

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
January 2, 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, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Nudo, Moore, Molinaro, Wisniewski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Excused: Supervisors Marrelli, Carbone, Singer, Haas.

Present: 24. Excused: 4.

**CITIZEN COMMENTS**

Barb Wisniewski, 2617 136<sup>th</sup> Ave., thanked the committees that already passed the resolution supporting the governor's 5% increase in medical assistance, community aides and other long term care funding. For years the state government has under funded the needs for the long term care. Approximately 98% of nursing homes in this state lose money every year on medical assistance patients. We have a crisis coming, but we can alleviate a lot of it by getting the state's support to increase the funding for long term care, community aids, home health, home care and for nursing homes. She asked for the boards support.

Earl Hawley, 39422 Bloomfield Rd., spoke regarding long term care. It's not just nursing home care, or nursing care, it's the basic hands on care that many of our elderly receive. The workers are terribly under funded with no benefit packages, because of this there are no applicants for these jobs. They are struggling to maintain their current employees. It is imperative to find some relief from this in the near future. He asked for support of the resolution tonight and to pass it on to the Counties Association.

Connie Matter, 1005 Prairie Ridge Blvd., Director of Hospice Alliance in Pleasant Prairie. She is a member of the Long Term Care Work Force Alliance and is representing the home health and the hospice community. They are requesting the board's support for the proposed 5% increase in community aids to stabilize their long term care workforce. The quality and integrity of the workforce is their concern. Our most vulnerable elderly, disabled and dying patients are entitled to quality and trained workers. With the current wage of the personal care workers, they cannot attract the workforce which they desire. The work is not easy and the demands are great.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Rose asked the Legislative Committee to look at the financing of a proposed rail system between here and Milwaukee. Sales tax, TIF District or the combination of both as well as other things will be reviewed and a recommendation will be made to the County Board by the Legislative Committee. He encouraged the board to attend the Legislative Committee meeting when that issue is on their agenda.

Chairman Rose announced that next Tuesday at 7:30 there will be a Committee of the Whole meeting. The Corporation Counsel will present their opinion on the issue of the size of the County Board.

**SUPERVISOR REPORTS**

Supervisor Elverman stated the Administration Committee will be looking into the staffing and employee complaints in the City/County Joint Services on the 8<sup>th</sup> of January. He also asked that Resolution 75 on tonight's agenda be removed and placed on the January 16<sup>th</sup> agenda.

Supervisor Faraone spoke regarding the video taping of the County Board meetings and asked that Kenn Yance give an update on the progress.

Kenn Yance stated he has been looking into this with Carthage College and met with Dr. Campbell and the head of the Fine Arts Department Leonard Schultz. Everything is pretty much set up, they're trying to get it so the students that will be doing this will get credits. It still has to go through one of their board meetings in approximately two weeks. They should know by the end of the month if they will or will not be able to get something going.

Supervisor Rossow stated that the Human Services, at the request of Chairman Rose, has studied the request of the Unite Here Group. A visit was made to Superior Health Linens plant by staff and committee members of Brookside and Human Services Board. The Human Services Committee recommends that the process of the contract procedure be allowed to proceed as usual. She also stated that the Shalom Center gave a report to the Human Services Committee. In response to their consultants recommendation they are downsizing their proposal from four million to between two and one half to three million, from thirty-eight thousand square feet to approximately twenty-two thousand square feet. They still anticipate using the KAC site with these modifications. They will start their campaign this spring with a twelve month time frame and the construction to take another twelve months. They will give more detailed report at the February meeting.

#### **COUNTY EXECUTIVE APPOINTMENTS**

20. Ronald Johnson to serve on the Kenosha County Human Services Board.

21. John O'Day to serve on the Kenosha County Human Services Board.

It was moved by Supervisor Faraone to immediately approve County Executive Appointments 20 and 21. Seconded by Supervisor Wisnefski.  
Motion carried.

22. Richard Willoughby to serve on the Kenosha County Human Services Board.

23. Denis Wikel to serve on the Kenosha County Human Services Board.

Chairman Rose referred County Executive Appointments 22 & 23 to the Human Services Committee.

24. D. Noel Sheer to serve on the County Library Committee.

Chairman Rose referred County Executive Appointment 24 to the Finance Committee.

25. Paul Falduto, Jr. to serve on the Kenosha County Traffic Safety Commission.

Chairman Rose referred County Executive Appointment 25 to the Judiciary and Law Committee.

#### **NEW BUSINESS**

Ordinances - first reading, two required.

33. From the Highway and Parks Committee to Create an Ordinance on Speed Limits for CTH "JS" from CTH "V" to USH 45.

34. From Highway and Parks Committee an Ordinance to Amend Section 10.07(2) of the Municipal Code Regarding Prohibited Actions in County Parks.  
Ordinances - one reading

35. From Land Use Committee Jayne's Estates Subdivision LLC requesting rezoning from A-2 General Agricultural District and R-2 Suburban Single-Family Residential District to R-3 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 Tax Parcels #80-4-222-142-0180 and #80-4-222-142-0190 located in the northwest quarter of Section 14, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District and R-2 Suburban Single-Family Residential District to R-3 Urban Single-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" (12<sup>th</sup> Street) approximately 132' west of the intersection of 52<sup>nd</sup> Avenue.

#### **Jayne's Estates Subdivision LLC - Owners**

##### **Description:**

**R-3 Urban Single-Family Residential District:** That part of the northwest ¼ of Section 14, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin, bounded as follows: Commence at a point on the North line of said Section 14 located N89°33'47"E 487.38 feet from the Northwest corner of said Section; thence S01°20'26"E 33.00 feet to the South line of C.T.H. "E" (12<sup>th</sup> Street) and the point of beginning of this description; run thence N89°33'47"E 545.50 feet; thence S01°20'26"E 1287.00 feet; thence S89°33'47"W 545.50 feet; thence N01°20'26"W 1287.00 feet to said South line and the point

of beginning. Containing 16.117 Acres. EXCEPTING therefrom: That part of the northwest ¼ of Section 14, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin, bounded as follows: Commence at a point on the North line of said Section 14 located N89°33'47"E 1032.88 feet from the Northwest corner of said Section; thence S01°20'26"E 229.65 feet to the point of beginning of this description; run thence S32°29'46"W 28.33 feet; thence S40°29'48"E 11.82 feet; thence S12°07'12"E 25.08 feet; thence S03°28'49"E 22.75 feet; thence S04°06'20"E 38.26 feet; thence S03°49'33"W 16.05 feet; thence S03°09'18"E 14.14 feet; thence S11°59'41"W 20.30 feet; thence N32°48'04"W 27.02 feet; thence N51°33'10"W 22.90 feet; thence N53°00'17"E 12.05 feet; thence N45°07'14"E 9.74 feet; thence N29°11'27"E 14.61 feet; thence N06°21'36"W 24.74 feet; thence N07°09'04"W 30.67 feet; thence N34°51'34"W 16.65 feet; thence N47°43'19"W 13.36 feet; thence N39°02'34"W 12.75 feet; thence N54°51'40"E 20.41 feet; thence N73°28'54"E 20.51 feet; thence S85°33'06"E 9.25 feet to the point of beginning. Containing 0.072 Acres. Altogether Containing 16.045 Acres.

**C-1 Lowland Resource Conservancy District:** That part of the northwest ¼ of Section 14, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin, bounded as follows: Commence at a point on the North line of said Section 14 located N89°33'47"E 1032.88 feet from the Northwest corner of said Section; thence S01°20'26"E 229.65 feet to the point of beginning of this description; run thence S32°29'46"W 28.33 feet; thence S40°29'48"E 11.82 feet; thence S12°07'12"E 25.08 feet; thence S03°28'49"E 22.75 feet; thence S04°06'20"E 38.26 feet; thence S03°49'33"W 16.05 feet; thence S03°09'18"E 14.14 feet; thence S11°59'41"W 20.30 feet; thence N32°48'04"W 27.02 feet; thence N51°33'10"W 22.90 feet; thence N53°00'17"E 12.05 feet; thence N45°07'14"E 9.74 feet; thence N29°11'27"E 14.61 feet; thence N06°21'36"W 24.74 feet; thence N07°09'04"W 30.67 feet; thence N34°51'34"W 16.65 feet; thence N47°43'19"W 13.36 feet; thence N39°02'34"W 12.75 feet; thence N54°51'40"E 20.41 feet; thence N73°28'54"E 20.51 feet; thence S85°33'06"E 9.25 feet to the point of beginning. Containing 0.072 Acres.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'day

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 35. Seconded by Supervisor O'Day.

Motion carried.

36. From Land Use Committee Billy C. and Linda L. Esposito (Owners) requesting rezoning from A-2 General Agricultural District to B-3 Highway Business District in the Town of Paris.

**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 #45-4-221-173-0202 located in the southwest quarter of Section 17, Township 2 North, Range 21 East, Town of Paris be changed from A-2 General Agricultural District to B-3 Highway Business District. For informational purposes only, this property is located on the southeast corner of the intersection of U.S. Highway "45 (200<sup>th</sup> Avenue) and State Trunk Highway "142" (Burlington Road).

**Billy C. and Linda L. Esposito - Owners**

**Description:** Part of the Southwest Quarter of Section 17, Town 2 North, Range 21 East of the Fourth Principal Meridian and lying and being in the Town of Paris, Kenosha County, Wisconsin and being more particularly described as: Commencing at the northwest corner of said quarter section; thence S 02°23'14" E along the west line of said quarter section 178.00 feet to the point of beginning of the parcel to be herein described; thence continue S 02°23'14" E along said west line 96.80 feet; thence S 86°06'42" E 197.83 feet; thence N 02°23'14" W parallel to the west line of said quarter section 119.00 feet; thence S 87°26'48" W parallel to the north line of said quarter section 196.65 feet to the west line of said quarter section and

the point of beginning; containing 21,218 square feet, more or less; including road right-of-way; containing 17,256 square feet, more or less; excluding road right-of-way; subject to a public road over and across the westerly portion thereof.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'day

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 36. Seconded by Supervisor Nudo.

Motion carried

37. From Land Use Committee Robert and Kay Drissel (Owners), Mark A. Szczerba II (Buyer/Agent) requesting rezoning from A-1 Agricultural Preservation District to R-1 Rural Residential District in the Town of Brighton.

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 #30-4-220-011-0202 located in the northeast quarter of Section 1, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to R-1 Rural Residential District (5.29 acres). For informational purposes only, this property is located on the east side of 224<sup>th</sup> Avenue approximately 2.0 miles north of the intersection of State Trunk Highway "142" (Burlington Road).

**Robert and Kay Drissel - Owners**

**Description:** A tract of land being a part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 1, Town 2 North, Range 20 East, located in the Town of Brighton, County of Kenosha, State of Wisconsin, Bounded and described as follows:

Commence at the Center  $\frac{1}{4}$  corner of said Section; thence North 01 degrees 51 minutes 21 seconds West for a distance of 270.00 feet, along the west line of said Northeast  $\frac{1}{4}$  Section, to the Point of Beginning;

Thence continuing North 01 degrees 51 minutes 21 seconds West for a distance of 375.00 feet, along said west line, to a point; Thence North 88 degrees 08 minutes 39 seconds East for a distance of 599.14 feet, to a point; Thence South 01 degrees 51 minutes 21 seconds East for a distance of 394.87 feet, parallel to said west line, to a point; Thence North 89 degrees 57 minutes 23 seconds West for a distance of 599.47 feet, parallel to the south line of said  $\frac{1}{4}$  Section, to the Point of Beginning. Reserving the westerly 33.00 feet for public road purposes. Contains 5.295 acres including road reservation.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'day

Gabe Nudo

It was moved by moved by Supervisor Ekornaas to adopt Ordinance 37. Seconded by Supervisor O'Day.

Motion carried.

38. From Land Use Committee Mark J. and Jeana D. Lesnik requesting rezoning from A-1 Agricultural Preservation District to R-2 Suburban 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 Tax Parcel #80-4-222-174-0225 located in the southeast quarter of Section 17, Township 2 North, Range 22 East be changed from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District (9.93 acres). For informational purposes only, this property is located on the north side of County Trunk Highway "L" (18<sup>th</sup> Street) approximately  $\frac{1}{4}$  mile west of the intersection of County Trunk Highway "H" (88<sup>th</sup> Avenue).

**Mark J. and Jeana D. Lesnik - (Owners)**

**Description:** Part of the southeast quarter of Section 17, 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 follows: Beginning on the south line of said southeast quarter section, at a point N89°21'09"W 1366.31 feet from the southeast corner thereof; said point being 25.00 feet westerly from the southeast corner of the west half of said quarter section; thence N01°14'09"W parallel to the east line of the west half of said southeast quarter section, 703.00 feet; thence N89°21'09"W parallel to the south line of said southeast quarter section, 620.00 feet; thence S01°14'09"E parallel to the east line of the west half of said southeast quarter section 703.00 feet and to the south line of said southeast quarter section; thence S89°21'09"E along and upon said south line, 620.00 feet and to the point of beginning. Subject to a public highway over and across the most southerly 33.00 feet thereof. Containing 10.00 acres, more or less, including said highway and 9.53 acres, more or less, exclusive of said highway.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 38. Seconded by Supervisor Nudo.

Roll call vote.

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

Nays: Supervisor Jackson.

Ayes: 23. Nays: 1

Motion carried.

Resolutions - one reading

75. From Administration Committee a Resolution to Adopt Revised Safety Policies & Procedures.

Resolution 75 was removed from agenda and placed on the January 16, 2007 agenda.

76. From Human Services, Legislative and Finance Committees a Resolution in support of Governor's Budget to give Longterm Care Workers a Living Wage by 5% increase in MA (Medical Assistance)

**WHEREAS**, Governor Doyle presents his 2007-2008 State of Wisconsin proposed budget in January and it is thereafter referred to the Legislature; and

**WHEREAS**, Recent State rates underlying payment of wages to direct care workers for the elderly and persons with disabilities have been very low; and

**WHEREAS**, The vulnerable population served by direct care workers deserve to have such workers paid a living wage to assure better quality of care; and

**WHEREAS**, Long term care is inherently labor intensive and staff shortages are endemic when inadequate wages and benefits are paid;

**NOW THEREFORE BE IT RESOLVED**, That the County Board of Supervisors hereby supports a Wisconsin 2007-2008 Biennial Budget proposal that will provide a 5% increase in Medical Assistance (MA), Nursing Home rates, Personal Care and Home Health rates, and a 5% increase in Community Aids.

**The County Clerk shall mail a copy of this resolution to Governor Jim Doyle and to both houses of the Wisconsin Legislature.**

It was moved by Supervisor Rossow to adopt Resolution 76. Seconded by Supervisor Huff.

SUBMITTED BY:

Human Services

Judy Rossow

William Grady

Edward Kubicki

David Arrington

Finance Committee

Mark Wisnefski

Anita Faraone

John O'Day

Joseph D. Clark

Legislative Committee

James Huff

James Moore

Ron Johnson

Gordon West

Ruth Booth

Jennifer Jackson

Roll call vote passed unanimously.

COMMUNICATIONS

15. From George E. Melcher Director of Department of Planning and Development regarding future rezonings.

16. From Michael K. Higgins, City Clerk/Treasurer, Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Communications 15 & 16 to Land Use.

CLAIMS

22. James Eugene Butt - Fence damaged.

23. Jonny Volpendesta - Mail box damage.

24. Arcangelo Romano - Injured by a county owned truck.

25. Verizon - Damaged cable.

Chairman Rose referred Claims 22 - 25 to Corporation Counsel.

It was moved by Supervisor Nudo to approve the December 5, 2006 minutes.  
Seconded by Supervisor Wisnefski.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:03 P.M.

Prepared by: Edie LaMothe

Deputy

Submitted by: Edna R. Highland  
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
January 16, 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, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Arrington, West.

Present: 26. Excused: 2.

There were no Citizen Comments

There were no Announcements of the Chairman

**SUPERVISOR REPORTS**

Supervisor Singer reported the Chairman of the Building and Grounds met with the Executive Director of Kemper Center, along with Fred Patrie to discuss which projects need to be done. The next Building and Grounds meeting will be held at Kemper Center with the Kemper Center Board. He also stated the conceptual plans for the 911 center will be presented at a joint meeting tentatively scheduled January 30<sup>th</sup> at the Kenosha County Center. He invites the board to attend.

Supervisor Carbone thanked the board for the plant, phone calls and cards he received during his convalescence. He thanked his committee members who kept him informed and brought the budget forward. It was the first budget he missed in 18 years. He also stated according to County Board policy, the Finance Committee was polled and it was agreed to withdraw Resolution 79 regarding Daimler Chrysler notes. In the event Daimler Chrysler does announce that it favors Kenosha County for the new engine plant the resolution will be brought back to the county board.

Supervisor Carbone reported the general fund balance is conservatively estimated to have a modest decline in total available. This decline was planned and approved by the board as part of the 2007 budget. Even with the estimated decline, it is expected the general fund will exceed the board's adopted general fund requirements which is about 9 million dollars.

Supervisor Noble stated the Highway and Parks Committee was asked to do a traffic volume study for consideration of a four way stop at Hwy H and Bain Station Rd. It was decided that it did not qualify for a four way stop, but signs, "traffic on Hwy H does not stop" have been installed below the stop signs on Bain Station Rd. in both directions. Intersection warning signs have been installed on Hwy H. This will be reviewed periodically. He also stated golf rates for 2007 will be set at the February 5<sup>th</sup> meeting.

Supervisor Elverman stated the Administration Committee was asked to look into the issue of the lack of employees at Joint Services. The County doesn't manage that union so there is nothing the Administration Committee can do, but the County Board could voice an opinion as a partner. He also reported on the non-rep pay plan reviews. The first group of 25 employees were reviewed, 22 received the step increase, 2 were already at the top of their level and 1 review had not come in yet. He will update the board month by month so they know how the plan is going.

Supervisor Faraone stated the finance committee recommended funds be released to the county clerk to pay for the video taping of the county board meetings.

**COUNTY EXECUTIVE APPOINTMENTS**

26. Mary Celebre to serve on the Kenosha County Commission on Aging.
27. Robert Pitts to serve on the Kenosha County Brookside Board of Trustees.
28. Robert Carbone to serve on the Kenosha County Brookside Board of Trustees.
29. Gordon West to serve on the Kenosha County Brookside Board of Trustees.
30. Ruth D. Booth to serve on the Kenosha County Human Services Board.
31. Mario Maritato to serve on the Kenosha County Board of Health.

It was moved by Supervisor Faraone to immediately approve County Executive Appointments 28, 29 and 30. Seconded by Supervisor Jackson.

Motion carried.

Chairman Rose referred County Executive Appointments 26, 27 and 31 to the Human Services Committee.

**NEW BUSINESS**

Ordinances - second reading, two required.

**ORDINANCE 33**

33. From the Highway and Parks Committee to Create an Ordinance on Speed Limits for CTH "JS" from CTH "V" to USH 45.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

- (16.1) County Trunk Highway "JS", Towns of Salem and Bristol  
45 M.P.H. from its intersection with County Trunk Highway  
"V" easterly to its intersection with United States Highway  
45.

SUBMITTED BY:

Highway and Parks Committee

Douglas Noble

William Grady

Richard Kessler

Gordon West

It was moved by Supervisor Noble to adopt Ordinance 33. Seconded by Supervisor Grady.

Motion carried.

**ORDINANCE 34**

34. From Highway and Parks Committee an Ordinance to Amend Section 10.07(2) of the Municipal Code Regarding Prohibited Actions in County Parks.

It was moved by Supervisor Noble to adopt Ordinance 34. Seconded by Supervisor Kessler.

It was moved by Supervisor Breunig to amend Ordinance 34 as follows: Fifth line of paragraph to read ...property in any park. Gathering mushrooms in the fall season is allowed except in specified areas of the Pringle Nature Center that are used for Educational purposes. Motion seconded by Supervisor Jackson.

It was moved by Supervisor Elverman to refer Ordinance 34 back to the Highway and Parks Committee. Seconded by Supervisor Clark.

Motion carried.

Ordinances - one reading

**ORDINANCE 39**

39. From the Land Use Committee regarding Charles L. Riggs requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District excluding lands currently zoned C-1 Lowland Resource Conservancy District in the Town of Brighton.

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 #30-4-220-294-0220 located in the southeast quarter of Section 29, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (37.62 acres) excluding lands currently zoned C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the northeast corner of the intersection of County Trunk Highway "B" (288<sup>th</sup> Avenue) and 41<sup>st</sup> Street.

**Charles L. Riggs - (Owner)**

**Description:**

A parcel of land being in the Northwest ¼ of the Southeast ¼ of Section 29, Township 2 North, Range 20 East of the Fourth Principal Meridian in the Township of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the South ¼ corner of said Section 29; thence North 01°48'42" West along the west line of said Southeast ¼ section 1321.72 feet; thence North 88°42'53" East 662.68 feet to the place of



beginning of this description; thence North 01°50'41" West 1322.36 feet to a point on the north line of said Southeast ¼ section; thence North 88°39'36" East long said north line 661.92 feet; thence South 01°52'39" East 1323.00 feet; thence South 88°42'53" West 662.68 feet to the place of beginning. Containing 20.11 acres of land more or less. Subject to rights of the public over the south 24.75 feet thereof for road purposes (41<sup>st</sup> Street).

In addition: Commencing at the South ¼ corner of said Section 29; thence North 01°48'42" West along the west line of said ¼ section 1321.72 feet to the place of beginning of this description; thence continue North 01°48'42" West along said west line 1321.72 feet to the north line of said Southeast ¼ section; thence North 88°39'36" East along said north line 661.92 feet; thence South 01°50'41" East 1322.36 feet; thence South 88°42'53" West 662.68 feet to the place of beginning. Containing 20.10 acres of land more or less. Subject to the rights of the public over the south 24.75 feet (41<sup>st</sup> Street), and the west 33.00 feet (288<sup>th</sup> Avenue) thereof for road purposes.

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

SUBMITTED BY:

Land Use Committee:

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 39. Seconded by Supervisor Grady.

Motion carried.

#### **ORDINANCE 40**

40. From the Land Use Committee regarding Regency Hills - Riverwoods LLC and American Development LLC requesting rezoning from A-2 General Agricultural District to R-3 Urban Single-Family Residential 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 #80-4-222-231-0302 located in the northeast quarter of Section 23, Township 2 North, Range 22 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 at the southeast corner of the intersection of County Trunk Highway "L" (18<sup>th</sup> Street) and 47<sup>th</sup> Avenue.

