 FEET; THENCE NORTH 30°02'25" WEST 24.52 FEET; THENCE NORTH 24°50'41" WEST 29.33 FEET; THENCE NORTH 34°03'04" WEST 32.04 FEET; THENCE NORTH 23°46'29" WEST 29.34 FEET; THENCE NORTH 08°55'37" WEST 45.97 FEET; THENCE NORTH 02°56'01" EAST 33.71 FEET; THENCE NORTH 06°28'22" EAST 22.35 FEET; THENCE NORTH 64°05'55" EAST 11.27 FEET; THENCE NORTH 58°21'02" EAST 19.91 FEET; THENCE NORTH 12°48'16" EAST 50.22 FEET; THENCE NORTH 12°34'55" EAST 34.51 FEET; THENCE NORTH 13°35'29" WEST 17.93 FEET; THENCE NORTH 42°16'24" WEST 33.68 FEET; THENCE NORTH 55°42'55" WEST 33.64 FEET; THENCE SOUTH 83°09'55" WEST 40.62 FEET; THENCE SOUTH 86°49'44" WEST 34.87 FEET; THENCE NORTH 74°40'59" WEST 26.31 FEET; THENCE SOUTH 78°28'28" WEST 23.44 FEET; THENCE NORTH 62°11'30" WEST 20.16 FEET; THENCE NORTH 18°34'49" WEST 6.21 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST 1/4 SECTION THENCE NORTH 88°04'13" EAST ALONG SAID NORTH LINE 235.80 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.71 ACRES OF LAND MORE OR LESS.

This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE
Fred R. Ekornaas
John J. O'Day
Jennifer S. Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 33. Seconded by Supervisor Roger Johnson.
Role call vote.

Ayes: Supervisors Grady, Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Abstain: Supervisor Nudo.

Ayes. 27. Abstain 1.

Motion carried.

Resolution - one reading.

RESOLUTION 59

59. From the Administration and Finance Committees a Resolution establishing compensation package for elected officials and salary for the county board for the term 2008-2010.

WHEREAS, Section 3.01 (1) (b) of the Kenosha County Municipal Code provides that compensation for County Board Supervisors shall be determined via the adoption of a resolution by a majority of the entire board prior to the filing of nomination papers in the year preceding the election of supervisors, and

WHEREAS, the Administration Committee and Finance Committee of the Kenosha County Board of Supervisors have met and discussed these compensation issues,

NOW, THEREFORE, BE IT RESOLVED that the compensation package for the Kenosha County Board of Supervisors for the 2008-2010 term be adopted as follows:

- For the purpose of its own compensation, the County Board of Supervisors separates the Flexible Spending Account from the Kenosha County Employee Health Benefit Plan;
- Each County Board Supervisor will earn \$6,000 in each year of the two year term and have access to a Flexible Spending Account for the duration of the term;
- The County Board Chairman will earn \$12,000 in each year of the two year term and have access to a Flexible Spending Account for the duration of the term;
- Each County Board Supervisor may contribute a total of three-thousand dollars (\$3,000) of county-paid wages into the Flexible Spending Account, provided said supervisor earns more than the annual federal minimum wage from sources other than Kenosha County; and
- Each County Board Supervisor is eligible to enroll in the "E" level Kenosha County Employee Health Benefit, at a cost of 10% of the budgeted single/family premium, for the duration of the term.

BE IT FURTHER RESOLVED, that there shall be no change in per diem or other benefits which the Board has been entitled to or eligible for, or which the Board is otherwise entitled to, except as herein set forth.

Submitted by:

ADMINISTRATION COMMITTEE
Dennis Elverman
Kim Breunig
Anita Faraone
James Moore

FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Anita Faraone
Joseph Clark
John O'Day

It was moved by Supervisor Elverman to adopt Resolution 59. Seconded by Supervisor Carbone.

It was moved by Supervisor Huff to amend Resolution 59 by removing the health insurance for the County Board Supervisors. Seconded by Supervisor Jackson.

Roll call for the amendment.

Ayes: Supervisors Huff, Moore, Jackson, Noble, Haas.

Nays: Supervisors Rose, Grady, Rossow, Kessler, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ron Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisniewski, Clark, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Ayes. 5. Nays 23.

Motion failed.

Roll call on Resolution 59.