**Regency Hills - Riverwoods LLC and American Development LLC (Owners)**

**Description:** Beginning at the Northwest corner of the Northeast ¼ of Section 23; thence North 89°28'06" East long the north line of said Northeast ¼ section 232.00 feet to a point; thence South 00°31'54" East 225.00 feet to a point; thence South 89°28'06" West 227.89 feet to a point on the West line of the said Northeast ¼ section; thence North 01°34'43" West along said West line 225.04 feet to the point of beginning. Containing 51,737 square feet of land, more or less. Dedicating 13,983 square feet of land for public road purposes.

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

SUBMITTED BY:

Land Use Committee:

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 40. Seconded by Supervisor Jackson.

Motion carried.

#### **ORDINANCE 41**

41. From the Land Use Committee regarding Land Use Committee (Sponsor), Francis and Pamela Pleviak (Owners) requesting rezoning from R-3 Urban Single-Family Residential District to 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 part of Tax Parcel #67-4-120-342-0520 located in the northwest quarter of Section 34, Township 1 North, Range 20 East, Town of Salem be changed from R-3 Urban Single-Family Residential District to 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 west side of 259<sup>th</sup> Avenue approximately 375' north of the intersection of 122<sup>nd</sup> Street.

**Francis and Pamela Pleviak - Owners**

**Description:** Presented in Exhibit A (attached).

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

SUBMITTED BY:

Land Use Committee:

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 41. Seconded by Supervisor Roger Johnson.

Motion carried.

Resolutions - one reading

**RESOLUTION 75**

75. From Administration Committee a Resolution to Adopt Revised Safety Policies & Procedures.

**WHEREAS**, the attached policy relating to the Safety Program has been reviewed by the Administration Committee; and

**WHEREAS**, the Administration Committee recommends to formally adopt the attached policy and to incorporate said policy into the Kenosha County Policy and Rules Manual as part of the safety and risk management program section of said manual; and

**WHEREAS**, the attached policy will replace in whole Section SA-Safety Policy of the Kenosha County Policy and Rules Manual;

**NOW THEREFORE BE IT RESOLVED** that said policy be so incorporated into the Kenosha County Policy and Rules Manual;

**NOW THEREFORE BE IT FURTHER RESOLVED**, the Division of Personnel Services be authorized to make changes to this Policy as necessary to comply with mandated federal and state regulatory code and changes to such.

SUBMITTED BY:

Administration Committee:

Dennis Elverman

Janice Marrelli

Kimberly Breunig

Anita Faraone

James Moore

It was moved by Supervisor Elverman to adopt Resolution 75. Seconded by Supervisor Marrelli.

Motion carried.

**RESOLUTION 77**

77. From Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between Kenosha County and SEIU Local 168-Maintenance and Custodial Workers.

**WHEREAS**, negotiations for a successor labor agreement between Kenosha County and SEIU Local 168-Maintenance and Custodial Workers were recently concluded, and

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending on December 31, 2009, 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,

**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.

SUBMITTED BY:

Administration Committee  
Dennis Elverman  
Janice Marrelli  
Anita Faraone  
Kimberly Breunig  
James Moore

Finance Committee  
Robert Carbone  
Mark Wisnefski  
Anita Faraone  
Joseph Clark  
John O'Day

It was moved by Supervisor Elverman to adopt Resolution 77. Seconded by Supervisor Carbone.

Roll call vote.

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

Abstain: Supervisor Kubicki.

Ayes: 25 Abstain: 1

Motion carried.

#### **RESOLUTION 78**

78. From Extension Education and Finance Committees regarding UW-Extension 2007 Budget Modification After-school Project.

**WHEREAS**, Kenosha County has received funding from Kenosha Unified School District for After-school resources and training, and

**WHEREAS**, the external-funded position of After-school Program Coordinator is solely supported by this grant and thus the position will be eliminated when the grant funding ceases, and

**WHEREAS**, county levy remains unaffected by this budget amendment,

**NOW, THEREFORE, BE IT RESOLVED** that the 2007 Kenosha County UW-Extension 67600 After-school Project budget be amended as reflected in the attached Expense/Revenue Budget Modification Form incorporated herein by reference, and

Fund: 100	Business Unit #: 67600	After-school Project Account
Revenue Object Code 446650		\$ 9,900

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension 67600 Office Account budget may be modified to reflect the following additional line items as necessary to reflect expenditures for the position of After School Program Coordinator, and

Fund: 100	Business Unit #: 67600	Salaries	
Expense Object Code 511100			\$7,200
Fund: 100	Business Unit #: 67600	FICA	
Expense Object Code 515100			\$600
Fund 100	Business Unit #67600	Mileage & Travel	
Expense Object Code 533900			\$600
Fund 100	Business Unit #67600	Other Operating Supplies	
Expense Object Code 534900			\$1,500

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension 67600 After-school Project account budget line items may be modified to increase the revenues and corresponding expenditures if the award comes in higher than expected and any expended dollars as of December 31, 2007, should be rolled over into the 2008 budget.

SUBMITTED BY:

Extension Education Committee  
Janice Marrelli  
Kimberly Breunig  
Ronald Johnson  
Mark Molinaro, Jr.  
Richard Kessler

Finance Committee  
Robert Carbone  
Mark Wisnefski  
Anita Faraone  
Joseph Clark  
John O'Day

It was moved by Supervisor Marrelli to adopt Resolution 78. Seconded by Supervisor Molinaro.  
Roll call vote.

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

Abstain: Supervisor Booth.

Ayes: 25 Abstain: 1

Motion carried.

#### **RESOLUTION 79**

79. From Finance Committee a Resolution providing for the sale of not to exceed \$5,000,000 General Obligation Promissory Notes.  
Resolution 79 withdrawn.

#### **RESOLUTION 80**

80. From Human Services and Finance Committee a Resolution to add a \$4,997 grant to purchase new equipment and to make repairs to existing equipment in the ADRC Loan Closet to the Division of Aging Services 2006 budget.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received an a grant from the University of Wisconsin-Stout Vocational Rehabilitation Institute, and

**WHEREAS**, the funds will be used to purchase new equipment and to make repairs to existing equipment in the ADRC Loan Closet, and

**WHEREAS**, the equipment in the Loan Closet can be borrowed by elderly and disabled clients in Kenosha County at no charge, and

**WHEREAS**, County Levy remains unaffected by this resolution,

**NOW, THEREFORE, BE IT RESOLVED** that the 2006 budget of the Division of Aging Services be modified as follows:

Expenditures and Revenues increase by \$4,997 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

SUBMITTED BY:

Human Services Committee

Judith Rossow

William Grady

Edward Kubicki

David Arrington

Ruth Booth

Finance Committee

Robert Carbone

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Rossow to adopt Resolution 80. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

#### **RESOLUTION 81**

81. From Human Services and Finance Committees a Resolution to modify the Division of Children & Family Services, Division of Disability Services 2006 Budget.

**WHEREAS**, the Kenosha County Department of Human Services, Division of Children & Family Services has a 2006 Placement budget projected for Court ordered placement expenses, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Children and Family Services is estimating approximately 6,000 additional days of care for an additional 16 children served for court ordered placements, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Children and Family Services is requesting an increase in out-of-home placement budget of \$780,000 for a total of \$7,752,285, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Disability Services has a 2006 Placement budget projected for emergency detention expenses, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Disability Services is estimating an additional 366 days of inpatient services at the State Institutes, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Disability Services is requesting an increase in Mental Health budget of \$256,000 for a total of \$5,455,896, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Children and Family Services and Division Disability Services will receive an unbudgeted Wisconsin Medicaid Cost Reporting (WIMCR) revenue of \$555,945 for services provided in 2005, and

**WHEREAS**, the Kenosha County Department of Human Services, Divisions of Children and Family Services and Disability Services will lapse funds that are available and expendable to the general fund according to County Board Policy from the final closeout of fund 200 and fund 225 to reduce the amount of general funds requested by the attached budget modification, and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Department of Human Services, Divisions of Children and Family Services, and Disability Services budgets be modified as follows:  
Authorize increase of expenditures of \$1,036,000, increase of revenues by \$555,945 and general fund reserves of \$480,055, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee	Finance Committee
Judith Rossow	Robert Carbone
William Grady	Mark Wisnefski
Edward Kubicki	Anita Faraone
David Arrington	Joseph Clark
Ruth Booth	John O'Day

It was moved by Supervisor Rossow to adopt Resolution 81. Seconded by Supervisor Faraone.  
Roll call vote passed unanimously.

#### **RESOLUTION 82**

82. From Human Services Committee a Resolution to approve the Re-Appointment of Thomas Fredericksen to the Kenosha County Veterans Commission.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-19, the County Executive has appointed Thomas Fredericksen to serve on the Kenosha County Veterans Commission, 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 Veterans Commission and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of Thomas Fredericksen to the Kenosha County Veterans Commission. Mr. Fredericksen's appointment shall be effective immediately and continuing until the 31st day of December, 2009 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Fredericksen will serve without pay but will receive per diem as defined under Resolution 65 (1982-83). He will be succeeding himself.

SUBMITTED BY:

Human Services Committee  
Judith Rossow  
William Grady  
Ruth Booth  
Edward Kubicki  
David Arrington

It was moved by Supervisor Rossow to adopt Resolution 82. Seconded by Supervisor Booth.  
Motion carried.

#### **RESOLUTION 83**

83. From Judiciary & Law Enforcement Committee Regular Cabaret License for Lumpy's Sports Bar & Grill.

**WHEREAS**, the application of Bryon Spinler for a probationary cabaret license for Lumpy's Sports Bar & Grill, 9251 Antioch Road, Salem, Wisconsin, in the Town of Salem, was made during the month of April, 2006, was turned over to this office on April 17<sup>th</sup>, 2006, and

**WHEREAS**, the establishment known as Lumpy's Sports Bar & Grill was granted a Probationary Cabaret License per County Board Resolution on June 20<sup>th</sup>, 2006, and

**WHEREAS**, the establishment known as Lumpy's Sports Bar & Grill was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

**NOW, THEREFORE BE IT RESOLVED**, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Bryon Spinler, for Lumpy's Sports Bar & Grill.

SUBMITTED BY:

Judiciary and Law Enforcement Committee

William Michel, II

Ruth Booth

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 83. Seconded by Supervisor Haas.  
Motion carried.

#### **RESOLUTION 84**

84. From Judiciary & Law and Finance Committees regarding the Wisconsin Supreme Court's 2007-09 budget proposal contains a provision to consolidate and revised the formula of the Circuit Court Support and Guardian ad Litem payment programs into the "Circuit Court Services Support" program which will require that 75% of the court support services surcharge revenues collected by counties in the previous calendar year be appropriated for payment in the next fiscal year, resulting in additional revenue to Kenosha County.

**WHEREAS**, Section 753.19 of the Wisconsin Statutes mandates that, "*The cost of the operation of the circuit court for each county, except for salaries of judges and court reporters provided to be paid by the state, and except for the cost assumed by the state under this chapter and chs. 40 and 230, and except as otherwise provided, shall be paid by the county;*" and

**WHEREAS**, in the 1993-95 state biennial a budget the circuit court support and guardian ad litem payment programs were created to offset county costs related to circuit court operations; and

**WHEREAS**, a court support services surcharge was created to fund these payments to county government; and

**WHEREAS**, in state fiscal year 2005-06, \$47.1 millions was raised in court support services surcharge revenue; and

**WHEREAS**, counties reported allowable court costs under the circuit court support payment program of \$132,219,159; and

**WHEREAS**, counties received only \$18,739.600 in reimbursement under the circuit court support payment program; and

**WHEREAS**, in 2005, counties reported \$9,299,913 in guardian ad litem costs; and

**WHEREAS**, counties received \$4,738,500 in guardian ad litem reimbursement, the same reimbursement level since the program began in 1994; and

**WHEREAS**, it is the desire of county governments across the state to maintain a working partnership with the state to ensure the court system operates fairly and efficiently; and

**WHEREAS**, the focus of the Supreme Court's 2007-08 budget submission to the Governor is "partnerships with counties and other justice stakeholders;" and

**WHEREAS**, the Supreme Court's budget proposal contains the following elements:

- The consolidation and formula revision of the circuit court support and guardian ad litem payments program called the "Circuit Court Services Support" program; support increased funding for the new program by requiring that 75% of the court

support services surcharge revenues collected by counties in the previous calendar year be appropriated for payments under the new program in the next full fiscal year.

- A statutory change to allow for auditing of county court financial information; support the creation of an auditor position to institute a standardized program for the recording, reporting, and auditing of county circuit court costs and revenues
- A statutory change and accompanying county reimbursement funding to require that interpreters be appointed in all cases regardless of indigency; support additional funds to cover increased interpreter costs under current law related to projected increased use of interpreters and additional certified interpreters.
- Funding to implement an ongoing court safety training program for judges, court commissioners, court reporters, clerks of circuit court staff, and other court and non-court employees located in county courthouses.
- That the \$1 of the justice information system surcharge revenues currently deposited to the general fund be deposited to the Circuit Courts Automation Program (CCAP) to provide funding for the development of an e-filing system for circuit court case types.
- The creation of a justice initiatives coordinator position and associated funding to implement and sustain the numerous recommendations made by the PPAC; and

**WHEREAS**, the Supreme Court's budget proposal will increase funding to counties by over \$12.5 million annually; and

**WHEREAS**, the Supreme Court's proposal appropriately shifts a portion of the funding for the state court system from the property tax to court user fees.

**NOW, THEREFORE, BE IT RESOLVED**, that Kenosha County fully offers its support for the budget submission of the Supreme Court for the 2007-09 biennium; and

**BE IT FURTHER RESOLVED THAT** Kenosha County requests that Governor Jim Doyle offer this funding proposal in his budget submitted to the Wisconsin State Legislature; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Jim Doyle, Department of Administration Secretary Stephen Bablitch, Chief Justice Shirley Abrahamson, all area legislators and the Wisconsin Counties Association.

SUBMITTED BY:

Judiciary and Law Committee

William Michel, II

Ruth Booth

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 84. Seconded by Supervisor Booth.  
Motion carried.

#### **RESOLUTION 85**

85. From the Land Use Committee Adopting Public Participation Procedures for the Kenosha County Multi-Jurisdictional Comprehensive Planning Process (Smart Growth)

**WHEREAS**, pursuant to Section 66.1001 of the *Wisconsin Statutes*, all units of government which engage in zoning, subdivision, or official mapping must adopt a comprehensive plan by the year 2010; and

**WHEREAS**, the Kenosha County Board of Supervisors has determined to prepare a comprehensive (development) plan under the authority of and procedures established by Sections 59.69 and 66.1001 of the *Wisconsin Statutes*; and

**WHEREAS**, Section 66.1001 (4) of the *Wisconsin Statutes* requires that the County Board adopt written procedures designed to foster public participation at every stage of the preparation of the comprehensive plan, and that such written procedures shall also provide for the wide distribution of draft plan materials, an opportunity for the public to submit written comments on the plan materials, and a process for the County Board to respond to such comments; and

**WHEREAS**, the Kenosha County Board of Supervisors has established a Multi-Jurisdictional Comprehensive Planning Advisory Committee, consisting of local municipal representatives, stakeholders, and citizens who have contributed to the preparation of a public participation plan which meets the requirements of Section 66.1001 (4) of the *Wisconsin Statutes*; and

**WHEREAS**, the Kenosha County Board of Supervisors believes that regular, meaningful public involvement is important to the planning process; and

**WHEREAS**, the Public Participation Plan developed by the Multi-Jurisdictional Comprehensive Planning Advisory Committee includes written procedures to foster public participation, ensure wide distribution of draft plan materials, provide opportunities for written comments on such materials, and provide mechanisms to respond to such comments; and

**WHEREAS**, the Public Participation Plan was reviewed and approved by the Multi-Jurisdictional Comprehensive Planning Advisory Committee on November 28, 2006.

**NOW, THEREFORE, BE IT RESOLVED** by the Kenosha County Board of Supervisors that the Board hereby adopts the Public Participation Plan, dated November 28, 2006, developed and approved by the Multi-Jurisdictional Comprehensive Planning Advisory Committee as its public participation plan meeting the requirements of Section 66.1001 (4) of the *Wisconsin Statutes*.

SUBMITTED BY:

Land Use Committee:

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt resolution 85. Seconded by Supervisor Jackson.

Motion carried.

COMMUNICATIONS

17. Communications from George E. Melcher regarding future rezonings.

Chairman Rose referred Communication 17 to Land Use.

CLAIMS

26. Sarah Lesniak - negligent actions by Deputy Sheriff.

27. Edgar Montanez - injured in Kenosha County Detention Center.

Chairman Rose referred Claims 26 and 27 to Corporation Counsel.

It was moved by Supervisor O'Day to approve the January 2, 2007 minutes. Seconded by Supervisor Roger Johnson.

Motion carried.

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

Meeting adjourned at 8:30 P.M.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk



**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**February 6, 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, Kubicki, Marrelli, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Huff, Carbone, Wisnefski, Jackson.

Present: 24. Excused: 4.

There were no Citizen Comments

There were no Announcements of the Chairman

**SUPERVISOR REPORTS**

Chairman Rose stated Larry Brumback, Director of County Development, passed away recently. Larry was a very dedicated employee, and worked very well with the County Board. A tree will be planted in Larry's honor at the Kenosha County Center. Anyone wishing to make a contribution can contact April in the Planning and Development office. Chairman Rose also recognized another county employee who passed away, Carmine Marano. Carmine was a long time bailiff and was also very dedicated. Both of them will be missed and offers condolences to the families. Chairman Rose asked for a moment of silence in recognition of the contributions to their community, to Kenosha County and in tribute to the lives of Larry Brumback and Carmine Marano.

Chairman Rose asked Supervisor Ekornaas to speak regarding Larry Brumback. He stated the County lost an employee who worked for the benefit of the county for the past 29 years and was dedicated to doing his job in the best interest of this county. Larry fairly, efficiently and effectively applied the ordinances the board created. His thorough knowledge and understanding of these ordinances and state laws was undisputed. Larry was a fighter, for six years he battled his horrible disease. He came to work many days when it was obvious he was in extreme pain. Because of Larry's dedication, knowledge, expertise and service to the people of Kenosha County, he will be missed.

**SUPERVISOR REPORTS**

Supervisor Noble reported there is a KRM commuter rail public information meeting Wednesday, February 7<sup>th</sup> in the Madrigano Auditorium at Gateway Technical College. He also stated he was in attendance at the Wisconsin County Highway Association Winter Conference on January 29<sup>th</sup> - 31<sup>st</sup>. One of topics covered was after the Marquette Interchange is completed the priorities of the Department of Transportation will be the I-94 corridor in Racine and Kenosha County and then the Zoo Interchange, and then making Hwy 41 between Green Bay and Milwaukee interstate highway.

Supervisor Singer reported a joint meeting of Land Use, Human Services, Judiciary and Law and Building and Grounds Committees held. There was a very good presentation on the preliminary plans.

Supervisor Rossow stated the Division of Aging received a \$20,000 planning grant and a \$240,000 service grant from the Wisconsin Department of Transportation Rural Assistance Program. The funds will be used to study the feasibility of accessible rural public transportation and will allow a one year expansion of the current Kenosha County Care-A-Van services. There will be a public input meeting on February 15<sup>th</sup> at 3 o'clock at the Kenosha County Center. The Health Division also received a 3 year lead grant for \$4,000,000. The primary goal is to make 400 units lead safe in Racine and Kenosha.

**COUNTY EXECUTIVE APPOINTMENTS**

32. Anthony Nudo to serve on the Kenosha County Traffic Safety Commission.

Chairman Rose referred County Executive Appointment 32 to Judiciary and Law.

**NEW BUSINESS**

Ordinances - first reading, two required.

42. From the Highway and Parks Committee to Repeal and Recreate an Ordinance on School Zone Speed Restrictions.  
Resolution - one reading.

86. From Judiciary & Law, Legislative and Finance Committees a Resolution in support of adding a Circuit Court Judge for Kenosha County.

Chairman Rose referred Resolution 86 to Judiciary & Law, Legislative and Finance Committees.

**CLAIMS**

28. Carl E. Daniels - mailbox damage

29. James and Catherine Weber - mailbox damage

Chairman Rose referred Claims 28 and 29 to Corporation Counsel.

It was moved by Supervisor Rossow to approve the January 16, 2007 minutes.  
Seconded by Supervisor Faraone.

Motion carried.

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

Meeting adjourned at 8:46 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
February 27, 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, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Booth, Carbone.

Present: 26. Excused: 2.

There were no Citizen Comments.

**CHAIRMAN ANNOUNCEMENTS**

Chairman Rose asked Todd Battle from the Kenosha Area Business Alliance (KABA) to summarize the 2006 Kenosha County Comprehensive Economic Development Strategy Report which KABA completed.

**SUPERVISOR REPORTS**

Supervisor Elverman reported on the non-rep evaluations for the step increases. So far for January and February there were 41 evaluations, 28 received step increases, 11 were at their top pay and 2 are sworn officers so they're not eligible for step increases.

Supervisor Singer reported the joint meeting on the 20<sup>th</sup> wasn't held because the information wasn't complete. A meeting is being planned for March 8<sup>th</sup>. He stated he has a proposed preliminary project schedule for the Kenosha County Detention Center renovation.

Supervisor Clark stated at the Finance Committee the Civic Veterans Parade representatives reported they have instituted some internal controls including dual signatures for all their checks. Finance Committee is trying to get an agreement so they have access to the information they need to monitor them. The Finance Committee approved a motion to release the money to the Civic Veterans Parade Committee subject to that agreement being completed.

**COUNTY EXECUTIVE APPOINTMENTS**

33. Kris LeMay to serve on the Kenosha County Library Committee

Chairman Rose referred County Executive Appointment 33 to the Finance Committee.

**OLD BUSINESS**

Ordinances - second reading, two required.

**ORDINANCE 42**

42. From the Highway and Parks Committee to Repeal and Recreate an Ordinance on School Zone Speed Restrictions.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on SPEED LIMITS is hereby repealed:

Section 7.02 Speed Limits

(38) School Zone 15 m.p.h. Speed Restriction (7/11/00)

A school zone 15 m.p.h. speed restriction, when children are present, pursuant to section 346.57 (4) (a), Wisconsin Statutes, at the following locations:

(a) Along County Trunk Highway "C", in the immediate vicinity of Trevor Elementary Grade School.

A portion of existing Kenosha County Ordinance, Section 7.02 on SPEED LIMITS is hereby created:

Section 7.02 Speed Limits

(38) School Zone Speed Restrictions

(a) 25 m.p.h. along County Trunk Highway "C" in the immediate vicinity of Trevor Elementary Grade School.

(b) 35 m.p.h. along County Trunk Highway "D" in the immediate vicinity of Paris Consolidated School

(c) 35 m.p.h. along County Trunk Highway "D" in the immediate vicinity of Providence Catholic School.

SUBMITTED BY:

Highway & Parks Committee  
Douglas Noble  
William Grady  
Bob Haas  
Richard Kessler

It was moved by Supervisor Noble to adopt Ordinance 42. Seconded by Supervisor Grady.

Motion carried.

**NEW BUSINESS**

Ordinances - one reading.

**ORDINANCE 43**

43. From the Land Use Committee regarding Anisur and Ann Rahman (Owners), Gary R. Splinter, RLS (Agent) requesting rezoning from A-1 Agricultural Preservation District to R-2 Suburban 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 part of Tax Parcel #35-4-121-054-0400 located in the southeast quarter of Section 5, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District (9.76 acres) 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 west side of County Trunk Highway "D" (184<sup>th</sup> Avenue) approximately 700' north of the intersection of State Trunk Highway "50".

**Anisur and Ann Rahman (Owners)**

**Description:** See Exhibit #1

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

SUBMITTED BY:

Land Use Committee  
Fred Ekornaas  
John O'Day  
Jennifer Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 43. Seconded by Supervisor O'Day.

Motion carried.

Resolution - one reading.

**RESOLUTION 87**

87. From the Finance Committee a Resolution approving the Kenosha County 2006 Annual Comprehensive Economic Development Strategy (CEDs) Plan dated February 2007 and authorizing the submission of said report to the United States Department of Commerce, Economic Development Administration.

**WHEREAS**, it is necessary for Kenosha County to prepare and submit an Annual CEDs Report to the United States Department of Commerce, Economic Development Administration (EDA) to facilitate the County's continued eligibility for EDA programs funding; and

**WHEREAS**, the adoption of the Annual CEDs Report will also keep the County and the respective Community Development Block Grant (CDBG) non-entitlement governmental units within the County eligible to access other state and federal development program funds; and

**WHEREAS**, Kenosha County has contracted with the Kenosha Area Business Alliance, Inc. (KABA) to provide a comprehensive and coordinated economic and community development program in conjunction with the local units of government within the County; and

**WHEREAS**, Kenosha Area Business Alliance, Inc. (KABA) has prepared the 2006 Annual CEDs Report covering the period January 1, 2005 through December 31, 2006; and

**WHEREAS**, the KABA CEDs Committee reviewed and approved the document including the County's strategy and overall development objectives for the upcoming year; and

**WHEREAS**, the County Board Finance Committee has reviewed the 2006 Annual CEDS Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board hereby approves the 2006 Annual CEDS Plan; and

**BE IT FURTHER RESOLVED** that the KABA, in conjunction with the County Executive, is hereby authorized and directed to submit the 2006 Annual CEDS Plan to the United States Department of Commerce, Economic Development Administration; and

**BE IT FURTHER RESOLVED** that the KABA is requested to submit the 2006 Annual CEDS Plan, for review and consideration, to all local units of government in Kenosha County.

SUBMITTED BY:

Finance Committee:

Mark Wisniewski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Wisniewski to adopt Resolution 87. Seconded by Supervisor Faraone.

Motion carried.

#### **RESOLUTION 88**

88. From the Finance Committee regarding Appointment of D. Noel Sheer to the Kenosha County Library Committee.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-24, the County Executive has appointed D. Noel Sheer to serve on the Kenosha County Library Committee, and

**WHEREAS**, the Finance Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Library Committee and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of D. Noel Sheer to serve on the Kenosha County Library Committee. Ms. Sheer's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2009 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Sheer will serve without pay as defined under Resolution 65 (1982-83). Ms. Sheer will be succeeding herself.

SUBMITTED BY:

Finance Committee:

Mark Wisniewski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Wisniewski to adopt Resolution 88. Seconded by Supervisor Clark.

Motion carried.

#### **RESOLUTION 89**

89. From Human Services and Finance Committees a Resolution to add the Supplemental Transportation Rural Assistance Program (STRAP) Grants to the 2007 Division of Aging budget.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received a \$20,000 planning grant and a \$240,000 service grant from the Wisconsin Department of Transportation for rural transportation, and

**WHEREAS**, the planning grant will be used to study the feasibility of assessable rural transportation, and,

**WHEREAS**, the service grant will allow for a one-year expansion of Kenosha County Care-A-Van Service west of the interstate, and

**WHEREAS**, county levy currently funding the existing Care-A-Van program will be used as match for the federal STRAP grant, and

**WHEREAS**, County Levy is unaffected by this resolution,

**NOW, THEREFORE, BE IT RESOLVED** that the 2007 budget of the Division of Aging Services be modified as follows:

Expenditures and Revenues increase by \$260,000 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

SUBMITTED BY:

Human Services Committee	Finance Committee
Judith Rossow	Mark Wisnefski
William Grady	Anita Faraone
Edward Kubicki	Joseph Clark
David Arrington	John O'Day
Ruth Booth	

It was moved by Supervisor Rossow to adopt Resolution 89. Seconded by Supervisor Kubicki.

Roll call vote passed unanimously.

#### **RESOLUTION 90**

90. From Human Services and Finance Committees, Division of Health: Resolution to Modify 2007 Budget to reflect funding awarded by US Department of Housing and Urban Development (HUD) for the Kenosha/Racine Lead-Free Communities Partnership Program.

**WHEREAS**, the Kenosha County Division of Health, as the lead agency and fiscal agent for the Kenosha/Racine Lead-Free Communities Partnership, has applied for and received grant funding in the amount of \$3,996,928 from the U.S. Department of Housing and Urban Development for a 36 month period, and

**WHEREAS**, This program will be implemented, in cooperation with the City of Kenosha, City of Racine, and a number of other community organizations, and

**WHEREAS**, all grant-funded positions created through the US Department of Housing and Urban Development (HUD) Lead Grant are solely supported by this grant and thus eliminated if the grant funding ceases, and

**WHEREAS**, grant funding is available to upgrade the Division of Health's current Niton XRF equipment and this upgrade will be acquired via sole source procurement, no bid competition, from the equipment manufacturer, Thermo Electron Corporation, to replace the current XRF equipment which is becoming obsolete, and

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

**NOW, THEREFORE LET IT BE RESOLVED**, that the Department of Human Services, Division of Health budget be modified, at no cost to the county, as follows:

Revenue increases by \$3,996,928 and expenditures increase by \$3,996,928 as indicated in the attached budget modification, which is incorporated into this resolution by reference, and any unexpended dollars as of December 31, 2007 should be rolled over into the preceding years until the grant expiration date of February 1, 2010.

SUBMITTED BY:

Human Services Committee	Finance Committee
Judith Rossow	Mark Wisnefski
William Grady	Anita Faraone
Edward Kubicki	Joseph Clark
David Arrington	John O'Day
Ruth Booth	

It was moved by Supervisor Rossow to adopt resolution 90. Seconded by Supervisor Arrington.

Roll call vote passed unanimously.

#### **RESOLUTION 91**

91. From Human Services Committee a Resolution to approve the re-appointment of Richard Willoughby to the Kenosha County Human Services Board.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-22, the County Executive has appointed Richard Willoughby to serve on the Kenosha County Human Services Board, 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 Human Services Board 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 Richard Willoughby to the Kenosha County Human Services Board. Mr. Willoughby's appointment shall be effective immediately

and continuing until the 31st day of December, 2009 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Willoughby will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). He will be succeeding himself.

SUBMITTED BY:

Human Services Committee  
Judith Rossow  
William Grady  
Edward Kubicki  
David Arrington  
Ruth Booth

#### **RESOLUTION 92**

92. From Human Services Committee a Resolution to approve the re-appointment of Denis Wikel to the Kenosha County Human Services Board.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-23, the County Executive has appointed Denis Wikel to serve on the Kenosha County Human Services Board, 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 Human Services Board 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 Denis Wikel to the Kenosha County Human Services Board. Mr. Wikel's appointment shall be effective immediately and continuing until the 31st day of December, 2009 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Wikel will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). He will be succeeding himself.

SUBMITTED BY:

Human Services Committee  
Judith Rossow  
William Grady  
Edward Kubicki  
David Arrington  
Ruth Booth

#### **RESOLUTION 93**

93. From Human Services Committee a Resolution to approve the re-appointment of Robert Pitts to the Brookside Board of Trustees.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-27, the County Executive has appointed Robert Pitts 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 Robert Pitts to the Brookside Board of Trustees. Mr. Pitts' appointment shall be effective immediately and continuing until the 4th day of January, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Pitts 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  
Judith Rossow  
William Grady  
Edward Kubicki  
David Arrington  
Ruth Booth

#### **RESOLUTION 94**

94. From Human Services Committee a Resolution to approve the re-appointment of Mary Celebre to the Kenosha County Commission on Aging.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-26, the County Executive has appointed Mary Celebre 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 Mary Celebre to the Kenosha County Commission on Aging. Ms. Celebre's appointment shall be effective immediately and continuing until the 31st day of December, 2009 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Celebre will serve without pay but receive mileage reimbursement as defined under Resolution 65 (1982-83). Ms. Celebre will be succeeding herself.

SUBMITTED BY:

Human Services Committee

Judith Rossow

William Grady

Edward Kubicki

David Arrington

Ruth Booth

#### **RESOLUTION 95**

95. From Human Services Committee a Resolution to approve the re-appointment of Mario Maritato, D.D.S. to the Kenosha County Board of Health.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-31, 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, 2011 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Dr. Maritato will serve without pay as defined under Resolution 65 (1982-83) and will be succeeding himself.

SUBMITTED BY:

Human Services Committee

Judith Rossow

William Grady

Edward Kubicki

David Arrington

Ruth Booth

It was moved by Supervisor Rossow to adopt Resolutions 91 through 95. Seconded by Supervisor Grady.  
Motion carried.

#### **RESOLUTION 96**

96. From Judiciary & Law, Legislative and Finance Committees a Resolution in support of adding a Circuit Court Judge for Kenosha County.

**WHEREAS**, the people of Kenosha County deserve an efficient and adequately staffed judiciary to promptly and efficiently provide justice in the best interest of the community; and

**WHEREAS**, a national study has shown that there is a growing and pressing need to increase the number of circuit court judges in Kenosha County in order to fairly and orderly handle the number of cases currently entering the court system; and

**WHEREAS**, according to the 2006 Judicial Needs Study conducted by the National Center for State Courts, Kenosha has one of the highest needs for increased judiciary within the entire State of Wisconsin, with a current need for two additional circuit court judges; and that current population growth trends suggest that this need will likely continue to increase; and



**WHEREAS**, the official study confirms local and regional awareness that, despite hard working judges in Kenosha County, the rising caseload increases the risk that delayed and inefficient justice will be delivered to the people of Kenosha County; and

**WHEREAS**, the number of felony cases filed in Kenosha County has doubled in total since 1994, when Kenosha County last added a branch of court; and

**WHEREAS**, in April, 1999, the Kenosha County Board of Supervisors unanimously endorsed the creation of an additional branch of the circuit court in this county, which was not then provided by the State Legislature; and that the need has since grown more pressing;

**NOW THEREFORE BE IT RESOLVED**, That the Kenosha County Board of Supervisors hereby recommends to the State Director of Courts to request an additional branch of circuit court for Kenosha County, and that the Wisconsin Legislature approve such request and create such an additional branch of circuit court for the people of this County.

**BE IT FURTHER RESOLVED**, That the County Clerk is hereby directed to send a certified copy of this resolution to the Director of State Courts and the State of Wisconsin Legislature.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
Joseph Clark  
Bob Haas

Finance Committee  
Mark Wisnefski  
Anita Faraone  
Joseph Clark  
John O'Day

Legislative Committee  
James Huff  
James Moore  
Ron Johnson  
Gordon West

It was moved by Supervisor Michel to adopt Resolution 96. Seconded by Supervisor Wisnefski.  
Roll call vote passed unanimously.

#### **RESOLUTION 97**

97. From Judiciary & Law and Finance Committees a Resolution for a 911 Wireless Grant Budget Modification.

**BE IT RESOLVED** that the Kenosha County 2007 budget is hereby amended and increased by \$365,376 in accord with the budget modification form, which is attached and incorporated by reference, and

**BE IT FURTHER RESOLVED** that these funds shall be used in accord with the grant requirements, which are to implement wireless 9-1-1 within Kenosha County, and

**BE IT FURTHER RESOLVED** that these funds may be carried over to 2008 as needed to complete the project, and

**BE IT FURTHER RESOLVED** that this project is grant funded, and that no funds shall be used from the General Fund.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
Joseph Clark  
Bob Haas

Finance Committee  
Mark Wisnefski  
Joseph Clark  
John O'Day  
Anita Faraone

It was moved by Supervisor Michael to adopt Resolution 97. Seconded by Supervisor Faraone.  
Roll call vote passed unanimously.

#### **RESOLUTION 98**

98. From Judiciary & Law and Finance Committees regarding BOTS - Traffic Enforcement Grants.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$70,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between March 1<sup>st</sup>, 2007 and Sept. 30, 2007 to enforce high-risk driver behaviors, and

**WHEREAS**, the grant funds offered must be used to reimburse personnel costs for increased patrol presence to control alcohol/drug impaired drivers and speeders in targeted areas and to purchase law enforcement equipment to use during these patrol efforts, and

**WHEREAS**, the 25% local match required is met with soft dollars within the current budget and will not require any additional tax levy dollars.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the grant and approve that the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$70,000 and increases expenditures by \$70,000.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
Joseph Clark  
Bob Haas

Finance Committee  
Mark Wisnefski  
Joseph Clark  
John O'Day  
Anita Faraone

It was moved by Supervisor Michel to adopt Resolution 98. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

#### **RESOLUTION 99**

99. From Judiciary & Law and Finance Committees regarding WI DOT TRaCS Expanded Use Program Grant.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$25,000 from WI Department of Transportation, Bureau of Transportation Safety to expand the Wisconsin Incident Based Reporting System (WIBRS) pilot program dealing with electronic submission of citations and accident reports issued by law enforcement officers in the field, and

**WHEREAS**, the grant funds awarded will be used to enhance the Kenosha County TRaCS system by providing additional WI-FI transmission points installed at predetermined locations throughout the county to increase the quality and consistent connectivity to patrol squad laptops thus reducing mobile data downtime currently experienced in the field with electronic transmission of citations and crash data, and

**WHEREAS**, the project scope funded here is phase one of three phases identified by Kenosha County to improve the electronic submission of law enforcement data in the field, and

**WHEREAS**, the phase one project period ends December 31, 2007, and

**WHEREAS**, WI DOT is not requiring a hard match for this award so, there will not be any additional tax levy dollars requested to initiate the program.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the grant and approve the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the grant requirements, and that the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units with the Sheriff's Department in accordance with all Federal and State regulations of the funding for enhancing the TRaCS program and in compliance with the generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$25,000 and increases expenditures by \$25,000.

SUBMITTED BY:

Judiciary & Law Committee  
William Michel, II  
Joseph Clark  
Bob Haas

Finance Committee  
Mark Wisnefski  
Joseph Clark  
John O'Day

Anita Faraone

It was moved by Supervisor Michel to adopt Resolution 99. Seconded by Supervisor O'Day.  
Roll call vote passed Unanimously.

**RESOLUTION 100**

100. From Judiciary & Law regarding Appointment of Lieutenant Paul Falduto to the Kenosha County Traffic Safety Commission.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-25, the County Executive has appointed Lieutenant Paul Falduto to serve on the Kenosha County Traffic Safety Commission, and

**WHEREAS**, the Judiciary & Law Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Traffic Safety Commission and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of Lieutenant Paul Falduto to serve on the Kenosha County Traffic Safety Commission. Lieutenant Falduto's appointment shall be effective immediately upon the confirmation of the County Board and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Lieutenant Falduto will serve without pay as defined under Resolution 65 (1982-83). Lieutenant Falduto will be succeeding Lieutenant Tom Puidokas.

SUBMITTED BY:

Judiciary & Law Committee

William Michael, II

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 100. Seconded by Supervisor Clark.  
Motion carried.

**RESOLUTION 101**

101. From Judiciary & Law regarding Appointment of Mr. Anthony Nudo to the Kenosha County Traffic Safety Commission.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-32, the County Executive has appointed Mr. Anthony Nudo to serve on the Kenosha County Traffic Safety Commission, and

**WHEREAS**, the Judiciary & Law Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Traffic Safety Commission and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of Mr. Anthony Nudo to serve on the Kenosha County Traffic Safety Commission. Mr. Nudo's appointment shall be effective immediately upon the confirmation of the County Board and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Nudo will serve without pay as defined under Resolution 65 (1982-83). Mr. Nudo will be succeeding Mr. Kenn Yance.

SUBMITTED BY:

Judiciary & Law Committee

William Michel, II

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 101. Seconded by Supervisor Haas.  
Motion carried.

**RESOLUTION 102**

102. From Land Use Committee regarding Final Condominium Plat of Bristol Bay Phase II, Bristol Bay Development Corporation (Developer) in the Town of Bristol.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on February 14, 2007, review was given to the Final Plat of Bristol

Bay Condominiums Phase II along with requests to revise the phasing schedule and revise the approved building plans and elevations of the entire project located in the northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, this property is located on the southwest corner of the intersection of U.S. Highway "45" (Bristol Road) and State Trunk Highway "50" (75<sup>th</sup> Street); and

**WHEREAS**, the second phase of the plat and the aforementioned revisions are in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1 on file in the Department of Planning and Development); and

**WHEREAS**, the Town of Bristol recommended approval of the Final Condominium Plat of Bristol Bay Phase II and the aforementioned revisions subject to the conditions presented in Exhibit 1 (on file in the Department of Planning and Development); and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve the Final Plat of Bristol Bay Condominiums Phase II along with requested revisions as stated above subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee  
Fred Ekornaas  
John O'Day  
Jennifer Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 102. Seconded by Supervisor Jackson.

Motion carried.

#### **COMMUNICATIONS**

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

19. From Michael K. Higgins, City Clerk-Treasurer regarding attachment and Temporary Zoning District Classification of Land in the Town of Somers.

#### **CLAIMS**

30. Kenneth Santelli - shoe damaged on bent weather stripping at PSB.

31. Candice McReynolds - mailbox damage.

32. LaVon Scott - mailbox damage.

33. Sandra Betz - mailbox damage.

34. Richard Thayer - mailbox damage.

Chairman Rose referred Claims 30 thru 34 to Corporation Counsel.

#### **SUPERVISOR COMMENTS**

Supervisor Michel questioned what the policy is regarding missing meetings due to supervisors being at conferences. After speaking with other supervisors he learned that missing a meeting due to a conference is an excused absence, but it is still an absence.

Supervisor Faraone confirmed there was a resolution passed regarding this subject.

It was moved by Supervisor Singer to approve the February 6, 2007 minutes. Seconded by Supervisor Ron Johnson.

Motion carried.

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

Meeting adjourned at 8:20 P.M.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Edna R. Highland

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
March 20, 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, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Carbone, Arrington.

Present: 26. Excused: 2.

**CITIZEN COMMENTS**

Carol Fischer 1033 29<sup>th</sup> Ave., Town of Somers Chairperson, spoke regarding Somers Market Center. It will be one of the premier shopping centers in all of Southeastern Wisconsin. The center will bring in about 1.2 million dollars in tax revenue to Kenosha County. Approximately 650,000 dollars will go to Unified Schools, roughly 250,000 dollars will go to the general county fund and around 200,000 dollars will go to the Utility District and the Town of Somers general fund. That doesn't count the sales tax revenue that will come from this shopping center. They have worked extensively with landscape architects and this will be one of the most heavily landscaped shopping centers in all of Southeastern Wisconsin. They put great amount of expense and time into this project and it's not about one anchor store, but about the future of the Town, the future of the County and it will be a benefit to all of us.

Matthew Sinnen, 3190 100<sup>th</sup> Avenue, Somers spoke against the proposed rezoning for the Somers Market Place LLC. He does not understand how this proposed rezone of the site in question can move forward without the approval and consent of the Department of Natural Resources. Item no. 9 of the conditional use permit states the developer can not turn ground until the letter is received which either approves or denies mitigation. He asked the board to table the developers request for rezone until Dr. John D. Richards' letter is submitted to the Department of Natural Resources.

Adrienne Roach, Mukwanago, was just hired to the Wisconsin League of Conservation Voters in the Kenosha-Racine area. She would like to someday move to a place that has some sort of environmental value. She does not think it would be harmful to wait and see what the environmental survey has to offer.

Leah Blough, 8355 57<sup>th</sup> Avenue, spoke against the rezoning that Somers Market LLC has applied for. It has come to her attention that this development is Wal-Mart. There are many small business in the City of Kenosha that are going to be in direct competition with Wal-Mart for products and services.

Jill Sopa, Town of Paris voiced some concerns regarding the environment, water supply and air quality of the Town of Paris because of Waste Management and their proposed landfill expansion. For this landfill expansion, a variance has been placed on her private well without her consent and recorded on her deed. Waste Management has applied with the DNR for approval of RD&D which is adding other liquids or sludges that come off of the landfill. Right now 75% of the garbage comes from Illinois. She has found out if the expansion is granted, the line of waste will be as close as 350 feet away from a private houses and private wells.

**CHAIRMAN ANNOUNCEMENTS**

Chairman Rose stated that Gordon West, 23<sup>rd</sup> District Supervisor has submitted his resignation as the county's representative on the Kemper Center Board of Directors and in his place Chairman Rose appointed Judy Rossow, 2<sup>nd</sup> District Supervisor, she has agreed to serve on the board.

**SUPERVISOR REPORTS**

Supervisor Elverman stated this evening the board will be voting on the Labor Agreement for Local 1392. He also stated that even though the current system has saved us numerous dollars it is prudent to put out RFP for the Health Care. The responses will be due August 1<sup>st</sup> and they will have something for the County Board to look at in April.

Supervisor Breunig stated over the last two months they have received some donations for the Pringle Nature Center which includes a \$500 donation from American Express Company, Fortune Brands in Deerfield, IL has given a \$400 donation and the Town of Bristol has budgeted an annual donation of \$1500.

Supervisor Molinaro stated he calls Mr. Melcher almost monthly to get an update on where the landfill process is at. He keeps hearing that they're talking about modifications to what their original plan was, and bringing in some additional material that they intend to spread over the landfill etc. He asks through the chair if there could be more of an effort to put some sort of pressure on the Town of Paris to keep the board up to speed on what they're doing.

Supervisor Ekornaas stated up until recently the expansion matter has been lying in limbo and was just told by Mr. Melcher that there has been a renewed effort to get together with Paris and Waste Management.