Ayes: Supervisors Rose, Grady, Rossow, Kessler, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ron Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisniewski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisors Huff, Haas.

Ayes. 26. Nays 2.

Motion carried.

RESOLUTION 60

60. From the Finance Committee a Resolution for Cancellation of Tax Certificates, Interest and Penalties under Sec. 75.105, to Remediate Pollution under Rules of Wis. DNR.

WHEREAS, A growing urban problem exists when toxic substances are released into the soil and environment and the persons responsible abandon the land, while the polluted real estate endangers health and safety of the community; many such sites remain in disrepair and unused, mortgage companies often avoid taking ownership upon default due to the potentially high cost of remediation, resulting in unpaid taxes, lower property values and blight; Limited governmental resources for cleanup are allocated to the very worst sites; and

WHEREAS, The State of Wisconsin created a law to encourage private environmental remediation and restoration of polluted parcels; Section 75.105 allows counties, in their discretion, to forgive real estate taxes, interest & penalties related to tax certificates taken on such parcels, where the owner has entered into a written agreement with the Wisconsin DNR to remediate such sites under DNR rules and supervision; and

WHEREAS, Kenosha County has been asked, pursuant to s. 75.105, to cancel tax certificates on 3 parcels of real estate constituting an abandoned strip mall located on approximately 3.5 acres of land at 2103-2133 91st Street, at the corner of 22nd Avenue in Pleasant Prairie, WI, by the new owner, BFU II, LLC, who took over for M&I Bank in foreclosure and who plans to raze and clean up the site and then build a small residential condominium development; and BFU II, LLC has offered to deposit a letter of credit in the amount of taxes forgiven with Kenosha County to guaranty to faithful completion of such environmental remediation; and

WHEREAS, The Wis. DNR has entered into an agreement with BFU II, LLC dated May 18, 2007, for the owner to investigate and clean up such property by restoring the environment to the extent practicable under DNR rules and supervision, upon a finding that such land is contaminated by a hazardous substance and conditioned upon Kenosha County forgiving the unpaid property taxes for which a tax certificate has been issued, plus interest and penalties on those taxes; and

WHEREAS tax certificates have been issued in 2004, 2005 and 2006 on such parcels numbered 93-4-123-183-0350, -- 0400 and --0402 by the Kenosha County Treasurer, and taxes plus penalties and interest are owed under such certificates in the amount of approximately \$27,930, which amount continues to accrue; and upon advice of counsel the Treasurer is reluctant to take a tax deed on such land and thereby subject Kenosha County to the liability for environmental pollution and costs of remediation.

NOW THEREFORE BE IT RESOLVED, That the County Board of Supervisors hereby approves the cancellation of tax certificates issued in 2004, 2005 and 2006, and the forgiveness of taxes, interest and penalties related to those tax certificates, on the real estate located at 2103-2133 91st Street, Pleasant Prairie, WI, known as Tax Parcel Numbers 93-4-123-183-0350, 93-4-123-183-0400 and 93-4-123-183-0402, and authorizes the Kenosha County Treasurer to discharge same, upon the condition that BFU II, LLC deposits a letter of credit, in the

amount of taxes, interest and penalties hereby forgiven, with Kenosha County to guaranty to faithful completion of such environmental remediation and restoration of such land to productive use within three years of the date of this resolution, unless such time is extended upon a finding of good cause in writing signed by both the County Executive and the County Treasurer. This resolution covers taxes represented by such tax certificates and does not affect special assessments or municipal special charges or other taxes or liens upon such property.

Submitted by:
FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Anita Faraone
Joseph D. Clark
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 60. Seconded by Supervisor Wisnefski.
Roll call vote.

Ayes: Supervisors Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Faraone, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Noble, West, Roger Johnson, Breunig, Elverman.

Nays: Supervisors Grady, Arrington, Ron Johnson, Haas, Ekornaas.

Abstain: Supervisor Clark.

Ayes. 22. Nays. 5. Abstain. 1.
Motion carried.