Supervisor Noble reported the current bike path which will link up to Parkside is still on schedule and will be bid out in May with construction to begin this year. He also stated they are applying for a hazardous elimination project for the intersection of Hwys Y and A. A local road improvement project on Hwy S, from Hwy N to almost Hwy 31 will be done this summer. The DOT is doing a rehab project on the three bridges on Hwy 50 between Hwys 31 & H this summer which means from mid June to mid August Hwy 50 will be down to one lane in both directions. Alternate routes will be posted. Hwy 32, from 16<sup>th</sup> Street to 9<sup>th</sup> Street will be scheduled for rebuilding this year. Pets is open for golf, Brighton Dale is planned to open on Friday.

#### **COUNTY EXECUTIVE APPOINTMENTS**

34. Dr. Mary K. Mainland to serve on the Kenosha County Traffic Safety Commission.

Chairman Rose referred County Executive Appointment 34 to the Judiciary & Law Committee.

#### **NEW BUSINESS**

Ordinances - one reading.

#### **ORDINANCE 44**

44. From the Land Use Committee regarding Somers Market Center LLC (Owner), Nathan Bryant, P.E., Bradford Real Estate Companies (Agent) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, A-4 Agricultural Land Holding District and M-2 Heavy Manufacturing District to B-4 Planned Business District and C-1 Lowland Resource Conservancy District with a (PUD) Planned Unit Development Overlay 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 #80-4-222-271-0101, #80-4-222-271-0200 and #80-4-222-271-0211, all located in the northeast quarter of Section 27, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District, A-4 Agricultural Land Holding District and M-2 Heavy Manufacturing District to B-4 Planned Business District and C-1 Lowland Resource Conservancy District with a (PUD) Planned Unit Development Overlay. For informational purposes only, these properties are generally located on the northwest corner of the intersection of State Trunk Highway 31 (Green Bay Road) and County Trunk Highway "S" (38<sup>th</sup> Street).

#### **Somers Market Center LLC - (Owners)**

**Description:** See Exhibit 1

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 44. Seconded by Supervisor O'Day.

It was moved by Supervisor Jackson to table Ordinance 44. Seconded by Supervisor Marrelli.

Roll call vote.

Ayes: Supervisors Grady, Marrelli, Jackson, Noble, West, Hass.

Nays: Supervisors Rose, Rossow, Kessler, Huff, Kubicki, Booth, Faraone, Ron Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Clark, Roger Johnson, Breunig, Elverman, Ekornaas.

Ayes: 6. Nays: 20

Motion failed.

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

Roll call vote.

Ayes: Supervisors Grady, Rossow, Kessler, Kubicki, Ron Johnson, Michel, O'Day, Singer, Nudo, Wisnefski, West, Roger Johnson, Breunig, Hass, Ekornaas.

Nays: Supervisors Rose, Huff, Marrelli, Booth, Faraone, Moore, Molinaro, Jackson, Clark, Noble, Elverman.

Ayes: 15 Nays: 11

Motion failed.

It was moved by Supervisor Noble to refer Ordinance 44 back to Committee. Seconded by Supervisor Jackson.

Roll call vote.

Ayes: Supervisors Grady, Marrelli, Jackson, Noble.

Nays: Supervisors Rossow, Rose, Kessler, Huff, Kubicki, Booth, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Clark, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Ayes: 22. Nays: 4.

Motion failed.

It was moved by Supervisor Clark to close debate. Seconded by Supervisor Wisnefski.

Roll call vote.

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

Nays: Supervisors Rose, Huff, Molinaro, Jackson.

Ayes: 22. Nays: 4.

Motion carried

Roll call vote for Ordinance 44.

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

Nays: Supervisors Marrelli, Jackson, Noble.

Ayes: 23. Nays: 3

Motion carried.

#### **ORDINANCE 45**

45. From the Land Use Committee regarding Thomas J. and Patricia B. Lockhart requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural 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 #80-4-222-031-0600 located in the northeast quarter of Section 3, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District (10.04 acres) to A-2 General Agricultural District. For informational purposes only, this property is located on the west side of 56<sup>th</sup> Avenue approximately 0.29 miles south of the intersection of 1<sup>st</sup> Place.

**Thomas J. and Patricia B. Lockhart - Owners**

**Description:** A tract of land being a part of the Southeast  $\frac{1}{4}$  of the Fractional Northeast  $\frac{1}{4}$  of Section 3, Town 2 North, Range 22 East, in the Town of Somers, County of Kenosha, State of Wisconsin, bounded and described as follows: Commence at the East  $\frac{1}{4}$  corner of said Section; thence North 01°59'26" West for a distance of 214.50 feet, along the East line of said  $\frac{1}{4}$  Section, to the point

of beginning; thence South 89°13'39" West for a distance of 1326.76 feet, parallel to the South line of said ¼ Section, to a point; thence North 01°59'34" West for a distance of 330.00 feet, along the East line of the West ½ of the Fractional Northeast ¼, to point; thence North 89°13'39" East for a distance of 1326.78 feet, parallel to the South line of said ¼ Section, to a point; thence South 01°59'26" East for a distance of 330.00 feet, along the East line of said ¼ Section, to the point of beginning. RESERVING the easterly 33.00 feet for public road purposes. Contains 10.04897 acres of land including road reservation.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 45. Seconded by Supervisor Jackson.

Motion carried.

#### **ORDINANCE 46**

46. From the Land Use Committee regarding Kenosha County Land Use Committee (Sponsor), Kenosha County (Owner) requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to I-1 Institutional District and C-1 Lowland Resource Conservancy District. In addition, rezoning from I-1 Institutional District to C-1 Lowland Resource Conservancy District and from C-1 Lowland Resource Conservancy District to I-1 Institutional District to reflect actual field conditions 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 #35-4-121-053-0150 and part of Tax Parcel #35-4-121-053-0400 located in the southwest quarter of Section 5, Township 1 North, Range 21 East, Town of Bristol be changed as follows: #35-4-121-053-0150 from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to I-1 Institutional District and C-1 Lowland Resource Conservancy District and part of #35-4-121-053-0400 from I-1 Institutional District to C-1 Lowland Resource Conservancy District and from C-1 Lowland Resource Conservancy District to I-1 Institutional District to reflect actual conditions. For informational purposes only, these parcels are located on the northeast corner of the intersection of U.S. Highway 45 and State Trunk Highway 50 (Kenosha County Center) and the property immediately to the north of the Kenosha County Center.

**Kenosha County - (Owners)**

**Description:** Presented in Exhibit 1

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 46. Seconded by Supervisor Jackson.

Roll call vote passed unanimously.

#### **ORDINANCE 47**

47. From the Land Use Committee regarding Mills Enterprises LLC and Berwick Properties, Inc. requesting rezoning from A-2 General Agricultural District and R-2 Suburban Single-Family Residential District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District, R-3 Urban Single-Family Residential District, R-8 Urban Two-Family Residential District and R-9 Multiple-Family



Residential District, PR-1 Park and Recreational District with a Planned Unit Development Overlay (PUD) 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 Parcels #35-4-121-071-0110, #35-4-121-071-0407, #35-4-121-082-0205 located in the northeast quarter of Section 7 and the northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District and R-2 Suburban Single-Family Residential District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District, R-3 Urban Single-Family Residential District, R-8 Urban Two-Family Residential District and R-9 Multiple-Family Residential District, PR-1 Park and Recreational District with a Planned Unit Development Overlay (PUD). For informational purposes only, this property is located on the west side of U.S. Highway "45" (Bristol Road) south of State Trunk Highway "50" (75<sup>th</sup> Street).

**Mills Enterprises LLC and Berwick Properties, Inc. (Owners)**

**Description:** See exhibit 1

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 47. Seconded by Supervisor Roger Johnson.

Roll call vote.

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

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.

Motion carried.

**ORDINANCE 48**

48. Berwick Properties, Inc. requesting a rezoning from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland 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 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 Parcels #65-4-120-141-0700, #65-4-120-141-0801 and #65-4-120-114-2000 located in the northeast quarter of Section 14, Township 1 North, Range 20 East, Town of Salem be changed from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland 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 informational purposes only, these properties are generally located between 84<sup>th</sup> Street on the north and County Trunk Highway "AH" (89<sup>th</sup> Street) on the south approximately 440' west of the intersection of 84<sup>th</sup> Street and 235<sup>th</sup> Avenue.

**Berwick Properties, Inc. - Owners**

**Description:** See Exhibit # 1 (attached).

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 47. Seconded by Supervisor Nudo.  
Roll call vote.

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

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.  
Motion carried.  
Resolution - one reading.

#### **RESOLUTION 103**

103. From Chairman Rose a Resolution urging Congress to Amend Federal Law to allow Federal Financial Participation in Providing Medical Benefits to Incarcerated Individuals Until Convicted and Sentenced to Secure Detention.

Chairman Rose referred Resolution 103 to the Legislative and Judiciary and Law Committees

#### **RESOLUTION 104**

104. From Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between Kenosha County and AFSCME Local 1392 Institution Employees.

**WHEREAS**, negotiations for a successor labor agreement between Kenosha County and AFSCME Local 1392-Institution Employees were recently concluded, and

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending on December 2009, 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,

**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.

SUBMITTED BY:

Administration Committee  
Dennis Elverman  
Kimberly Breunig  
James Moore

Finance Committee  
Mark Wisnefski  
Anita Faraone  
Joseph Clark  
John O'Day

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

#### **RESOLUTION 105**

105. From Extension Education, Judiciary & Law and Legislative Committees a Resolution for Youth In Governance Project.

**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 values the youth of our community, and;

**WHEREAS**, Youth In Governance is a national movement that will benefit Kenosha County as an integral part of county government, and;

**WHEREAS**, 2006 Search Institute survey data from Kenosha County documented that only 23% of youth perceive that their communities value youth and only 27% believe that youth are given useful roles in the community, 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,

**NOW THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors adopt a Youth In Governance program that will include a maximum of two youth members on every County Board Committee. Youth members will have a non-binding advisory vote on the committee.

SUBMITTED BY:

Extension Education Committee	Judiciary & Law Committee
Janice Marrelli	William Michel, II
Kimberly Breunig	David Arrington
Ronald Johnson	Joseph Clark
Mark Molinaro, Jr.	Bob Haas
Richard Kessler	
Legislative Committee	
James Huff	
James Moore	
Ronald Johnson	
Gordon West	

It was moved by Supervisor Molinaro to adopt Resolution 105. Seconded by Supervisor Marrelli.

Roll call vote.

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

Abstain: Supervisor Booth.

Ayes: 25. Nays: 0. Abstain: 1

Motion carried.

#### **RESOLUTION 106**

106. From the Finance Committee a Resolution for the Appointment of Kris LeMay to the Kenosha County Library Committee.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-33, the County Executive has appointed Kris LeMay to serve on the Kenosha County Library Committee, and

**WHEREAS**, the Finance Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Library Committee and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of Kris LeMay to serve on the Kenosha County Library Committee. Ms. LeMay's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2009, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. LeMay will serve without pay as defined under Resolution 65 (1982-83). Ms. LeMay will be succeeding Ms. Jane Prince.

SUBMITTED BY:

Finance Committee  
Mark Wisnefski  
Anita Faraone  
Joseph Clark  
John O'Day

It was moved by Supervisor Wisnefski to adopt Resolution 106. Seconded by Supervisor Faraone.

Motion carried.

#### **RESOLUTION 107**

107. From the Highway & Parks Committee a Resolution for the Kenosha County Public Snowmobile Trail.

**WHEREAS**, Kenosha County has at the present time a public snowmobile trail which is 76.9 miles in length and is maintained by contract service with the Kenosha County Snowmobile Club Alliance, and

**WHEREAS**, Kenosha County wants to retain the same number of miles in the trail system for the 2007-2008 winter season, and

**WHEREAS**, the Kenosha County Public Snowmobile Trail is eligible for 100% reimbursable funds under Sec. 23.09(26), Wis. Stats., for such eligible maintenance acquisition, insurance and development costs.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors hereby authorizes the Department of Public Works to act on behalf of Kenosha County to:

Submit an application to the State of Wisconsin Department of Natural Resources for 100% reimbursable financial aid that is available; sign Documents, and take necessary action to undertake, direct and complete the approved project.

SUBMITTED BY:

Highway & Parks Committee

Douglas Noble

William Grady

Bob Haas

Gordon West

Richard Kessler

It was moved by Supervisor Noble to adopt Resolution 107. Seconded by Supervisor Grady.

Motion carried.

#### **RESOLUTION 108**

108. From the Highway & Parks Committee a Resolution requiring Highway Railroad grade crossing repair at Canadian Pacific Railway Crossing on County Trunk Highway "L" in the Town of Somers.

**WHEREAS**, The Canadian Pacific Railway crosses Kenosha County Trunk Highway "L", 0.5 miles east of County Trunk Highway "H", and

**WHEREAS**, the Kenosha County Department of Public Works has identified the railroad crossing at the above location to be in disrepair, and

**WHEREAS**, Wisconsin Statutes 86.12 (1) requires all railroad companies owning or operating tracks crossing streets or highway grade to keep the surface of the crossings between the tracks and rails and extending 4 feet on either side of the outside rails, in good condition and repair for highway travel, and

**WHEREAS**, the safety of the travelling public can be impacted by the poor condition of the railroad crossings.

**NOW, THEREFORE, BE IT HEREBY RESOLVED:** That the Kenosha County Board of Supervisors hereby directs the Kenosha County Department of Public Works staff to serve a copy of this resolution upon the Canadian Pacific Railway requiring the railroad to repair the County Trunk Highway "L" rail-highway crossing with the tracks of the Canadian Pacific Railway in the Town of Somers, Kenosha County.

SUBMITTED BY:

Highway & Parks Committee

Douglas Noble

William Grady

Bob Haas

Gordon West

Richard Kessler

It was moved by Supervisor Noble to adopt Resolution 108. Seconded by Supervisor Haas.

Motion carried.

#### **RESOLUTION 109**

109. From the Human Services Committee Dissolution of the Long Term Care Council and the Resource Center Board and replacement of both by the creation of an Aging and Disability Resource Center Board.

**WHEREAS**, the Kenosha County Resource Center Board and the Kenosha County Long Term Care Council perform similar functions; and

**WHEREAS**, it is the recommendation of both committees that the two groups be merged into an Aging and Disability Resource Center Board consistent with State requirements; and

**WHEREAS**, the Wisconsin Department of Health and Family Services has recommended that regional long term care councils replace local councils and that aging and disability resource center boards assume local planning functions;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board authorizes the dissolution of the Long Term Care Council and the Resource Center Board and replacement of both by the creation of an Aging and Disability Resource Center Board consistent with state statutes and regulations; the members of which shall be appointed by the County Executive and confirmed by the County Board, with term limits and duties as required by the State of Wisconsin.

SUBMITTED BY:

Human Services Committee

Judith Rossow

Edward Kubicki

David Arrington

Ruth Booth

It was moved by Supervisor Rossow to adopt Resolution 109. Seconded by Supervisor Kubicki.

Motion carried.

#### **RESOLUTION 110**

110. From the Human Services and Finance Committees a Resolution to modify the Department of Human Services 2007 Budget for the Comprehensive Community Services Quality Improvement Grant.

**WHEREAS**, the Kenosha County Department of Human Services was certified in 2005 to administer the Medicaid funded Comprehensive Community Services Program (CCS) and has been awarded a continuation of 2006 State grant for the Comprehensive Community Services Quality Improvement Program, and

**WHEREAS**, the Kenosha County Department of Human Services is receiving \$59,318 from the Department of Health and Human Services to involve consumers in the process of making a more consumer focused, recovery based and outcome oriented operation of the Kenosha County's CCS program, and

**WHEREAS**, the Kenosha County Department of Human Services is receiving \$50,000 to improve data collection statistical reporting on Mental Health clients served by the Department, and

**WHEREAS**, the funds received from the grant will benefit individuals served by Kenosha County Department of Human Services and will benefit County programs designed to help children and adults with mental disorders or substance abuse disorders, and

**WHEREAS**, this budget modification poses no additional levy-funded costs to the County, and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Department of Human Services budget be modified as follows:

Authorize increase of expenditures of \$109,318 and to increase revenues by \$109,318, per the attached budget modification incorporated herein by reference, and any unexpended dollars as of December 31, 2007 will be carried over into the 2008 budget.

SUBMITTED BY:

Human Services Committee      Finance Committee

Judith Rossow

Mark Wisniewski

Edward Kubicki

Anita Faraone

David Arrington

John O'Day

Ruth Booth

Joe Clark

It was moved by Supervisor Rossow to adopt Resolution 110. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

#### **RESOLUTION 111**

111. From the Judiciary & Law and Finance Committees Kenosha County PreTrial Intensive Supervision Program X.

**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 10<sup>th</sup> year, and

**WHEREAS**, the State DOT office recognizes the funding level requested, but has only given authority to fund the first 6 months of the program at \$36,801, and

**WHEREAS**, it is anticipated that the State DOT will present a second award prior to July 1<sup>st</sup> of 2007 for the remaining \$15,666 at which time the Sheriff

will request authority through a second Resolution to continue the program through year end, 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 totaling \$54,777 (3) Sheriff's Dept. in-kind match of \$21,067, and (4) Sheriff's Department hard match of \$49,000 authorized in 2006 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 \$36,801 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 & Law Enforcement  
William Michel, II  
Ruth Booth  
David Arrington  
Joseph Clark  
Bob Haas

Finance Committee  
Mark Wisnefski  
Anita Faraone  
Joseph Clark  
John O'Day

It was moved by Supervisor Michel to adopt Resolution 111. Seconded by Supervisor Booth.

Roll call vote passed unanimously.

#### **RESOLUTION 112**

112. From the Land Use Committee Final Plat of Creekside Cove Subdivision (formerly known as Creekside Crossing Subdivision), Modern Homes, Inc. (Developer) in the Town of Salem.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on March 14, 2007, review was given to the Final Plat of Creekside Cove Subdivision located on Tax Parcel #67-4-120-341-0300 in the northeast quarter of Section 34, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, this property is located immediately south of the intersection of County Trunk Highway "JF" (119<sup>th</sup> Street) and 250<sup>th</sup> Avenue; and

**WHEREAS**, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

**WHEREAS**, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

**WHEREAS**, the Town of Salem recommended approval of Creekside Cove Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

**WHEREAS**, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) reviewed the subject plat with regards to stormwater management and erosion control and recommended approval of the plat;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve the Final Plat of Creekside Cove Subdivision subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee  
Fred Ekornaas  
John O'Day  
Jennifer Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 112. Seconded by Supervisor O'Day.  
Motion carried.

#### **RESOLUTION 113**

113. From the Land Use Committee Final Plat of Heritage Estates Subdivision, Stafford Residential LLC (Developer) in the Town of Salem.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on March 14, 2007, review was given to the Final Plat of Heritage Estates Subdivision located on Tax Parcel #66-4-120-264-0200 in the southeast quarter of Section 26, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, this property is located on the east side of State Trunk Highway "83" (Antioch Road) approximately 370' south of the intersection of 112<sup>th</sup> Street.

**WHEREAS**, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

**WHEREAS**, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

**WHEREAS**, the Town of Salem recommended approval of Heritage Estates Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

**WHEREAS**, Ruekert-Mielke Engineering Firm, under direct contract with the Kenosha County Department of Planning and Development, reviewed the subject plat with regards to stormwater management and erosion control and conditionally approve of the plat.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve the Final Plat of Heritage Estates Subdivision subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use Committee  
Fred Ekornaas  
John O'Day  
Jennifer Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 113. Seconded by Supervisor Jackson.  
Motion carried.

#### **COMMUNICATIONS**

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

#### **CLAIMS**

- 35. Charlene Shirley Cortes - Injured while in custody.
  - 36. Richard Kivisto - Car damaged by large pile of salt in road
  - 37. Anthony and Tracy Hameau - Personal injury.
  - 38. Charlene Shirley Cortes - Personal injury.
  - 39. Diana Weiss - Car damaged by snow from County Plow.
  - 40. Brandon Badham - Injured at a Kenosha Unified School.
  - 41. Rachel Badham - Damage claim for child's injury at a Kenosha Unified School.
  - 42. William Daymo - Injuries to mother at Brookside Care Center
- Chairman Rose referred Claims 35 thru 42 to Corporation Counsel.

It was moved by Supervisor West to approve the February 27, 2007 minutes.  
Seconded by Supervisor Michel  
Motion carried.

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

Meeting adjourned at 9:26 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk



**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
April 10, 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, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Excused: Supervisors Carbone, Molinaro, Haas.

Present: 25. Excused: 3.

There were no citizen comments.

**CHAIRMAN ANNOUNCEMENTS**

Chairman Rose stated there is a notice on the desks of a public hearing from the Wisconsin Legislature, the Committee on Health and Human Services regarding a publicly financed health care system for Wisconsin residents. He also spoke regarding the WCA Conference at the Dells on October 7<sup>th</sup> thru the 9<sup>th</sup> and asked by the show of hands who was interested in attending.

**SUPERVISOR REPORTS**

Supervisor Singer reported the gas, electric and water cost at the Brookside west building is about \$48,500. The painting project at the Public Safety Building has been completed. The carpet project at the PSB will start at the end of the month. The last remaining roof tops at the Job Center will be replaced at the end of the month. The facilities division has experienced numerous problems with some of the hot water systems at the Detention Center. They are looking into how to efficiently and reliably replace the system. There will be a resolution for an emergency replacement of a 60 ton air conditioner compressor unit for the PSB. Documents are being prepared for the Ambrose Hall roof at the Kemper Center. There is an Ordinance for the parking structure being prepared to bring everything up to date.

Supervisor Ekornaas stated as a result of the Somers Market Place debate at the last county board meeting, he explained how the zoning petitions come to the board for action. They have a highly trained professional staff to review, investigate, negotiate and prepare recommendations. Supervisor Ekornaas will not ask the staff to appear before the board on routine matters handled by the Land Use Committee. However, if he believes a project has elements that should be explained to the full board by staff, they will be at the county board meeting. If a supervisor would like a member of the staff to appear before the board, they can make the request to Supervisor Ekornaas. Supervisors that have a particular interest in a project should attend both Land Use meetings so they can be as informed on a project as the committee is.

Supervisor Rossow reported the Shalom Center has reduced the size of their project, they are moving forward with the Inns Program and Food Pantry at the site next to Kenosha Achievement Center. There will be Alderman, Supervisor and neighborhood meetings.

Supervisor Elverman reported from the Administration Committee there is a report available for vacation cash out procedures for Kenosha County Employees. A report on Health Benefits is also available and will be going to Finance Committee this week. There was also a report on the non-rep pay plan, there were 19 evaluations, 5 sworn personal which are not included with the step increases, 5 at the top, and 9 who received step increases.

Supervisor Marrelli stated nomination forms for the Youth in Governance are ready and are going out to teachers, counselors and principals. Applications are ready for interested students. Due date for the applications is July 1<sup>st</sup>. July and August they will be interviewing and training. If any board member is interested in being a mentor, they can let the Extension office know. One of the sessions at WCA will be about Youth in Governance, hopefully Kenosha will be a part of it.

**NEW BUSINESS**

Resolution - one reading.

114. From the Committee of the Whole, a Resolution of Statement of Need and Authorization to Proceed.

**WHEREAS,** The 2005 County Budget included \$1,100,000 for Safety Building remodeling, and

**WHEREAS,** The 2005 County Budget Resolution (Policy Resolution #1) stated that the Safety Building remodeling project be reviewed by the Building and Grounds Committee and recommendation be brought to the County Board, and

**WHEREAS,** the 2006 Budget including \$400,000 (excluding \$16,835 for equipment purchases) for the remodeling of the Medical Examiner's Office, and

**WHEREAS,** The 2006 County Budget Resolution (Policy Resolution #2) authorized that \$100,000 of a \$1,100,000 appropriation for Safety Building Remodeling be used for the purpose of determining building construction and operating costs of relocating certain functions including but not limited to Sheriff Patrol, 911 Dispatch, Emergency Management, Medical Examiner's Office, and

**WHEREAS,** the 2006 County Budget Resolution (Policy Resolution #2) stated that the Medical Examiner remodeling project be reviewed by the Building and Grounds and Finance Committees, and that a final plan be approved by the County Board, and

**WHEREAS,** On January 30<sup>th</sup>, Joint Committees of Building and Grounds, Judiciary and Law, Finance, Human Services, and Land Use met at the Kenosha County Center,

**NOW, THEREFORE BE IT RESOLVED,** That based on a preliminary site location and office layout plan as presented to the Joint Committees of the Honorable Kenosha County Board of Supervisors on January 30, 2007, the undersigned Committees do hereby designate a need to proceed with the planning for the development of a new office location at the property currently owned by Kenosha County commonly referred to as 45/50.

**BE IT FURTHER RESOLVED,** That an additional \$150,000 be authorized to be spent to provide additional planning dollars, bringing the total authorized to be spent to \$250,000 of the original \$1,100,000 appropriated.

SUBMITTED BY:

The Committee of the Whole

William Grady	Judith Rossow
Richard Kessler	James Huff
Edward Kubicki	Janice Marrelli
Ruth Booth	David Arrington
Ronald Johnson	William Michel, II
John O'Day	David Singer
Gabe Nudo	Mark Wisnefski
Jennifer Jackson	Douglas Noble
Roger Johnson	Kimberly Breunig
Dennis Elverman	Fred Ekornaas

It was moved by Supervisor Ekornaas to adopt Resolution 114. Seconded by Supervisor Singer.

It was moved by Supervisor Clark to Close Debate on Resolution 114. Seconded by Supervisor Faraone.

Roll call vote.

Ayes: Supervisors Grady, Rossow, Kessler, Kubicki, Marrelli, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Wisnefski, Clark, Noble, West, Roger Johnson, Breunig, Ekornaas.

Nays: Supervisors Rose, Huff, Moore, Jackson, Elverman.

Ayes: 20. Nays: 5.

Motion carried.

Roll call vote on Resolution 114.

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

Nays: Supervisors Rose, Faraone, Jackson, Clark.

Ayes: 21. Nays: 4

Motion carried.

#### **CLAIMS**

43. Diana R. Weiss - vehicle damage by snow from snowplow.

44. Tyler Freiheit - broken windshield.

Chairman Rose referred Claims 43 and 44 to Corporation Counsel.

It was moved by Supervisor West to approve the March 20<sup>th</sup> and March 27<sup>th</sup> 2007 minutes. Seconded by Supervisor Nudo  
Motion carried.

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

Meeting adjourned at 7:50 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
April 17, 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, Kubicki, Marrelli, Booth, Arrington, Faraone, Ronald Johnson, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Carbone, Huff, Michel.

Present: 25. Excused: 3.

There were no citizen comments.

There were no Chairman Announcements

**SUPERVISOR REPORTS**

Supervisor Ekornaas reported the Smart Growth Committee is progressing to develop the Smart Growth Plan for Kenosha County. There is an invitation to the Kenosha County Café, Saturday, May 12<sup>th</sup>, where the public will have an opportunity to give input.

Supervisor Noble stated the Highway and Parks Committee had put a 30-40 page report together and presented it to the Finance Committee. In the report they had quite a few recommendations for the golf operation. They are staying true to the mission statement which is to promote golf for families and children. The projection for the golf industry looks good. The renewal of the lease which is in three year increments has increased by approximately \$28,000. To offset the cost they are perusing advertising on the rear fender of the golf carts.

Health Insurance Report.

**NEW BUSINESS**

Resolution - one reading.

**RESOLUTION 115**

115. From the Administration and Finance Committees a Resolution to Approve the Successor Labor Agreement Between Kenosha County and Local 990 Clerical.

**WHEREAS**, negotiations for a successor labor agreement between Kenosha County and Local 990 Clerical were recently concluded, and

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending on December 31, 2009, 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.

SUBMITTED BY:

Administration Committee

Dennis Elverman

Janice Marrelli

Kimberly Breunig

Anita Faraone

James Moore

Finance Committee

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Elverman to adopt Resolution 115. Seconded by Supervisor Faraone.

Roll call vote passed unanimously.

**RESOLUTION 116**

116. From the Brookside Board of Trustees, Human Services Committee and Finance Committees a Resolution to increase Brookside Care Center 2006 Supply Appropriation Unit Budget and Decrease 2006 Contractual Appropriation Unit Budget.

**WHEREAS**, County Executive's 2006 Budget approved by the County Board for Brookside Care Center included Supply Appropriation Unit (3000 series) in the amount of \$605,909, and

**WHEREAS**, Brookside Care Center, Supply Appropriation Unit, expended \$682,889 for the fiscal year 2006, and

**WHEREAS**, County Executive's 2006 Budget approved by the County Board for Brookside Care Center included Contractual Appropriation Unit (2000 series) in the amount of \$858,440, and

**WHEREAS**, Brookside Care Center, Contractual Appropriation Unit, expended \$813,318 for the fiscal year 2006, and

**WHEREAS**, County Levy is not impacted.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County board of Supervisors approve increasing Brookside Care Center's 2006 Contractual Appropriation Unit budget by \$31,980.

SUBMITTED BY:

Brookside Board of Trustees	Human Services Committee	Finance Committee
Robert Pitts	Judy Rossow	John O'Day
Robert Carbone	William Grady	Anita Faraone
Nancy Principe	Edward Kubicki	Joseph Clark
Frank Santapoalo		

It was moved by Supervisor Rossow to adopt Resolution 116. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

#### **RESOLUTION 117**

117. From the Building & Grounds Committee regarding emergency replacement of air conditioning unit at the Kenosha County Public Safety Building.

**WHEREAS**; the air conditioning unit for the Communications/Dispatch center in the Public Safety Building failed and is not repairable, and;

**WHEREAS**; the temperature in the Communications/Dispatch center was 86 degrees on March 26<sup>th</sup>. The Center houses the County's Emergency 911 system as well as multiple other technology systems that must reside in a climate-controlled environment. The electrical, computer and office equipment housed in this area are not engineered to be subjected to excessive heat and humidity and will continue to fail causing a threat to public safety and health because the Emergency 911 system is in jeopardy, and;

**WHEREAS**; the funding for the replacement of the air conditioning unit is in the 2007 CIP budget and no additional general funds would be required, and;

**WHEREAS**; the County Executive has declared an emergency exists which justifies exercise of emergency powers under his authority as County Executive under Sec. 5.03 to 5.05, Kenosha County Ordinances, and Ch. 166, Wis. Statutes, due to the sudden complete failure of the air conditioning unit servicing the Public Safety Building Communications/Dispatch Center, and;

**NOW THEREFORE BE IT RESOLVED** that the Department of Public Works, together with the cooperating and assistance of other sections of Kenosha County government, shall immediately arrange for, and provide payment for, a replacement air conditioning unit without utilizing a bid process.

SUBMITTED BY:

Building & Grounds Committee	Finance Committee
David Singer	Anita Faraone
Gabe Nudo	Joseph Clark
Roger Johnson	John O'Day
Mark Wisniewski	

It was moved by Supervisor Singer to adopt Resolution 117. Seconded by Supervisor Clark.

Motion carried.

#### **RESOLUTION 118**

118. From the Finance Committee a Resolution to designate Public Depositories.

**WHEREAS**, Section 34.05, Wis. Stats., requires boards of public depositories to designate one or more financial institutions as public depositories, and

**WHEREAS**, Several local banks have changed their name and/or ownership in the past several years, and

**WHEREAS**, the most recent resolution does not contain the precise name of several designated institutions, and

**WHEREAS,** The County Treasurer wishes to expand and update the list of eligible public depositories for Kenosha County,

**NOW THEREFORE BE IT RESOLVED,** That the following financial institutions shall be the officially designated depositories for Kenosha County:

Johnson Bank  
State of Wisconsin-Local Government Investment Pool  
AIM Investments  
J.P Morgan Chase  
Southport Bank  
First Banking Center  
US Bank  
M&I Bank  
TCF Bank  
Bank of Kenosha

Together with all branch offices of the above financial institution located within Wisconsin.

SUBMITTED BY;

Finance Committee:

Anita Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Faraone to adopt Resolution 118. Seconded by Supervisor Clark.

Motion carried.

#### **RESOLUTION 119**

119. From the Finance Committee regarding 2007 Carryover and Annual Closeout Resolution.

**WHEREAS,** certain projects were authorized by the County Board in the prior year's budget, and

**WHEREAS,** it is necessary to carryover these funds to complete these projects, and

**NOW, THEREFORE BE IT RESOLVED,** that these funds be carried over from 2006 to 2007, and that the 2007 budget be adjusted as shown in the attached fiscal notes which are incorporated by reference, and

**BE IT FURTHER RESOLVED,** that the attached fiscal notes details the source and application of funds to be carried forward, and

**BE IT FURTHER RESOLVED,** that the cash deficit within the Golf Fund (\$248,947) be funded by a transfer from the Highway Fund (\$226,592) and from 2006 surplus funds within Facilities (\$22,355), and

**BE IT FURTHER RESOLVED,** that it is the policy, desire, and intent of the Kenosha County Board that each appropriation unit of this budgetary amendment for which monies have been appropriated be carried out as if adopted by separate resolution and as necessary to carry out the public intent. The funds are made available and, unless amended by law or action by the County Board through budgetary transfers, no monies appropriated for any one purpose in any one appropriation unit can be used for any other purpose in any other appropriation unit without prior approval of the Kenosha County Board. The Finance Committee is authorized to approve transfers not to exceed \$1,000.00, and

**BE IT FURTHER RESOLVED,** that all expenditures appropriated are not to exceed funded monies in the budget or this amount without prior approval of the County Board.

2007 CARRYOVER AND ANNUAL CLOSEOUT RESOLUTION

SUBMITTED BY;

Finance Committee:

Anita Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Faraone to adopt Resolution 119. Seconded by Supervisor O'Day.

Roll call vote.

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

Nays: Supervisor Molinaro.  
Ayes: 24. Nays: 1.  
Motion carried

**RESOLUTION 120**

120. From the Human Services Committee a Resolution to designate the Kenosha County Department of Human Services as Kenosha County's Elder Adult-at-Risk and Adult-at-Risk Agency.

**WHEREAS**, 2005 Wisconsin Act 388, enacted May 10, 2006, requires each county board to designate an agency in the county as the elder adult-at-risk agency to serve the population of elder adults- at-risk for the purposes of s.46.90 Wis. Stats.; and

**WHEREAS**, 2005 Wisconsin Act 388, enacted May 10, 2006, also requires each county board to designate an agency in the county as the adult-at-risk agency to serve the population of adults-at-risk for the purposes of s.55.043 Wis. Stats.; and

**WHEREAS**, the elder-adult-at-risk and the adult-at-risk agency shall have the following duties with regard to its respective populations:

1. Develop a policy for notifying other investigative agencies, including law enforcement officials in appropriate cases.
2. Establish an abuse reporting system to carry out the purposes of s.46.90 Wis. Stats. and s.55.043 Wis. Stats.
3. Enter into a memorandum of understanding regarding the operation of the system with the county department under s.46.215 or 46.22 and with any private or public agency, including a county department under s.51.42 or 51.437, within the county that is participating in the reporting system. The memorandum of understanding shall, at a minimum, identify the agencies that are responsible for the investigation of reports of abuse, financial exploitation, neglect, or self-neglect of elder adults at risk and adults at risk, as well as for the provision of specific direct services.
4. Receive reports of abuse, financial exploitation, neglect, or self-neglect of elder adults at risk and adults at risk.
5. Publicize the existence of the reporting system in the county and provide a publicized telephone number that can be used by persons wishing to report suspected cases of abuse, financial exploitation, neglect, or self-neglect. Also, provide a telephone number that can be used to make reports after the agency's regular business hours.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors do hereby designate the Kenosha County Department of Human Services as Kenosha County's "Elder Adult-at-Risk Agency" pursuant to Chapter 46 of the Wisconsin Statutes, and the "Adult-at-Risk Agency" pursuant to Chapter 55 of the Wisconsin Statutes. This designation shall be effective immediately.

SUBMITTED BY:

Human Services Committee  
Judy Rossow  
William Grady  
Ruth Booth  
Edward Kubicki

It was moved by Supervisor Rossow to adopt Resolution 120. Seconded by Supervisor Grady.

Motion carried.

**COMMUNICATION**

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

Chairman Rose referred Communication 21 to the Land Use Committee

It was moved by Supervisor Wisnefski to approve the April 10, 2007 minutes. Seconded by Supervisor Arrington.

Motion carried.

It was moved by Supervisor Wisnefski to adjourn sine die. Seconded by Supervisor Kessler.

Motion carried.

Meeting adjourned at 8:15 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk



**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**MAY 1, 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, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Carbone, Noble.

Present. 26 Excused. 2

**CITIZEN COMMENTS**

Estelle Katz spoke regarding Universal Health Care in Wisconsin. She stated that too many people have no health insurance. Everyone should have the same benefits and not be turned away from hospitals, clinics or doctors because they can't afford health insurance.

**PRESENTATION**

Ken Yonker, Deputy Director of the Regional Planning Commission, presented an up-date of the commuter rail extension study. The purpose of this study is to identify the cost and benefits of commuter rail so that a decision can be made locally. It also makes this project eligible for Federal Grants.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Rose congratulated Supervisor Roger Johnson on being elected as President for the Village of Silver Lake.

**SUPERVISOR REPORTS**

Supervisor Marrelli stated that she placed the University of Wisconsin Colleges and University of Wisconsin-Extension Annual 2006 Report on all the desks. Also, included are nomination forms for Kenosha County Youth in Governance.

Supervisor Moore stated that the Legislative Committee will be holding two public hearings for the purpose of seeking citizen input regarding the number of county board supervisory districts. May 16, 2007, 7:00 p.m. at the Kenosha County Center and May 17, 2007, 7:00 p.m. in the Kenosha County Board Room.

Supervisor Singer stated that Building & Grounds Committee received a report from Kemper Center and all is well.

**NEW BUSINESS**

Ordinance - first reading, two required.

**ORDINANCE 1**

1. From Building & Grounds and Judiciary and Law Committees regarding Amending Section 7.03(3) of the Municipal Code of Kenosha County regarding the Civic Center Designated Parking Areas.

Ordinances - one reading.

**ORDINANCE 2**

2. From Land Use Committee regarding Town of Bristol (Sponsor/Buyer), Contact Rubber Co. (Owner) requesting rezoning from M-2 Heavy Manufacturing District to I-1 Institutional District in the Town of Bristol.

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 #35-4-121-172-0240 located in the northwest quarter of Section 17, Township 1 North, Range 21 East, Town of Bristol be changed from M-2 Heavy Manufacturing District to I-1 Institutional District. For informational purposes only, this property is located on the west side of 196<sup>th</sup> Avenue approximately 290' north of the intersection of 87<sup>th</sup> Street.

**Contact Rubber Co. (Owner)**

**Town of Bristol (Buyer)**

**Description:**

A part of the NW ¼- NW ¼ and the NE ¼ - NW ¼ of Section 17, Township 1 North, Range 21 East, Town of Bristol, Kenosha County, Wisconsin, more fully described as follows:

Beginning at the NW ¼ corner of said Section 17; thence along the west line of the said SW ¼

S2°28'6"E, 449.00 feet; thence N87°31'54"E, 693.00 feet; thence S2°28'06"E, 199.95 feet; thence S2°28'30"E, 361.50 feet N87°33'03"E, 513.82 feet to the point of beginning; thence N2°19'00"W, 147.58 feet; thence N87°33'03"E, 147.58 feet; thence S2°19'00"E, 147.58 feet; thence S87°33'03"W, 147.58 feet to the point of beginning.

Said parcel contains 0.500 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 approve Ordinance 2. Seconded by Supervisor O'Day.

Motion carried.

### **ORDINANCE 3**

3. From Land Use Committee regarding Kevin and Jodi Zeoli requesting rezoning from R-1 Rural Residential District to C-1 Lowland Resource Conservancy District in the Town of Bristol.

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 #35-4-121-253-0311 located in the southwest quarter of Section 25, Township 1 North, Range 21 East, Town of Bristol be changed from R-1 Rural Residential District to 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 east side of County Trunk Highway "U" (136<sup>th</sup> Avenue) approximately 500' north of the intersection of 116<sup>th</sup> Street.

**Kevin and Jodi Zeoli - Owners**

**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 approve Ordinance 3. Seconded by Supervisor Jackson.

Motion carried.

### **ORDINANCE 4**

4. From Land Use Committee regarding Pikeville Group LLC requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Bristol.

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 #35-4-121-331-0400 and #35-4-121-342-0310 located in the northeast quarter of Section 33 and the northwest quarter of Section 34, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District (54.85 acres) to A-2 General Agricultural District. For informational purposes only, these properties are located on the south side of County Trunk Highway "CJ" approximately 0.56 miles east of the intersection of U.S. Highway 45.

**Pikeville Group LLC - Owner**

**Description:** A-1 Agricultural Preservation District to A-2 General Agricultural District, part of the Southeast Quarter of the Northeast Quarter of Section 33, and part of the Southwest Quarter of the Northwest Quarter of Section 34, all in Township 1 North, Range 21 East of the 4<sup>th</sup> Principal Meridian, Town of Bristol, County of Kenosha, State of Wisconsin, described as follows: Commencing at a concrete monument with a brass cap at the southwest corner of the Southwest Quarter of the Northwest Quarter of Section 34, Township 1 North, Range 21 East of the 4<sup>th</sup> Principal Meridian; thence North 89 degrees 06 minutes 16 seconds East, grid bearing from North, Wisconsin Coordinate System, South Zone, along the south line of the Southwest Quarter of the Northwest Quarter of Section 34 a distance of 134.37 feet to the center line of the Dutch Gap Canal and the point of beginning of land to be described; thence North 03 degrees 49 minutes 40 seconds West along the center line of said canal 14.58 feet; thence northerly and westerly 265.52 feet along the arc of a non-tangential curve to the left and continuing along the center line of said canal, the arc of said curve having a central angle of 82 degrees 13 minutes 58 seconds, a radius of 185.00 feet, and a chord bearing North 41 degrees 39 minutes 03 seconds West 243.31 feet; thence North 85 degrees 06 minutes 00 seconds West, not tangent with the last described curve and continuing along the center line of said canal 460.94 feet; thence westerly and northerly 204.51 feet along the arc of a non-tangential curve to the right and continuing along the center line of said canal, the arc of said curve having a central angle of 61 degrees 40 minutes 15 seconds, a radius of 190.00 feet, and a chord bearing North 56 degrees 02 minutes 36 seconds West 194.78 feet; thence North 33 degrees 05 minutes 40 seconds West, not tangent with the last described curve and continuing along the center line of said canal 721.78 feet; thence North 10 degrees 05 minutes 47 seconds West parallel with the east line of a permanent transmission line easement on file and of record in the office of the Register of Deeds for Kenosha County, Wisconsin, recorded May 3, 1999 as Document Number 1148053 a distance of 143.57 feet to the center line of County Trunk Highway "CJ", also known as Horton Road; thence North 77 degrees 51 minutes 50 seconds East along the center line of said highway 893.41 feet; thence northeasterly 24.39 feet along the arc of a tangential curve to the left and continuing along the center line of said highway, the arc of said curve having a central angle of 02 degrees 26 minutes 01 seconds, a radius of 574.21 feet, and a chord bearing North 76 degrees 38 minutes 50 seconds East 24.39 feet to the west line of lands previously excepted by prior description, then and currently owned by Albert and Marie Bohn, as described by Warranty Deed on file and of record in the office of the Register of Deeds for Kenosha County, Wisconsin, in Volume 250 of Deeds, pages 443-445, as Document Number 264619; thence South 01 degrees 52 minutes 47 seconds East, not tangent with the last described curve and parallel with the east line of said Southeast Quarter of the Northeast Quarter 369.12 feet (previously recorded as North 374.6 feet); thence North 89 degrees 04 minutes 13 seconds East 129.00 feet to the east line of said Southeast Quarter of the Northeast Quarter; thence North 88 degrees 55 minutes 35 seconds East parallel with the north line of the Southwest Quarter of the Northwest Quarter of Section 34, Township 1 North, Range 21 East of the 4<sup>th</sup> Principal Meridian 959.55 feet (previously recorded as West 960 feet); thence South 01 degrees 56 minutes 03 seconds East parallel with the east line of said Southwest Quarter of the Northwest Quarter 922.81 feet to the south line of said Southwest Quarter of the Northwest Quarter (previously recorded as North 921 feet); thence South 89 degrees 06 minutes 16 seconds West along the south line of said Southwest Quarter of the Northwest Quarter 826.11 feet to the point of beginning. The parcel contains 37.802 acres, more or less.