RESOLUTION 61

61. From the Finance Committee a Resolution Accepting a Flood Mitigation Assistance Project Grant - 2007.

WHEREAS, on January 9, 2007, the Kenosha County Housing Authority submitted a Flood Mitigation Assistance (FMA) Project Grant application to the Wisconsin Division of Emergency Management (WEM) to for the purpose of continuing the buyout of floodprone properties in the 100-year Floodplain of the Fox River in the Towns of Wheatland and Salem and the Village of Silver Lake; and

WHEREAS, Kenosha County was notified on August 10, 2007, that WEM, working with the Federal Emergency Management Agency, had approved the FMA grant for Kenosha County; and

WHEREAS, the Kenosha County Housing Authority will be providing funds from its revolving loan fund program as a match for the FMA grant; and

WHEREAS, no property tax levy dollars will be used or budgeted for this grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors does hereby accept the FMA grant for Kenosha County in the amount of \$135,330.44 and authorizes the Kenosha County Housing Authority, the Kenosha County Executive, and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with WEM for the purpose of securing these funds; and

BE IT FURTHER RESOLVED, that the Kenosha County Housing Authority, with the contracted services of the Southeastern Wisconsin Regional Planning Commission, is designated as the County's administrative agent for the FMA grant; and

BE IT FURTHER RESOLVED, that the County Director of Finance is authorized to establish the following revenue and expense accounts on the County books for the FMA program:

240.77200.442329 FMA 2007 Revenue	\$135,330.44
240.77200.582130 Floodplain Acq/Relo/Demo	\$135,330.44

BE IT FURTHER RESOLVED, that the authorization to spend grant funds authorized by this resolution be carried over into future years to complete this project, with the grant funds to be disbursed in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles; and

BE IT FURTHER RESOLVED, that the accounts and balances for said Housing Authority accounts will continue to be maintained on Kenosha County's books. Note: This resolution uses \$0 from the General Fund. Submitted by:

FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Anita Faraone
Joseph Clark
John J. O'Day

It was moved by Supervisor Carbone to adopt Resolution 61. Seconded by Supervisor Faraone. 2/3 vote required. Motion carried unanimously.

RESOLUTION 62

62. From the Finance and Judiciary & Law Committees regarding Kenosha County PreTrial Intensive Supervision Program X-2nd round of funding.

WHEREAS, the Kenosha County Sheriff's Department had submitted a grant application to the WI Dept. of Transportation (DOT) requesting \$52,467 of funding to support the expenditures for the "2007 Kenosha County Sheriff's Department DUI Intensive Supervision Program" now in its 10th year, and

WHEREAS, the State DOT office recognized the funding level requested, but authorized the funding in two separate awards for 2007 for which this resolution is presented to accept the 2nd half funding authorization of \$15,666, and

WHEREAS, the total operating budget for the 2007 Intensive Sanctions program is funded by four sources: (1) State DOT grant \$52,467 , (2) Client Fees collected by Wisconsin Community Services, Inc. from participants totalling \$54,777 (3) Sheriff's Dept. in-kind match of \$21,067, and (4) Sheriff's Department hard match of \$49,000 authorized in 2007 budget, for a total operating budget of \$177,311, and

WHEREAS, the project will be facilitated by the Wisconsin Correctional Services, Inc. out of Milwaukee, WI (WCS) for which a contract for services has been processed through Administration, and

WHEREAS, repeat DWI offenders will be screened by WCS, Inc. to receive intensive counseling treatment and supervision in lieu of incarceration in an effort to effectively deter repeat offenses, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the partial award for \$15,666 and approve the Revenue and Expenditure line item modifications as per the attached budget modification form, which are incorporated herein by reference.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE
William Michel II
Ruth Delace Booth
David Arrington
Joseph Clark
Bob Haas

It was moved by Supervisor Michel to adopt Resolution 62. Seconded by Supervisor Clark. 2/3 vote required. Motion carried unanimously.

RESOLUTION 63

63. From the Finance and Judiciary & Law Committees a Resolution to Appropriate Funds for Review of Joint Services.

WHEREAS, the City and County have met and determined to engage in a collaborative review of the Joint Services operation and the funding formula, and to share the costs of these reviews on an equal basis, with 50% of the cost

to be funded directly by the City, and 50% of the cost to be funded directly by the County.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Supervisors does hereby agree to appropriate \$50,000 for the cost of a fiscal review of Joint Services, with \$25,000 to be funded by the County's general fund, and \$25,000 to be funded by the City, and

BE IT FURTHER RESOLVED, that the County Board does further agree in concept to undertake a review of Joint Services operations, and that this operations review will be performed collaboratively with the City, with a resolution to be brought before the County Board after the County and City mutually determine the cost and scope of the review.