In addition, part of the Southeast Quarter of the Northeast Quarter of Section 33, and part of the Southwest Quarter of the Northwest Quarter of Section 34, all in Township 1 North, Range 21 East of the 4<sup>th</sup> Principal Meridian, Town of Bristol, County of Kenosha, State of Wisconsin, described as follows: Beginning at a concrete monument with a brass cap at the southeast corner of the Southeast Quarter of the Northeast Quarter of Section 33, Township 1 North, Range 21 East of the 4<sup>th</sup> Principal Meridian; thence South 89 degrees 42 minutes 59 seconds West, grid bearing from North, Wisconsin Coordinate System, South Zone, along the south line of the Southeast Quarter of the Northeast Quarter of

said Section 33 as previously surveyed 1324.86 feet to the southwest corner of said Southeast Quarter of the Northeast Quarter, said corner is designated by a ¾" outside diameter found iron pipe inside a 1 ½ " outside diameter (1" inside diameter) found iron pipe, not witnessed by any accessories, but as shown on a survey by Robert L. Smith, S-190, and dated August 13, 1973; thence North 01 degrees 56 minutes 33 seconds West along the west line of said Southeast Quarter of the Northeast Quarter 1024.92 feet to the center line of County Trunk Highway "CJ", also known as Horton Road; thence North 75 degrees 13 minutes 58 seconds East along the center line of said highway 261.13 feet to the northeast corner of a permanent transmission line easement on file and of record in the office of the Register of Deeds for Kenosha County, Wisconsin, recorded June 11, 1999 as Document Number 1148053; thence North 77 degrees 51 minutes 50 seconds East continuing along the center line of said highway 39.54 feet; thence South 10 degrees 05 minutes 47 seconds East parallel with the east line of said permanent transmission line easement 143.57 feet to the center line of the Dutch Gap Canal; thence South 33 degrees 05 minutes 40 seconds East along the center line of said canal 721.78 feet; thence southerly and easterly 204.51 feet along the arc of a non-tangential curve to the left and continuing along the center line of said canal, the arc of said curve having a central angle of 61 degrees 40 minutes 15 seconds, a radius of 190.00 feet, and a chord bearing South 56 degrees 02 minutes 36 seconds East 194.78 feet; thence South 85 degrees 06 minutes 00 seconds East, not tangent with the last described curve and continuing along the center line of said canal 460.94 feet; thence easterly and southerly 265.52 feet along the arc of a non-tangential curve to the right and continuing along the center line of said canal, the arc of said curve having a central angle of 82 degrees 13 minutes 58 seconds, a radius of 185.00 feet, and a chord bearing North 41 degrees 39 minutes 03 seconds West 243.31 feet; thence South 03 degrees 49 minutes 40 seconds East not tangent with the last described curve and continuing along the center line of said canal 14.58 feet to the south line of the Southwest Quarter of the Northwest Quarter of Section 34, Township 1 North, Range 21 East of the 4<sup>th</sup> Principal Meridian; thence North 89 degrees 06 minutes 16 seconds West along the south line of said Southwest Quarter of the Northwest Quarter 134.37 feet to the point of beginning. This parcel contains 17,090 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 approve Ordinance 4. Seconded by Supervisor Nudo.

Motion carried.

#### **ORDINANCE 5**

5. From Land Use Committee regarding Town of Paris (Sponsor), 12<sup>th</sup> Street Investors (owner), John W. Knutson (Counsel) requesting rezoning from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District in the Town of Paris.

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 #45-4-221-131-0205 located in the northeast quarter of Section 13, Township 2 North, Range 21 East, Town of Paris be changed from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District. For informational purposes only, this property is located on the south side of County Trunk Highway "E" (12<sup>th</sup> Street) approximately ½ mile west of the intersection of 120<sup>th</sup> Avenue (West Frontage Road of I-94).

#### **12<sup>th</sup> Street Investors (Owner)**

**Description:** Part of the Northwest quarter of Section 13, Town 2 North, Range 21 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the Northeast corner of said quarter Section; thence West along the North line of said quarter Section; thence West along the North line

of said quarter (S89°38'21"W) 140.00 feet; thence South parallel to the East line of said quarter Section (S01°39'09"E) 661.00 feet; thence East parallel to the North line of said quarter Section (N89°38'21"E) 140.00 feet; thence North along said East line (N01°39'09"W) 661.00 feet to the point of the beginning, lying and being in the Town of Paris, County of Kenosha, State of Wisconsin. Said parcel containing (+/-) 2.12 acres.

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 approve Ordinance 2. Seconded by Supervisor O'Day.

It was moved by Supervisor Clark to table Ordinance 5. Seconded by Supervisor Molinaro.

Motion carried.

#### **ORDINANCE 6**

6. From Land Use Committee regarding Paul Jr. and Alice Hrupka Trust, Paul Jr. and Alice Hrupka Trustees requesting rezoning from A-1 Agricultural Preservation District to R-1 Rural Residential District in the Town of Paris.

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 #45-4-221-131-0205 located in the northeast quarter of Section 13, Township 2 North, Range 21 East, Town of Paris be changed from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District. For informational purposes only, this property is located on the south side of County Trunk Highway "E" (12<sup>th</sup> Street) approximately ½ mile west of the intersection of 120<sup>th</sup> Avenue (West Frontage Road of I-94).

#### **12<sup>th</sup> Street Investors (Owner)**

**Description:** Part of the Northwest quarter of Section 13, Town 2 North, Range 21 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the Northeast corner of said quarter Section; thence West along the North line of said quarter Section; thence West along the North line of said quarter (S89°38'21"W) 140.00 feet; thence South parallel to the East line of said quarter Section (S01°39'09"E) 661.00 feet; thence East parallel to the North line of said quarter Section (N89°38'21"E) 140.00 feet; thence North along said East line (N01°39'09"W) 661.00 feet to the point of the beginning, lying and being in the Town of Paris, County of Kenosha, State of Wisconsin. Said parcel containing (+/-) 2.12 acres.

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 6. Seconded by Supervisor Jackson.

Motion carried.

Resolutions - one reading.

#### **RESOLUTION 1**

1. From Judiciary and Law Enforcement Committee regarding a Regular Cabaret License for Tricoli's Birchwood Grill.

**WHEREAS**, the application of Stephanie Walkanoff for a probationary cabaret license for Tricoli's Birchwood Grill, 7515-125<sup>th</sup> Avenue, Kenosha, Wisconsin, in the Town of Bristol, was made during the month of July, was turned over to this office on July 5<sup>th</sup>, 2006, and

**WHEREAS**, the establishment known as Tricoli's Birchwood Grill was granted a Probationary Cabaret License per County Board Resolution on October 17<sup>th</sup>, 2006, and

**WHEREAS**, the establishment known as Tricoli's Birchwood Grill was found to be in conformity with County Ordinance #8.02 governing it's conduct for a probationary period of the last 6 months.

**NOW, THEREFORE BE IT RESOLVED**, that a Regular Cabaret License, in lieu of a Probationary Cabaret License, be granted to Stephanie Walkanoff, for Tricoli's Birchwood Grill.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

William Michel II

Ruth Delace Booth

David Arrington

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 1. Seconded by Supervisor Booth.

Motion carried.

CLAIMS

1. Ronnie Wade - lost property while incarcerated.

2. Elizabeth Ann Grissmeyer - car hit by snowplow.

Chairman Rose referred Claims 1 & 2 to Corporation Counsel.

It was moved by Supervisor Kubicki to approve the April 17, 2007 minutes.

Seconded by Supervisor Faraone.

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

Motion carried.

Meeting adjourned at 9:15 P.M.

Prepared by:

Pam Young  
Chief Deputy

Submitted by:

Edna R. Highland  
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**MAY 15, 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, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisnefski, Jackson, Clark, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Carbone, Arrington, Moore, Noble.

Present. 24 Excused. 4

**CITIZEN COMMENTS**

Mike Renner, 33211-122<sup>nd</sup> Street, Pleasant Prairie, spoke regarding Resolution 5 on tonight's agenda regarding the County Board granting a limited land use access permit to the Village of Pleasant Prairie for emergency vehicles over part of the South Bike Trail. Legal questions need to be addressed.

Mark Satter, 3420-122<sup>nd</sup> Street, Pleasant Prairie, stated that the proposed crossing would negatively affect the people living in the sub-division. Questions need to be answered and Resolution 5 should be referred back to the committees.

**SUPERVISOR REPORTS**

Supervisor Grady reported on Highway & Parks Committee meeting this past Monday and there was a lot of discussion. The approval of a one year extension at the Pringle Nature Center for the Autobahn Society. Also, the proposed dog park fencing at Petrifying Springs. Three types of fencing have been proposed. Highway is looking at increased paving costs in the county. This summer Hwy 50, between HWY 31 and HWY H will be one lane east and one lane west. Three bridge decks need to be repaired.

Supervisor Singer reported on Building & Grounds Committee. The Safety Building carpet project is underway and the Cooling Unit is being fine tuned. A joint meeting of Finance, Judiciary & Law and Building & Grounds will be held next week on Tuesday regarding modifying the budget for the detention center project.

Supervisor Huff reminded everyone that tomorrow at 7:00 P.M. a public hearing will be held at the Kenosha County Center regarding the size of the County Board and also on Thursday at 7:00 P.M. in the County Administrative Building.

Supervisor Michel reported that at the last Judiciary & Law Meeting they toured the Safety Building concentrating on the 911 Dispatch, Evidence, Emergency Management, Sheriff's Department Armory and other rooms.

Supervisor Ekornaas stated that the Town of Paris is not done with their negotiations with Waste Management.

**COUNTY EXECUTIVE APPOINTMENTS**

The following to serve on the Kenosha County Aging and Disability Resource Center Board.

Phyllis Rozinski, Ione Kreamer, Judith Rossow, Paulette Kisse, Richard Lenz, Richard Willoughby, Lisa Thompson, Janice Marrelli, Jaymie Laurent, Earl Hawley, Jean Rumachik, Timothy Thompkins, Carol Schaufel, Gary Preston, Sandra Mikolas.

It was moved by Supervisor Faraone to vote on Supervisors Rossow and Marrelli tonight. Seconded by Supervisor Kubicki.

Motion carried.

Chairman Rose referred the rest of the appointments to the Human Services Committee.

**OLD BUSINESS**

Ordinance - second reading, two required.

**ORDINANCE 1**

1. From Building & Grounds and Judiciary and Law Committees regarding Amending Section 7.03(3) of the Municipal Code of Kenosha County regarding the Civic Center Designated Parking Areas.

The Kenosha County Board of Supervisors does hereby ordain that section 7.03 (3) of the Municipal Code of Kenosha County be, and hereby is, amended to read as follows:

(3) Parking Restricted -- Civic Center Designated Parking Areas. ~~(3/19/85)~~  
(05/15/07)

(a) No owner or operator of any vehicle shall park, or stop, or leave standing such vehicle, or suffer, or allow, or permit such vehicle to be parked or left standing in any of the following Kenosha County Civic Center parking areas, designated as Lots 1 through 7, unless pursuant to the provisions of this section:

(b) The following regulations shall apply to the above-noted designated areas:

1. No person other than the individual or class that has been assigned a designated parking space shall park in that designated space.
2. Parking spaces reserved for individual's vehicles will be 24 hours a day, 7 days a week, with no exclusion for weekends and holidays.
3. Parking slots reserved for law enforcement vehicles and county supervisor's vehicles will be 24 hours a day, 7 days a week, with no exclusion for weekends or holidays.
4. Lot 1 shall be reserved for not more than thirty minutes, short term public, non-employee parking.
5. The County Parking Ramp and outer parking lot #2 is reserved for general non designated Kenosha County employees, safety building employees, and members of the general public conducting business with the County. In addition a set number of designated 24 hour paid spaces will be reserved for Metra riders who must display their reservation tag at all times.
6. Parking Lot 3 shall be reserved at all times for Kenosha County Safety Building employees who are properly displaying an Official County issued parking permit.
7. Lot 4 shall be reserved exclusively and at all times for designated Kenosha County Sheriff, City of Kenosha Police, and City/County Joint Services vehicles and designated officials who are properly displaying Official County issued parking permits.
8. Lot 5 shall be reserved for individuals on Kenosha County Jury duty who have been issued a juror's pass which is properly displayed on their vehicle.
9. Lot 6 shall be reserved for elected officials and designated employees of the Kenosha County Administration Building who are properly displaying Official County issued parking permits.
10. Lot 7 shall be reserved for designated Kenosha County employees or officials who are properly displaying Official County issued parking permits.
11. Lot 8 shall be reserved at all times for Kenosha County Sheriff police squads and transport vehicles.
12. Aisle parking, parking in posted "No Parking" areas, parking across two designated parking spaces with one vehicle and pedestrian mall parking shall be prohibited.
13. Vehicles occupying the handicapped reserved spots in the County Parking Ramp must display the "disabled" rear view window tag or have appropriate license plates.
14. The county building custodian shall see that all parking lots referred to in this section are properly



posted with signs in accordance with this ordinance of sufficient size to be readable by a person with average eyesight.

15. Enforcement of this section will be the responsibility of the County Sheriff's Department or under cooperative agreement with other governmental agencies through the issuance of a citation under section 3.60 of this Code entitled Uniform Citation Ordinance.

Submitted by:

BUILDING & GROUNDS

David Singer

Mark Molinaro

Gabe Nudo

Roger Johnson

Mark Wisnefski

JUDICIARY & LAW

William Michel

Ruth Booth

David Arrington

Joseph Clark

Robert Haas

It was moved by Supervisor Singer to adopt Ordinance 1. Seconded by Supervisor Wisnefski.

Motion carried.

NEW BUSINESS

Ordinance - first reading, two required.

#### ORDINANCE 8

8. From Highway & Parks Committee regarding Amending Section 10.07 (2) of the Municipal Code Regarding Prohibited Actions in County Parks.  
Ordinance - one reading.

#### ORDINANCE 7

7. From Land Use Committee regarding Dominika P. Janik and Pawel Kraska requesting rezoning from A-4 Agricultural Land Holding District to R-4 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 Tax Parcel #80-4-222-262-0120 located in the northwest quarter of Section 26, Township 2 North, Range 22 East, Town of Somers be changed from A-4 Agricultural Land Holding District to R-4 Urban Single-Family Residential District. For informational purposes only, this property is located between 47<sup>th</sup> Avenue and 50<sup>th</sup> Avenue approximately 0.41 miles north of the intersection of 47<sup>th</sup> Avenue and County Trunk Highway "S" (38<sup>th</sup> Street).

**Dominika P. Janik and Pawel Kraska - Owners**

**Description:** Part of the Northwest  $\frac{1}{4}$  of Section 26, Town 2 North, Range 22 East of the Fourth Principal Meridian, and being more particularly described as: Commencing on the East line of said  $\frac{1}{4}$  Section 66 feet South 1 Degree 49 Minutes 41 Seconds East from the Northeast corner thereof; thence South 89 Degrees 12 Minutes 27 Seconds West parallel to the North line of said  $\frac{1}{4}$  Section 1060 feet to the point of beginning of the property to be herein described; thence continue South 89 Degrees 12 Minutes 27 Seconds West 38 Feet; thence South 1 Degree 49 Minutes 41 Seconds East 561 feet; thence North 89 Degrees 12 Minutes 27 Seconds East 38 feet; thence North 1 Degree 49 Minutes 41 Seconds West 561 feet to the point of beginning; lying and being in the Town of Somers, County of Kenosha and State of Wisconsin.

ALSO: Part of the Northwest  $\frac{1}{4}$  of Section 26, Town 2 North, Range 22 East of the Fourth Principal Meridian, and being more particularly described as: Beginning on the East line of said  $\frac{1}{4}$  Section at a point 264 feet South 1 Degree 49 Minutes 41 Seconds East from the Northeast corner of said  $\frac{1}{4}$  Section; thence South 1 Degree 49 Minutes 41 Seconds East along the East line of said  $\frac{1}{4}$  Section 132 feet; thence South 89 Degrees 12 Minutes 27 Seconds West parallel to the North line of said  $\frac{1}{4}$  Section 330 feet; thence South 1 Degree 49 Minutes 41 Seconds East parallel to the East line of said  $\frac{1}{4}$  Section 231 feet; thence South 89 Degrees 12 Minutes 27 Seconds West parallel to the North line of said  $\frac{1}{4}$  Section 730 feet; thence North 1 Degree 49 Minutes 41 Seconds West parallel to the East line of said  $\frac{1}{4}$  Section 561 feet; thence North 89 Degrees 12 Minutes 27 Seconds East parallel to the North line of said  $\frac{1}{4}$  Section 730 feet; thence South 1 Degree 49 Minutes 41 Seconds East parallel to the East line of said  $\frac{1}{4}$

Section 198 feet; thence North 89 Degrees 12 Minutes 27 Seconds East parallel to the North line of said ¼ Section 330 feet to the point of beginning; SUBJECT TO a public highway over the entire East 33 feet thereof; lying and being in the Town of Somers, 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 7. Seconded by Supervisor O'Day.

Motion carried.

Resolutions - one reading.

#### **RESOLUTION 2**

2. From Finance Committee authorizing disposal of Highway Equipment at auction.

The Kenosha County Highway Division has one (1) single axle dump truck, one (1) tandem dump truck and one (1) tri-axle dump truck to be disposed of. Each truck has a spreader and plow that would be included when being disposed.

**WHEREAS**, County Ordinance 3.625(4)(1) states that the County Board shall authorize the disposal of an individual item with an estimated residual value of \$10,000 or more, and:

**WHEREAS**, the Highway Division feels that the County would receive the greatest monetary return by the auction method of disposal, and

**WHEREAS**, the dollar amount received from the auction of the three (3) highway trucks with the attachments will be put into the Highway Machine Revenue line item (32000.44600) as explained in the Uniform Cost Accounting System for Wisconsin County Highway Department, and

**THEREFORE, BE IT RESOLVED**, that the members of the Finance Committee support the auctioning of the three (3) said highway trucks with the respective attachments.

PRESENTED, APPROVED, AND RESOLVED by the Finance Committee at its May 10<sup>th</sup>, 2007 Committee Meeting.

Submitted by:

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Wisnefski to adopt Resolution 2. Seconded by Supervisor Clark.

Motion carried.

#### **RESOLUTION 3**

3. From Highway & Parks Committee regarding Supporting a Town of Somers resolution involving the improvement of the Union Pacific and Canadian Pacific Railroad Crossings on Highways "E" and "L" in the Town of Somers.

**WHEREAS**, The Town Board of the Town of Somers has passed a resolution supporting the improvement of the Union Pacific and Canadian Pacific Railroad crossings on Highways "E" and "L" in the Town of Somers, and

**WHEREAS**, Attached as Exhibit "A" is a copy of the resolution passed by the Town Board of the Town of Somers, and

**WHEREAS**, the proposed improvement of automated gates at the Union Pacific Crossings on HWY "E" and HWY "L" and the installation of a barrier gate at HWY "E" on the Canadian Pacific will provide for safer crossings benefiting all who travel these highways including passenger vehicles, school buses, pedestrians and commercial vehicles.

**WHEREAS**, all work associated with the improvements will be at no cost to the Town of Somers, Kenosha County and the Kenosha Unified School District.

**NOW, THEREFORE, BE IT HEREBY RESOLVED:** that the Kenosha County Board of Supervisors hereby supports the Town of Somers Resolution involving the proposed railroad improvements attached as Exhibit "A".

**BE IT FURTHER RESOLVED:** that a copy of this resolution be forwarded to the Town of Somers as an indication of Kenosha County's support to the Town's effort to improve the safety of the railroad crossings.

Submitted by:

HIGHWAY & PARKS COMMITTEE

Douglas Noble

William Grady

Bob Haas

Richard Kessler

It was moved by Supervisor Grady to approve Resolution 3. Seconded by Supervisor Haas.

Motion carried.

#### **RESOLUTION 4**

4. From Highway & Parks and Finance Committees authorizing the purchasing of Golf Equipment.

**WHEREAS,** the Kenosha County Golf Division would like to reprogram \$68,000 for equipment essential to the condition of the golf course, and

**WHEREAS,** the Kenosha County Golf staff has identified the capital items that would be advantageous to the overall conditioning of the golf course, and

**WHEREAS,** the exhaust fan is currently working and may not need replacement, and

**WHEREAS,** the budget amount for the asphalt cart paths is an insufficient amount for the repairs required, and

**WHEREAS,** the Kenosha County Golf Division has bid the Bunker Rake and the bid price is \$12,373 which is 16.73% over the budgeted amount, and

**WHEREAS,** the bid price for the rotary mower is \$38,208 which is 17.3% under the budgeted amount, and

**WHEREAS,** no additional bonding or levy dollars would be required for the purchasing of equipment requested for reprogramming, and

**THEREFORE, BE IT RESOLVED,** that the members of the Highway & Parks Committee and the Finance Committee support the reprogramming of funds to purchase a bunker for \$12,373, a rotary mower for \$38,208, floating mower heads for \$11,086, an aerator for \$21,189, and a sprayer for \$36,287.

Submitted by:

HIGHWAY & PARKS COMMITTEE

Douglas Noble

William Grady

Bob Haas

Richard Kessler

FINANCE COMMITTEE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Grady to approve Resolution 4. Seconded by Supervisor Faraone.

2/3 vote required.

Motion carried unanimously.

#### **RESOLUTION 5**

5. From Highway & Parks and Finance Committees Granting an access for Emergency Vehicles only across the South Bike Trail to the Village of Pleasant Prairie.

**WHEREAS,** The Village of Pleasant Prairie provides police, fire and rescue services to citizens of Kenosha County on either side of a County Park known as the South Bike Trail; and

**WHEREAS,** A request has been made by the Village of Pleasant Prairie for an easement for emergency vehicles access across the South Bike Trail in order to provide such public safety services to a populated area along the Bike Trail; and whereas this access would be gated and locked on both sides except for emergencies, so as not to interfere with Bike Trail use and park purposes; and

**WHEREAS,** The Village of Pleasant Prairie has agreed to pay for the cost of construction and ongoing maintenance and to provide both the Sheriff and the Parks Director with keys and/or electronic lock access codes for such gates;

Further, that the Wisconsin DNR requires a nonpermanent "land use" permission instead of an easement to abide by federal requirements attached to a grant used to improve the South Bike Trail; and that the Kenosha County Park Administration has no objection to providing such emergency access under the terms set forth; and

**WHEREAS**, The Village of Pleasant Prairie and County of Kenosha try to provide mutual benefit to each other in the best interest of the citizens in this community whenever possible, and have cooperated with each other on numerous public projects.

**NOW, THEREFORE BE IT RESOLVED**, That the County Board of Supervisors approves the grant of a limited land use access permit to The Village of Pleasant Prairie for emergency vehicles over part of the South Bike Trail, and for construction of locked gates on either side, under the terms as described more particularly in the attached Engineering Drawing 1. and 2. and the attached Land Use Permit, for \$1.00 and other valuable consideration, and the County Clerk and County Executive are authorized to sign all necessary and related documents.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita Faraone

Joseph D. Clark

John O'Day

HIGHWAY & PARKS COMMITTEE

Doug Noble

William Grady

Bob Haas

Richard Kessler

Gordon West

It was moved by Supervisor Grady to adopt Resolution 5. Seconded by Supervisor Kessler.

It was moved by Supervisor Jackson to refer Resolution 5 back to committee. Seconded by Supervisor Wisnefski.

Roll call vote on referring back to committee.

Ayes: Supervisors Kessler, Marrelli, Wisnefski, Jackson, Clark.

Nays: Supervisors Grady, Rossow, Rose, Huff, Kubicki, Booth, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Ayes. 5. Nays. 19.

Motion failed.

Roll call vote on Resolution 5.

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

Nays: Supervisor Jackson.

Motion carried.

#### **RESOLUTION 6**

6. From Human Services, Finance, Building & Grounds, and Brookside Board of Trustees Modifying 2007 Capital Improvement Plan for Brookside Care Center.

**WHEREAS**, the County Executive's 2007 Budget approved by the County Board for Brookside Care Center included Capital Improvement Plan (CIP) Project # Brookside-1 for years 2007 through 2011 which is funded entirely by Brookside Care Center reserves, and

**WHEREAS**, Brookside Care Center had included and the County Board approved the 2007 CIP plan replacement flooring for Wing 600 and 700 for a total amount of \$31,000; and

**WHEREAS**, an unspent amount of \$37,444 from Brookside Care Center 2006 approved CIP plan has been carried over to 2007 and will be used for the flooring project, and

**WHEREAS**, through further analysis, it was determined if all the hallway flooring throughout the entire facility were replaced at the same time it would render a use of consistent material throughout the facility and create time efficiencies in disruption of operations rather than proceeding with a three year installation period, and

**WHEREAS**, Brookside Care Center has received a bid in an amount not to exceed \$171,000 which is \$102,556 higher than the \$68,444 currently appropriated, and

**WHEREAS,** Brookside Care Center is requesting the 2007 CIP plan to be increased by \$102,556 as indicated per the attached document, and

**WHEREAS,** Brookside Care Center CIP Plan for years 2008 through 2010 will show a reduction in an amount of \$102,556 as indicated per the attached document, and

**WHEREAS,** County levy remains unaffected by this resolution, and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors authorize the additional use of Brookside Care Center's undesignated reserves in the amount of \$102,556 to modify Brookside's 2007 CIP Plan per the attached budget modification incorporated herein by reference.

Submitted by:

BROOKSIDE BOARD	HUMAN SERVICES	BLDG & GRDS	FINANCE
Robert Pitts	Judith Rossow	David Singer	Terry Rose
Nancy Principe	William Grady	Mark Molinaro	Mark Wisnefski
Gordon West	Ruth Booth	Gabe Nudo	John O'Day
Frank Santapoalo	David Arrington	Roger Johnson	Anita Faraone
	Ed Kubicki		Joseph Clark

It was moved by Supervisor Rossow to adopt Resolution 6. Seconded by Supervisor Booth.

2/3 vote required.

Motion carried unanimously.

#### **RESOLUTION 7**

7. From Human Services and Finance Committees Creating a Designated Bank Account at U.S. Bank for lump sum distributions of supplemental security income (SSI) for children in out-of-home placement.

**WHEREAS,** the Kenosha County Department of Human Services, Division of Children and Family Services, assumes the role of Supplemental Security Income (SSI) represented payee for children in out-of-home placement per Social Security Administration requirement; and

**WHEREAS,** the Kenosha County Department of Human Services, Division of Children and Family Services, will receive lump sum payments of Supplemental Security Income (SSI) for children in out-of-home placement from the Social Security Administration; and

**WHEREAS,** the Social Security Administration requires lump sum distributions to be deposited in a separate designated bank account; and

**WHEREAS,** U.S. Bank is currently designated as an official depository for Kenosha County, and the State of Wisconsin has designated U.S. Bank for electronic posting of deposits to the Wisconsin Statewide Automated Child Welfare Information System (WiSACWIS),

**NOW, THEREFORE, BE IT RESOLVED** that Kenosha County, through its Department of Human Services, Division of Children and Family Services, create a designated bank account at U.S. Bank to receive lump sum distributions from the Social Security Administration for children in out-of-home placement for whom the Division is designated as a represented payee, per the attached agreement with U.S. Bank.

Submitted by:

HUMAN SERVICES	FINANCE COMMITTEE
Judy Rossow	Terry Rose
William Grady	Mark Wisnefski
Ed Kubicki	Anita Faraone
David Arrington	John O'Day
Ruth Booth	Joseph D. Clark

It was moved by Supervisor Rossow to adopt resolution 7. Seconded by Supervisor Kubicki.

Motion carried.

#### **RESOLUTION 8**

8. From Judiciary & Law and Finance Committees regarding Restraining Order Information Sharing Pilot Project Grant Award.

**WHEREAS,** Kenosha County Sheriff's Department as the lead agency for applicant Kenosha City/County Joint Services had been awarded \$35,548 from Wisconsin Office of Justice Assistance under the Victims Against Women Act (VAWA) Grant to Encourage Arrest Sub-grant to improve the process of securing, issuing and enforcement Restraining Orders, and

**WHEREAS**, Kenosha County has been chosen as a 'test site' for software development to allow for transfer of local Circuit Court issued restraining orders and temporary restraining orders data to be sent electronically to the Kenosha City/County Joint Services records management system, processed and eventually sent electronically via the TIME system, for access by law enforcement officers statewide, and

**WHEREAS**, the project funding period is from October 2006 through September 2007 and

**WHEREAS**, the Wisconsin Office of Justice Assistance along with the WI Integrated Justice Information System (WIJIS) group and Women and Children's Horizons and a Kenosha Implementation group will assess the progress of this pilot project, and

**WHEREAS**, WI OJA is not requiring a match for this award, therefore no additional tax levy dollars are requested to initiate the program.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and approve the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the grant requirements, and the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units with the Sheriff's Department in accordance with all Federal and State regulations of the funding for enhancing the TRACS program and in compliance with the generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$35,548 and increases expenditures by \$35,548.

Submitted by:

JUDICIARY & LAW COMMITTEE

William Michel

Ruth Booth

David Arrington

Joseph Clark

Bob Haas

FINANCE COMMITTEE

Terry Rose

Mark Wisniewski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Michel to adopt Resolution 8. Seconded by Supervisor Haas.

2/3 vote required.

Motion carried unanimously.

#### **RESOLUTION 9**

9. From Judiciary & Law. Administration and Finance Committees authorizing increase in Sworn Sergeant FTE.

**WHEREAS**, the Kenosha County Sheriff's Department Conveyance Bureau has been entrusted with the security of the courts, the movement of inmates to and from the local courts system, the facilitating of state transport of inmates to and from the Wisconsin Prison System, the coordination of nation wide extradition's, the enforcement of parking ordinances in the Courthouse Complex, and the transportation of Federal Inmates to and from Chicago and Milwaukee on a daily basis, and

**WHEREAS**, from February through April 2007, the amount of inmates being transported and housed in the Kenosha Sheriff's Detention System rose significantly as a result of a new agreement with the US Marshall's in Milwaukee along with BICE increasing their numbers from 98 inmates a day to over 200 a day, and

**WHEREAS**, the complexity and burden of the everyday workload of these responsibilities has caused the 2 supervisors assigned to work an average 10 to 13 hours a day to ensure timely and accurate compliance, and

**WHEREAS**, to provide necessary supervision to relieve the burden of the Conveyance Bureau, which is now in a **critical** situation, the Sheriff's Administration must strip current supervision from Patrol and Investigations, which then creates a serious situation in those particular areas, and

**WHEREAS**, this critical situation necessitates the Sheriff to add one (1) Sworn Sergeant FTE beginning in June 2007 increasing the authorized strength from 11 to 12 Sworn Sergeant FTE's, and

**WHEREAS**, the cost of the added mid year promotion to Sergeant will be 7% above the top Deputy Sheriff rate of pay, and

**WHEREAS**, the cost of the mid year replacement for Deputy Sheriff will be \$ 29,852.33 funded by the 2007 unanticipated federal inmate revenue, and

**WHEREAS**, if the funding source mentioned does not materialize or is otherwise dissolved, the one Sworn Sergeant position will be terminated via attrition and the Sheriff's authorized Sworn Sergeant FTE's strength will return to 11.

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

It was moved by Supervisor Michel to adopt Resolution 9. Seconded by Supervisor Elverman.

2/3 vote required.

Motion carried unanimously.

#### **RESOLUTION 10**

10. From Judiciary & Law regarding the appointment of Dr. Mary Mainland to the Kenosha County Traffic Safety Commission.

**WHEREAS**, pursuant to County Executive Appointment 2006/07-34, the County Executive has appointed Dr. Mary Mainland to serve on the Kenosha County Traffic Safety Commission, and

**WHEREAS**, the Judiciary & Law Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Traffic Safety Commission and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of Dr. Mary Mainland to serve on the Kenosha County Traffic Safety Commission. Dr. Mainland's appointment shall be effective immediately upon the confirmation of the County Board and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Dr. Mainland will serve without pay as defined under Resolution 65 (1982-83). Dr. Mainland will be succeeding Dr. Maureen Lavin.

Submitted by:

JUDICIARY & LAW COMMITTEE

William Michel

Ruth Booth

David Arrington

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 10. Seconded by Supervisor Booth.

Motion carried.

#### **RESOLUTION 11**

11. From Land Use, Administration and Finance Committees regarding Partially Reorganizing the Department of Planning and Development.

**WHEREAS**, The growth in Kenosha County has placed increased demands on the services provided by the Kenosha County Department of Planning and Development, and

**WHEREAS**, the services provided by the Department of Planning of Development to the growing population of Kenosha County will benefit from a division of duties formerly performed by the Director of the Division of County Planning , and

**WHEREAS**, the Land Use Committee, Administration Committee and Finance Committee of the Kenosha County Board of Supervisors have reviewed a proposed reorganization of the Department of Planning and Development,

**NOW, THEREFORE BE IT RESOLVED,** that the Kenosha County Board of Supervisors approves the following reorganization of the Department of Planning and Development:

\* Establish two new positions, the Director of the Division of Land Use and the Director of the Division of Planning Operations placed in wage range H of the Non-Represented Employee Pay Plan; and

\* Defund the positions of Director of County Development and County Planning Manager.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson

Gabe Nudo

ADMINISTRATION COMMITTEE

Dennis Elverman

Janice Marrelli

Kimberly Breunig

Anita Faraone

James Moore

FINANCE COMMITTEE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Ekornaas to adopt Resolution 11. Seconded by Supervisor Roger Johnson.

2/3 vote required.

Motion carried unanimously.

COMMUNICATION

1. From George E. Melcher regarding future rezonings.

Chairman Rose referred Communication 1 to Land Use Committee.

CLAIMS

3. Richard Waldron - snow dumped on truck from overpass.

4. Bob Bailey - mailbox damage.

Chairman Rose referred Claims 3 & 4 to Corporation Counsel.

It was moved by Supervisor Marrelli to approve the May 1, 2007 minutes.

Seconded by Supervisor Faraone.

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

Motion carried.

Meeting adjourned at 8:30 P.M.

Prepared by:

Pam Young

Chief Deputy

Submitted by:

Edna R. Highland

County Clerk



**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**JUNE 5, 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, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Carbone, Arrington.

Present. 26 Excused. 2

Presentation and discussion by Wisconsin Department of Transportation (WISDOT) staff regarding I-94 reconstruction in Kenosha County.

**SUPERVISOR REPORTS**

Supervisor Marrelli gave a report from Extension Education regarding the Quad Counties Report. Extension Education is involved in the Smart Growth Planning Process. Kenosha has a Junior Master Gardner Program and involves 3<sup>rd</sup> to 6<sup>th</sup> graders. It is free. On Friday, August 3<sup>rd</sup> a fair will be held in the city from 4:00 to 8:00 p.m.

Supervisor Noble reported on Highway & Parks Committee. Regarding the impact for Kenosha County residents with the Illinois Toll. A 8 1/2 mile section of highway, the south-bound lanes are scheduled for reconstruction in 2007. This is noted for huge pot-holes. Also, the second phase of paving from County Highway N to County Highway 31 is currently being advertised for bids. This includes traffic signals at Highway S & H. Starting June 11<sup>th</sup>, the first project for county highway improvements will begin with County EA which is from W to County E. This project is carried over from 2006 due to weather. State Highway 50 bridge is scheduled for between June 15<sup>th</sup> and August 15<sup>th</sup>.

Supervisor Huff stated that the Legislative Committee held hearings regarding the size of the County Board and the committee be taking up this issue and bringing it before the County Board.

Supervisor Michel thanked the Sheriff for his department's acknowledgement and services for Deputy Fabiano who was killed in the line of duty.

Chairman Rose asked everyone to stand for a moment of silence in recognition of Deputy Fabiano.

**COUNTY EXECUTIVE APPOINTMENTS**

16. Andy M. Buehler to serve as Director of the Kenosha County Division of Planning Operations.

17. John Roth to serve as Director of the Kenosha County Division of Long Range Planning

Chairman Rose referred Appointments 16 & 17 to the Administration and Land Use Committees.

**OLD BUSINESS**

Ordinance - second reading, two required.

**ORDINANCE 8**

8. From Highway & Parks Committee regarding Amending Section 10.07 (2) of the Municipal Code Regarding Prohibited Actions in County Parks.  
An Ordinance to Amend Section 10.07 (2) of the Municipal Code Regarding Prohibited Actions in County Parks.

The Kenosha County Board of Supervisors does hereby ordain that section 10.07 (2) of the Municipal Code of Kenosha County be, and hereby is, amended to read as follows:

(2) It shall be unlawful for any person to remove, destroy, break, injure, mutilate, or deface in any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, tree, shrub, fern, plant, flower or other property in any park, except for gathering mushrooms for personal use only in any park areas not specifically designated as a nature center.

Submitted by:

HIGHWAY & PARKS COMMITTEE

Douglas Noble  
William Grady  
Bob Haas  
Richard Kessler

It was moved by Supervisor Noble to adopt Ordinance 8. Seconded by Supervisor Grady.

Roll call vote.

Motion carried unanimously.

NEW BUSINESS

Resolutions - one reading.

**RESOLUTION 11**

11. From Chairman Terry Rose regarding supporting the Extension of Commuter Rail Service from Kenosha to Racine and Milwaukee.

Chairman Rose referred Resolution 11 to Highway & Parks, Legislative and Finance Committee.

**RESOLUTION 12**

12. From Building & Grounds, Finance and Judiciary & Law Committees regarding Budget Modification for Kenosha County Detention Center Renovation.

WHEREAS, the Kenosha County Sheriff's Department has been housing Federal Inmates since 2002, and

WHEREAS, the Sheriff Department has brought in approximately \$14.7 million dollars in revenue to the county from the housing of said inmates, and

WHEREAS, the 2007 County Budget included an appropriation of \$2,970,000 for the conversion of the industrial center at the Kenosha County Detention Center (KCDC) facility into a 118 hard cell housing units, and

WHEREAS, the Kenosha County Detention Center Renovation bids have resulted in an actual cost estimate of \$3,470,000, and

WHEREAS, the project was to be partially funded with \$5000,000 of revenue from the sale of County owned land, and

NOW, THEREFORE, BE IT RESOLVED, that an additional \$500,000 be appropriated for the construction of cells at the KCDC, and

BE IT FURTHER RESOLVED, that if the sale of land does not occur the shortfall of funding for the project be funded with surplus jail revenue from the housing of inmates or bonding, or a combination of both, and that the amounts be determined prior to the issuance of the 2007 debt as described in the attached fiscal note, and

BE IT FURTHER RESOLVED that Kenosha County Board of Supervisors modify the County Budget as per the attached budget modification form which is incorporated into this resolution by reference.

Submitted by:

BUILDING & GROUNDS COMMITTEE	JUDICIARY & LAW COMMITTEE	FINANCE COMMITTEE
David Singer	William Michel	Terry Rose
Mark Molinaro	Terry Rose	Mark Wisnefski
Gabe Nudo	Joe Clark	Anita Faraone
Roger Johnson		Joe Clark
Mark Wisnefski		John O'Day

It was moved by Supervisor Singer to adopt Resolution 12. Seconded by Supervisor Michel.

2/3 vote required.

Motion carried unanimously.

**RESOLUTIONS 13 THRU 25**

13 thru 25 Human Services Committee to serve on the Kenosha County Aging and Disability Resource Center Board.

Phyllis Rozinski, Ione Kreamer, Paulette Kisse, Richard Lenz, Richard Willoughby, Lisa Thompson, Jaymie Laurent, Earl Hawley, Jean Rumachik, Timothy Thompkins, Carol Schaufel, Gary Preston, and Sandra Mikolas.

**RESOLUTION 13**

WHEREAS, pursuant to County Executive Appointment 2007/08-01, the County Executive has appointed Phyllis Rozinski to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Phyllis Rozinski to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Rozinski's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Rozinski will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 14**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-02, the County Executive has appointed Ione Kreamer to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Ione Kreamer to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Kreamer's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Kreamer will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 15**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-04, the County Executive has appointed Paulette Kissee to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Paulette Kissee to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Kissee's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Kissee will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 16**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-05, the County Executive has appointed Richard Lenz to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Richard Lenz to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Mr. Lenz' appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Lenz will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 17**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-06, the County Executive has appointed Richard Willoughby to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Richard Willoughby to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Mr. Willoughby's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Willoughby will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 18**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-07, the County Executive has appointed Lisa Thompson to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Lisa Thompson to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Thompson's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Thompson will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 19**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-09, the County Executive has appointed Jaymie Laurent to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Jaymie Laurent to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Laurent's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Laurent will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 20**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-10, the County Executive has appointed Earl Hawley to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Earl Hawley to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Mr. Hawley's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Hawley will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 21**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-11, the County Executive has appointed Jean Rumachik to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Jean Rumachik to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Rumachik's appointment

shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Rumachik will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 22**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-12, the County Executive has appointed Timothy Thompkins to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Timothy Thompkins to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Mr. Thompkins' appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Thompkins will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 23**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-13, the County Executive has appointed Carol Schaufel to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Carol Schaufel to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Schaufel's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Schaufel will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 24**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-14, the County Executive has appointed Captain Gary Preston to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Captain Gary Preston to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Captain Preston's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Captain Preston will serve without pay and will be filling a new position on this newly created Board.

**RESOLUTION 25**

**WHEREAS**, pursuant to County Executive Appointment 2007/08-15, the County Executive has appointed Sandra Mikolas to serve on the Kenosha County Aging and Disability Resource Center Board (ADRCB); 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 Aging and Disability Resource Center Board (ADRCB) 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 Sandra Mikolas to the Kenosha County Aging and Disability Resource Center Board (ADRCB). Ms. Mikolas' appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by

the County Board of Supervisors. Ms. Mikolas will serve without pay and will be filling a new position on this newly created Board.

It was moved by Supervisor Rossow to adopt Resolutions 13 thru 25. Seconded by Supervisor Kubicki. Motion carried.

#### **RESOLUTION 26**

26. From Legislative and Judiciary & Law Committees Urging Congress to Amend Federal Law to Allow Federal Financial Participation in Providing Medical Benefits to Incarcerated Individuals Until Convicted and Sentenced to Secure Detention.

**WHEREAS**, U.S. Code of Federal Regulations, Title 42, Part 435.1009 states that Federal Financial Participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions; and

**WHEREAS**, states being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility; and

**WHEREAS**, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction; and

**WHEREAS**, counties must provide medical services to all persons incarcerated in local jails and detention facilities; and

**WHEREAS**, as a result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties.

**NOW, THEREFORE, BE IT RESOLVED** by the Kenosha County Board of Supervisors that this Board:

1. Urges the U.S. Congress and the U.S. Department of Health and Human Services to amend federal law to allow federal financial participation in providing medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of our Congressional Delegation and the Secretary of the U.S. Department of Health and Human Services

3. Directs the County's federal lobbyists to advocate for the passage of the legislation and/or rule change set forth in paragraph 1. above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 Federal Legislative Package.

Submitted by:

LEGISLATIVE COMMITTEE

James Huff

James Moore

Ronald Johnson

Jennifer Jackson

JUDICIARY & LAW COMMITTEE

William Michel

Ruth Booth

David Arrington

Joe Clark

Robert Haas

It was moved by Supervisor Huff to adopt Resolution 26. Seconded by Supervisor Michel.

Roll call vote.

Motion carried unanimously.

COMMUNICATION

2. Michael K. Higgins City Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Communication 2 to Land Use Committee.

It was moved by Supervisor Michel to approve the May 15, 2007 minutes. Seconded by Supervisor Faraone.

Motion carried.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor Wisniewski.

Motion carried.

Meeting adjourned at 8:30 P.M.

Prepared by: Pam Young  
Chief Deputy

Submitted by: Edna R. Highland  
County Clerk



**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**June 19, 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 Rossow, Rose, Kessler, Huff, Kubicki, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas. Excused: Supervisors Grady, Marrelli, Carbone, Moore, Haas.

Present: 23. Excused: 5.

**CITIZEN COMMENTS**

Bill Morris, Town of Somers Administrator, spoke regarding Somers Market Center. This project has taken the Town of Somers; it's staff, elected officials and the Bradford Corporation over 2 ½ years to get to this point. Somers Market Center will have a 40% green space requirement. There is a Developers Agreement which is a recordable document, and which will be transferred with the property and it's owners. There is also a significant maintenance agreement to insure this stays a crowned jewel. He asks and appreciates the boards support.

James Smith, Town of Somers Chairman, spoke regarding Somers Market Center. This project will be looked at as a blueprint of how large development should be and can be brought forth. Everything was considered with rigid restrictions to make sure that care of the neighborhood and surrounding area will be taken care of. Hopefully with the boards approval, this development will set the future pace for Somers Township which has been needed for a long time

Todd Battle from the Kenosha Area Business Alliance (KABA), spoke regarding the commuter rail. He wanted the board to know that KABA did put a resolution of support on this issue. The commuter rail is a valuable investment in the regions infrastructure and very important in labor force mobility. There are about fifty thousand daily commuters coming in and out of the county for work. It has a positive impact on the environment and helps enhance our region as more competitive region for attracting more investments.

Louis Rugani, 4526 29<sup>th</sup> Avenue, thanked everyone who voted in favor and supported the KRM line. In every instance where new rail line is started, the ridership projections far exceeds the original estimates. There were no Chairman Announcements.

**SUPERVISOR REPORTS**

Supervisor Singer reported Building and Grounds had a Courthouse security meeting and Judge Wilk wanted the board to see the items that are voluntarily given up during the security measures at the courthouse. People have the choice of bringing their belongings to their car. In the bin there were knives, scissors, box cutters and other things that do not belong in the courthouse.

Supervisor Faraone stated she placed Resolution 2007-12 which will be taken up at SWRPC's quarterly meeting to approve the commuter rail.