Submitted by:

FINANCE COMMITTEE	JUDICIARY & LAW
Robert Carbone	William Michel
Mark Wisnefski	Ruth Booth
Anita Faraone	Joseph Clark
Joseph D. Clark	Bob Haas
John O'Day	

It was moved by Supervisor Carbone to adopt Resolution 63. Seconded by Supervisor Clark.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 64

64. From Judiciary and Law and Finance Committees - Recognize Country Thunder Revenue to Support Overtime.

WHEREAS, the Sheriff's Department anticipates receipt of \$77,650 from the Country Thunder promoters for reimbursement for the patrol efforts by the Sheriff's Dept. during this event, and

WHEREAS, the overtime costs for this service had been charged to the Patrol Business Unit, and

WHEREAS, it is the desire of the Sheriff to recognize this revenue and increase the Patrol overtime budget to compensate for these expenditures.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the attached budget modification, which is incorporated herein by reference, to recognize \$77,650 of revenue and increase personnel costs appropriation by \$77,650.

Note: This resolution does not require funds from the General Fund. It increases Revenue by \$77,650 and Expenditures by \$77,650.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE	FINANCE COMMITTEE
William P. Michel II	Robert Carbone
David Arrington	Mark Wisnefski
Joseph D. Clark	Anita Faraone
Bob Haas	Joseph Clark
	John O'Day

It was moved by Supervisor Michel to adopt Resolution 64. Seconded by Supervisor Arrington.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 65

65. From Judiciary and Law and Finance Committees - Recognize WI DOJ reimbursement funds for Staff Development.

WHEREAS, during 2007 the Sheriff's Department will have sent twelve Deputy Sheriff staff to Law Enforcement Recruit school and six Correctional Officers and Direct Supervision officers to Jailer Basic Recruit school, and

WHEREAS, the WI Dept of Justice reimburses the department for the meals and mileage expenses incurred by these employees while attending recruit school, and

WHEREAS, the Staff Development budget for the Sheriff's department initially absorbs the cost of the meals and mileage expenditures, and

WHEREAS, the Sheriff anticipates reimbursements totaling \$16,905 for these basic training expenses and wants to recognize the increase in revenue for Training Reimbursement and increase the Staff Development budgets by the same amount to cover the expenditures.

THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors approve the revenue and expenditure budget modifications affecting budget year 2007 to adjust Staff Development budgets through year end, as per the attached budget modification form, which is incorporated herein by reference.

Note: This resolution requires No funds from the general fund. It increases revenue by \$16,905 and increases expenditures by \$16,905.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

William Michel II

David Arrington

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 65. Seconded by Supervisor Haas.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 66

66. From Judiciary and Law and Finance Committees regarding Retention plan for retaining the Sheriff's Dept. Special Investigative Unit staff through year end 2007.

WHEREAS, in June 2007 the Kenosha County Division of Child Support notified the Sheriff that federal funding used to fund the non-support enforcement efforts of the Sheriff's Special Investigative Unit (SIU) will be significantly reduced beginning October 2007, and

WHEREAS, the Special Investigative Unit had been contracted by the Kenosha County Division of Child Support for enforcement tasks associated with non-support offenses to ensure that noncustodial parents meet their obligation to financially support their children, and

WHEREAS, this unit consisted of three (3) Detectives and one (1) Senior Office Associate, and

WHEREAS, this unit has been in operation for 30 years and had been partially funded at 66% of its operating costs from the federal government through the local Child Support Agency as incentive for state and local agencies to effectively deal with non-support cases, and

WHEREAS, the federal government through the 2005 Deficit Reduction Act will reduce their financial support which in effect causes our local Child Support Agency to terminate its Memorandum of Understanding with the Sheriff's Department for its Special Investigative Unit effective September 30, 2007 and find alternate less costly ways to affect non-support cases, and

WHEREAS, per the 2007 Budget Policy Resolution #1, passed November 14, 2006, when grant funding ends that supports personnel, the positions must be terminated unless an alternate non-levy funding source is found, and

WHEREAS, it has been determined that many of the tasks that the SIU division performed regarding noncustodial non-support cases will continue to be required of the Sheriff's Department, and

WHEREAS, the Sheriff wishes to maintain these positions through year end 2007 at a cost of \$90,556 for which alternate funding sources are necessary to attain the 66% support of the personnel costs, and

WHEREAS, the Sheriff will terminate the grant funded .40 FTE DA Investigator position currently in the District Attorney's budget effective September 30, 2007 so that the balance of this non-levy funding source be re-directed to the Sheriff's Department in order that the Sheriff be able to assign a Detective formally of the SIU division to assume these drug unit investigative duties for the remainder of 2007, and

WHEREAS, the alternate funding necessary to bridge the gap for the 4th quarter of 2007 will be \$59,767 and will come from Federal Inmate Housing surplus and Kenosha County Controlled Substance Unit program income, and

WHEREAS, the Sheriff has a plan to retain these personnel that will be proposed in the upcoming 2008 budget hearings.

THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors approve the revenue and expenditure budget modifications affecting budget year 2007 to retain this staff through year end in compliance with the 2007 Budget Policy Resolution #1, as per the attached budget modification form, which is incorporated herein by reference.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE
William Michel II
David Arrington
Joseph Clark
Bob Haas

FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Anita Faraone
Joseph Clark
John O'Day

It was moved by Supervisor Michel to adopt Resolution 66. Seconded by Supervisor Wisnefski.
2/3 vote required.
Motion carried unanimously.

RESOLUTION 67

67. From Judiciary and Law and Finance Committees regarding Budget Modification to Increase Revenue and Expenditures in District Attorney's Office for Budget Year 2007 Due to Interest Earned on Federal Grant Entitled "Community Prosecution and Project Safe Neighborhoods".

WHEREAS, the Kenosha County District Attorney's Office was awarded a \$250,000 federal grant through the U.S. Department of Justice for a prosecution grant entitled "Community Prosecution and Project Safe Neighborhood", approved in Resolution 56, August 1, 2003, and

WHEREAS, interest earned must be used for program expenses through the grant period ending October 31, 2007, and

WHEREAS, there is \$10,688 available interest to be appropriated and used for said project, and

WHEREAS, the budget modification will not require any additional tax levy dollars;

NOW THEREFORE BE IT RESOLVED, that the District Attorney's Office budget be modified as per budget modification which is attached and incorporated herein by reference.

Submitted by:

JUDICIARY & LAW COMMITTEE
William Michel
David Arrington
Joseph Clark
Bob Haas

FINANCE COMMITTEE
Robert Carbone
Mark Wisnefski
Anita Faraone
Joseph Clark
John O'Day

It was moved by Supervisor Michel to adopt Resolution 67. Seconded by Supervisor Arrington.
2/3 vote required.
Motion carried unanimously.

RESOLUTION 68

68. From the Legislative and Finance Committees a Resolution to transfer funds within the Corporation Counsel's budget.

WHEREAS, the Corporation Counsel's Office is responsible for payment of bills incurred to update its' law library and there are insufficient funds in the Corporation Counsel's line item entitled Books and Manuals for the payment of invoices, and

WHEREAS, there are sufficient funds within the Corporation Counsel's budget to pay invoices received to date and for the balance of the year.

NOW, THEREFORE, BE IT RESOLVED that a transfer of funds as outlined on the attached Budget Modification Form and Administrative Proposal be and hereby is approved. Said transfer requires no funds from the General Fund.

It was moved by Supervisor Huff to adopt Resolution 68. Seconded by Supervisor Moore.
2/3 vote required.
Motion carried unanimously.

COMMUNICATION

12. From Supervisors Carbone, Wisnefski and O'Day regarding a Resolution to Amend the County Ordinance to Reduce Signatures on Nomination Papers to 50.

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

Chairman Rose referred Communication 12 to Legislative Committee and Communication 13 to Land Use Committee.

CLAIMS

11. Charlene Shirley Cortes

- a. inmate denied supplies to prepare legal documents.
- b. inmate denied adequate medical, dental and mental health care.
- c. violation of privacy of an inmate.
- d. inmate claim of exposure to unsanitary conditions.

12. Thomas Williams - personal injury/property damage.

Chairman Rose referred Claims 11 and 12 to Corporation Counsel.

It was moved by Supervisor West to approve the September 4th, 2007 minutes.
Seconded by Supervisor Faraone.
Motion carried.

It was moved by Supervisor Wisnefski to adjourn. Seconded by Supervisor Kessler.
Motion carried.

Meeting adjourned at 10:05 P.M.

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