**COUNTY EXECUTIVE APPOINTMENT**

18. Mark Karow to serve on the Kenosha County Housing Authority.

It was moved by Supervisor West to suspend the rules and appoint Mark Karow immediately. Seconded by Supervisor Singer. Motion carried.

**OLD BUSINESS**

Ordinance - one reading.

**ORDINANCE 5**

5. From Land Use Committee regarding Town of Paris (Sponsor), 12<sup>th</sup> Street Investors (Owner), John W. Knutson (Counsel) requesting rezoning from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District in the Town of Somers.

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 #45-4-221-131-0205 located in the northeast quarter of Section 13, Township 2 North, Range 21 East, Town of Paris be changed from B-5 Wholesale Trade and Warehousing District to A-1 Agricultural Preservation District. For informational purposes only, this property is located on the south side of County Trunk Highway "E" (12<sup>th</sup> Street) approximately ½ mile west of the intersection of 120<sup>th</sup> Avenue (West Frontage Road of I-94).

**12<sup>th</sup> Street Investors (Owner)**

**Description:** Part of the Northwest quarter of Section 13, Town 2 North, Range 21 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the Northeast corner of said quarter Section; thence West along the North line of said quarter Section; thence West along the North line of said quarter (S89°38'21"W) 140.00 feet; thence South parallel to the East line of said quarter Section (S01°39'09"E) 661.00 feet; thence East parallel to the North line of said quarter Section (N89°38'21"E) 140.00 feet; thence North along said East line (N01°39'09"W) 661.00 feet to the point of the beginning, lying and being in the Town of Paris, County of Kenosha, State of Wisconsin.

Said parcel containing (+/-) 2.12 acres.

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 5. Seconded by Supervisor O'Day.

Motion carried

Resolution - one reading.

**RESOLUTION 11**

11. From Terry Rose, Finance, Legislative and Highway & Parks Committees a Resolution in support of the Extension of Commuter Rail Service from Kenosha to Racine and Milwaukee.

**WHEREAS**, the Counties and Cities of Milwaukee, Racine, and Kenosha in cooperation with the Wisconsin Department of Transportation have agreed to sponsor a Transit Alternatives Analysis Corridor Study and Draft Environmental Impact Study for enhanced public transit service generally east of I-94 in the Counties of Kenosha, Racine and Milwaukee (KRM); and

**WHEREAS**, the Southeastern Wisconsin Regional Planning Commission (SEWRPC), by an intergovernmental agreement, has agreed to serve as project manager for the purpose of managing the Transit Alternatives Analysis/Draft Environmental Impact Statement (AA/DEIS); and

**WHEREAS**, the KRM project purpose and need is to provide high quality transit service connecting Kenosha, Racine, and Milwaukee Counties with each other and with northeastern Illinois, thereby improving access to jobs and labor force, encouraging high density mixed use and more efficient land development around stations, and attracting increased transit ridership, potentially reducing highway traffic volumes and congestion and attendant air pollutant emissions; and

**WHEREAS**, the Transit AA/DEIS has now been completed and has identified commuter rail as the best alternative for providing improved transportation service and mobility, land use development and redevelopment benefits, and environmental benefits, and as the KRM Commuter Link project, has been recommended to be advanced to implementation as the locally preferred alternative; and

**WHEREAS**, the Transit AA/DEIS includes preliminary station area development plans for the Kenosha County commuter rail stations in the City of Kenosha and Town of Somers which have been developed and included as part of the *KRM Commuter Link Transit Supportive Land-Use Plans and Policies Portfolio*; and

**WHEREAS**, the Transit AA/DEIS includes a financial plan for the proposed commuter rail service which identifies the funding source for the local share

of the commuter rail service costs as recommended by the Southeastern Wisconsin Regional Transit Authority (RTA), and which consists of an increase in the RTA car rental fees to \$15 per transaction; and

**WHEREAS**, SEWRPC must meet the requirements of the Federal Transit Administration's (FTA) New Starts program by submitting a Request to Initiate Preliminary Engineering to advance to the next phase of implementation and be eligible for discretionary capital funding; and

**WHEREAS**, Kenosha County has reviewed the findings and conclusions of the AA/DEIS including its financial plan and preliminary transit supportive land use plans and policies;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS, OF KENOSHA COUNTY, WISCONSIN, AS FOLLOWS:**

**Section One.** Kenosha County will benefit from the proposed commuter rail service connecting Kenosha, Milwaukee, and Racine Counties with each other and with northeastern Illinois and also from the transit oriented development around its proposed commuter rail stations.

**Section Two.** Kenosha County therefore endorses and supports the development implementation, and operation of commuter rail service as the locally preferred alternative for providing the best means for expanded and improved transit service in the Kenosha-Racine-Milwaukee (KRM) corridor.

**Section Three.** Kenosha County endorses and supports the recommendation of the Southeastern Wisconsin Regional Transit Authority (RTA) to increase the RTA fee on car rentals to \$15 per transaction to in order to fund the local share of costs for the proposed KRM commuter rail service; and encourages the RTA to provide further recommendations relative to dedicated and permanent funding sources for all public transit services in Kenosha, Milwaukee, and Racine counties.

**Section Four.** The City of Kenosha and Town of Somers station area plans developed as part of the AA/DEIS and included in the *Transit Supportive Land-Use Plans and Policies Portfolio*, are hereby found to be consistent with the goals and objectives of land use and comprehensive plans for Kenosha County.

**Section Five.** Kenosha County endorses the station area plans and policies and will take appropriate steps toward implementation as recommended as part of the *Transit Supportive Land-Use Plans and Policies Portfolio* if commuter rail is chosen for implementation.

**Section Six.** Kenosha County endorses and supports the submission of a Request to Initiate Preliminary Engineering for the KRM Commuter Link project to the FTA New Starts program, towards development and implementation of commuter rail service in the KRM corridor.

**Section Seven.** Kenosha County urges FTA approval of the Request to Initiate Preliminary Engineering for the KRM Commuter Link project, and acceptance and endorsement of the complete *KRM Commuter Link Transit Supportive Land-Use Plans and Policies Portfolio*.

Submitted by:

Terry Rose, Supervisor of 3<sup>rd</sup> District

FINANCE COMMITTEE

LEGISLATIVE

HIGHWAY & PARKS

Mark Wisnefski

James Huff

Doug Noble

Anita Faraone

Ron Johnson

William Grady

Joseph D. Clark

Gordon West

Richard Kessler

John O'Day

Jennifer Jackson

Gordon West

It was moved by Supervisor Huff to adopt Resolution 11. Seconded by Supervisor Wisnefski.

Roll call vote passed unanimously.

#### **NEW BUSINESS**

Ordinance - one reading.

#### **ORDINANCE 9**

9. From Land Use Committee regarding Ronald Jankowski requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural 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 #95-4-219-263-0505 located in the southwest quarter of Section 26, Township 2 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural 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 ¾ mile south of the intersection of County Trunk Highway "JB" (31<sup>st</sup> Street).

**Ronald Jankowski - Owner**

**Description:** Presented in Exhibit One (attached).

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

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt resolution 9. Seconded by Supervisor Jackson.

Motion carried.

#### **ORDINANCE 10**

10. From Land Use Committee regarding Ronald and Margaret Mark (Owners), Modern Properties Wisconsin LLC (Buyer/Agent) requesting rezoning from A-2 General Agricultural District and R-3 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District, R-3 Urban Single-Family Residential District, C-1 Lowland Resource Conservancy District, C-2 Upland Resource Conservancy District and PR-1 Park and Recreational 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 #66-4-120-281-2501 located in the northeast quarter of Section 28, Township 1 North, Range 20 East, Town of Salem be changed from A-2 General Agricultural District and R-3 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District, R-3 Urban Single-Family Residential District, C-1 Lowland Resource Conservancy District, C-2 Upland Resource Conservancy District and PR-1 Park and Recreational District. For informational purposes only, this property is located on the north side of 110<sup>th</sup> Street between 264<sup>th</sup> Avenue and 267<sup>th</sup> Avenue.

**Ronald and Margaret Mark - Owners**

**Modern Properties Wisconsin LLC - Buyer/Agent**

**Description:**

#### **R-3 Legal Description:**

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 319.11 feet to the point of beginning; thence South 88°40'16" West 335.71 feet; thence South 01°47'20" East 140.00 feet; thence South 88°40'16" West 87.51 feet; thence South 01°36'13" East 162.60 feet to a line 16.5 feet north of and parallel to the south line of said Government Lot 2; thence South 88°40'16" West along said line, 796.59 feet to the southeast corner of Shore View Subdivision; thence North 01°24'31" West, along the east line of Shore View Subdivision, 279.40 feet; thence North 71°02'46" East 225.76 feet; thence North 21°39'46" East 79.10 feet to a point on a curve to the right, having a radius of 200.00 feet and a chord of 189.79 feet bearing North 49°59'16" East; thence northerly along said curve, a distance of 197.75 feet; thence North 78°18'46" East 407.57 feet to the point of a curve to the right, having a radius of 200.00 feet and a chord of 34.51 feet bearing North 83°15'43" East; thence easterly along said curve, a distance of 34.55 feet; thence North 88°12'40"

East 386.27 feet to the east line of said Government Lot 2; thence South 01°47'20" East, along said line, 316.25 feet to the point of beginning; Said parcel contains 12.157 Acres (529545.8 Square Feet), more or less.

**R-4 Legal Description:**

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 635.36 feet to the point of beginning; thence continuing North 01°47'20" West, along said line, 313.01 feet; thence South 72°34'43" West 560.26 feet; thence South 78°18'46" West 323.61 feet; thence South 63°59'14" West 392.87 feet to the east line of Shore View Subdivision; thence South 01°24'31" East, along said line, 274.88 feet; thence North 71°02'46" East 225.76 feet; thence North 21°39'46" East 79.10 feet to a point on a curve to the right, having a radius of 200.00 feet and a chord of 189.79 feet bearing North 49°59'16" East; thence northerly along said curve, a distance of 197.75 feet; thence North 78°18'46" East 407.57 feet to a point on a curve to the right, having a radius of 200.00 feet and a chord of 34.51 feet bearing North 83°15'43" East; thence easterly along said curve, a distance of 34.55 feet; thence North 88°12'40" East 386.27 feet point of beginning . Said parcel contains 6.491 Acres (282769.4 Square Feet), more or less.

**C-2 Legal Description:**

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 948.37 feet to the point of beginning; thence continuing North 01°47'20" West, along said line, 91.20 feet; thence South 87°01'46" West 71.34 feet; thence North 89°47'15" West 35.58 feet; thence South 88°38'37" West 31.05 feet; thence North 89°17'42" West 46.08 feet; thence South 86°55'07" West 79.48 feet; thence South 88°49'49" West 46.58 feet; thence South 89°16'34" West 66.89 feet; thence South 86°27'53" West 133.93 feet; thence South 88°03'17" West 116.13 feet; thence South 87°23'45" West 134.19 feet; thence South 86°49'30" West 44.96 feet; thence South 88°27'35" West 106.56 feet; thence South 86°07'41" West 40.56 feet; thence South 88°16'28" West 72.13 feet; thence South 78°43'52" West 15.08 feet; thence South 35°51'02" West 17.52 feet; thence South 25°32'42" West 36.27 feet; thence South 21°26'11" West 83.12 feet; thence South 19°40'08" West 51.80 feet; thence South 19°09'18" West 90.30 feet; thence South 25°58'36" West 138.84 feet to the east line of Shore View Subdivision; thence South 01°24'31" East, along said line, 72.28 feet; thence North 63°59'14" East 392.87 feet; thence North 78°18'46" East 323.61 feet; thence North 72°34'43" East 560.26 feet point of beginning. Said parcel contains 6.295 Acres (274220.2 Square Feet), more or less.

**C-1 Legal Description:**

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 1039.57 feet to the point of beginning; thence South 87°01'46" West 71.34 feet; thence North 89°47'15" West 35.58 feet; thence South 88°38'37" West 31.05 feet; thence North 89°17'42" West 46.08 feet; thence South 86°55'07" West 79.48 feet; thence South 88°49'49" West 46.58 feet; thence South 89°16'34" West 66.89 feet; thence South 86°27'53" West 133.93 feet; thence South 88°03'17" West 116.13 feet; thence South 87°23'45" West 134.19 feet; thence South 86°49'30" West 44.96 feet; thence South 88°27'35" West 106.56 feet; thence South 86°07'41" West 40.56 feet; thence South 88°16'28" West 72.13 feet; thence South 78°43'52" West 15.08 feet; thence South 35°51'02" West 17.52 feet; thence South 25°32'42" West 36.27 feet; thence South 21°26'11" West 83.12 feet; thence South 19°40'08" West 51.80 feet; thence South 19°09'18" West 90.30 feet; thence South 25°58'36" West 116.71 feet; thence North 20°37'44" East 44.19 feet; thence North 15°26'16" East 28.53 feet; thence North 16°17'02" East 42.54 feet; thence North 19°22'55" East 99.55 feet; thence North

12°07'33" East 26.19 feet; thence North 28°36'44" East 19.90 feet; thence North 19°11'16" East 49.48 feet; thence North 23°57'11" East 63.21 feet; thence North 27°44'45" East 23.46 feet; thence North 61°06'50" East 24.01 feet; thence South 89°46'31" East 82.58 feet; thence North 86°59'10" East 112.56 feet; thence North 89°17'23" East 56.54 feet; thence North 87°40'08" East 118.24 feet; thence North 88°03'55" East 115.93 feet; thence North 87°18'08" East 172.89 feet; thence North 87°41'51" East 85.30 feet; thence North 88°06'17" East 160.83 feet; thence South 88°58'46" East 132.30 feet to the east line of said Government Lot 2; thence South 01°47'20" East, along said line, 8.48 feet point of beginning. Said parcel contains 0.468 Acres (20380.3 Square Feet), more or less.

**PR-1 Legal Description:**

That part of the Government Lot 2 of fractional Section 28, Town 1 North, Range 20 East, Town of Salem, Kenosha County, State of Wisconsin more particularly described as follow: Commencing at the Southeast corner of said Government Lot 2; thence North 1°47'20" West along the east line of said Government Lot 2, 1048.05 feet to the point of beginning; thence continuing North 01°47'20" West, along said line, 138.80 feet; thence South 87°49'56" West, along the south line of Sunset Oaks Manor, 1212.67 feet to the northeast corner of Shoreview Subdivision; thence South 01°24'31" East, along the east line of Shoreview Subdivision, 525.99 feet; thence North 25°58'36" East 22.13 feet; thence North 20°37'44" East 44.19 feet; thence North 15°26'16" East 28.53 feet; thence North 16°17'02" East 42.54 feet; thence North 19°22'55" East 99.55 feet; thence North 12°07'33" East 26.19 feet; thence North 28°36'44" East 19.90 feet; thence North 19°11'16" East 49.48 feet; thence North 23°57'11" East 63.21 feet; thence North 27°44'45" East 23.46 feet; thence North 61°06'50" East 24.01 feet; thence South 89°46'31" East 82.58 feet; thence North 86°59'10" East 112.56 feet; thence North 89°17'23" East 56.54 feet; thence North 87°40'08" East 118.24 feet; thence North 88°03'55" East 115.93 feet; thence North 87°18'08" East 172.89 feet; thence North 87°41'51" East 85.30 feet; thence North 88°06'17" East 160.83 feet; thence South 88°58'46" East 132.30 feet point of beginning. Said parcel contains 4.364 Acres (190083.6 Square Feet), 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 10. Seconded by Supervisor Jackson.  
Motion carried.

**ORDINANCE 11**

11. From Land Use Committee regarding Powers Lake Construction Co. (Owner), Stone Development LLC, Griggs and Griggs (Buyer) requesting rezoning from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing District in the Town of Randall.

**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 #60-4-119-161-0400 and #60-4-119-161-0500 located in the northeast quarter of Section 16, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing District. For informational purposes only, these properties are located on the east side of County Trunk Highway "O" (368<sup>th</sup> Avenue) approximately ¼ mile north of the intersection of County Trunk Highway "F" (89<sup>th</sup> Street).

**Powers Lake Construction Co. - Owner**

**Stone Development LLC, Griggs and Griggs - Buyer**

**Description:** Part of the southwest ¼ of the northeast ¼ of Section 16, Town 1 North, Range 19 East of the Fourth Principal Meridian, in the Town of Randall, Kenosha County, Wisconsin, and being more particularly described as follows: Commence at the north ¼ corner of said Section 16; thence South 01°47'41" East along the west line of said northeast ¼ section 1520.61 feet to the place of beginning of the parcel of land hereinafter described; thence North 88°55'23" East (recorded as South 89°17' East) 217.90 feet; thence North 01°47'41" West (recorded as North 00°07' West) 200.00 feet; thence North 88°55'23" East 1091.74 feet (recorded as South 89°17' East 1092.80 feet) to the west line of Kenosha County Certified Survey Map No. 2126; thence South 01°25'51" East along said west line 2.23 feet; thence continue along said west line South 01°43'36" East 388.77 feet; thence South 89°02'19" West 1309.20 feet (recorded as North 89°35' West 1310.00 feet) to a point on the west line of said northeast ¼ section; thence North 01°47'41" West along said west line 188.34 feet (recorded as North 00°07' West) to the place of beginning, containing 10.71 acres of land more or less, subject to the rights of the public over the west 33 feet thereof for road purposes (368<sup>th</sup> Avenue).

In addition:

Part of the southwest ¼ of the northeast ¼ of Section 16, Town 1 North, Range 19 East of the Fourth Principal Meridian in the Town of Randall, Kenosha County, Wisconsin, and being more particularly described as follows: Commence at the north ¼ corner of said Section 16; thence South 01°47'41" East along the west line of said northeast ¼ section 1708.97 feet; thence North 89°02'19" East 788.42 feet to the place of beginning of the parcel of land hereinafter described; thence continue North 89°02'19" East 520.78 feet (recorded as South 89°17' East 521.63 feet) to the west line of Kenosha County Certified Survey Map No. 2126; thence South 01°43'36" East along said west line 329.56 feet (recorded as South 00°02' West 333.00 feet); thence South 88°52'38" West 521.24 feet (recorded as North 89°17' West 521.63 feet); thence North 01°38'41" West 331.02 feet (recorded as North 00°02' East 333.00 feet) to the place of beginning. Containing 3.96 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 11. Seconded by Supervisor Nudo.

Motion carried.

#### **ORDINANCE 12**

12. From Land Use Committee regarding Michael J. and Ann M. Grossman requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District, excluding lands currently zoned C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Brighton.

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 #30-4-220-344-0405 located in the southeast quarter of Section 34, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District, excluding lands currently zoned C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of State Trunk Highway 75 (256<sup>th</sup> Avenue) approximately 0.16 miles north of the intersection of County Trunk Highway "K" (60<sup>th</sup> Street).

**Michael J. and Ann M. Grossman - Owners**

**Description:**

That part of the southwest ¼ of the southeast ¼ of Section 34, Town 2 North, Range 20 East of the Fourth Principal Meridian, described as follows: Commencing at the county monumented southwest corner of the southeast ¼ of said Section 34; thence North 01 degree 48 minutes 01 seconds West, grid bearing from north, Wisconsin Coordinate System, South Zone, along the west line of said southeast ¼ 905.43 feet to the point of beginning of the land to be described; thence continuing North 01 degree 48 minutes 01 seconds West along said west line 430.00 feet to the northwest corner of said southwest ¼ of the southeast ¼; thence North 88 degrees 36 minutes 29 seconds east along the north line of said southwest ¼ of the southeast ¼ 1324.78 feet to the northeast corner of said southwest ¼ of the southeast ¼; thence South 01 degree 41 minutes 34 seconds East along the east line of said southwest ¼ of the southeast ¼ 430.00 feet; thence South 88 degrees 36 minutes 29 seconds West parallel with the north line of said southwest ¼ of the southeast ¼ 1323.97 feet to the point of beginning, lying and being in the Town of Brighton, County of Kenosha and State of Wisconsin, excluding lands currently zoned C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. 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 12. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

Resolutions - one reading.

#### **RESOLUTION 27**

27. From Administration and Land Use Committees Resolution to approve the appointment of Department of Planning and Development Division Directors.

**WHEREAS**, the Kenosha County Board of Supervisors approved a reorganization of the Department of Planning and Development on May 15, 2007, and

**WHEREAS**, the reorganization established two divisions within the department; the Division of Long Range Countywide Planning and the Division of Planning Operations, and

**WHEREAS**, the County Executive has appointed Mr. John Roth to direct the Department of Long Range Planning (Appointment #2007/08-17) and Mr. Andy Buehler to direct the Department of Planning Operations (Appointment #2007/08-16), and

**WHEREAS**, the Land Use and Administration Committees of the County Board of Supervisors has reviewed and approved the County Executive's appointment of the above named to serve in the aforementioned positions and is recommending the County Board the approval of these appointments.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approves the appointments of John Roth to serve as Director of the Division of Long Range Planning at a salary of \$82, 447 and Andy Buehler to serve as the Director of planning Operations at a salary of \$76,000.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

ADMINISTRATION COMMITTEE

Dennis Elverman

Janice Marrelli

Kim Breunig

Anita Faraone

James Moore

It was moved by Supervisor Ekornaas to adopt Resolution 27. Seconded by Supervisor Elverman.

Motion carried.

#### **RESOLUTION 28**

28. From Administration Resolution to approve the appointment of Cathryn Bothe to serve on the Civil Service Commission.

**WHEREAS**, pursuant to the County Executive Appointment #2006/2007-18, the County Executive has appointed Cathryn Bothe to serve on the Civil Service Commission and;

**WHEREAS**, the Administration Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve in this position and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve the appointment of Cathryn Bothe to serve on the Civil Service Commission immediately upon passage of this resolution and continuing until the 31<sup>st</sup> day of December 2011 or until a successor is appointed and confirmed by the County Board of Supervisors. Ms. Bothe will serve without pay but will receive per diem as defined under Resolution 65. Ms. Bothe will be succeeding herself.

Submitted by:

ADMINISTRATION COMMITTEE

Dennis Elverman

James Moore

Anita Faraone

Janice Marrelli

Kim Breunig

It was moved by Supervisor Elverman to adopt Resolution 28. Seconded by Supervisor Faraone.

Motion carried.

#### **RESOLUTION 29**

29. From Building & Grounds, Human Services and Finance Committees a Resolution to Fund County Executive Emergency Order No. 2007/08-01 Re: Grease Trap and Pit at Brookside Care Center.

**WHEREAS**, Emergency Order 2007/2008-01 dated June 7, 2007 was declared by the County Executive to repair Brookside Care Center's grease trap and pit which has failed and collapsed, and

**WHEREAS**, the grease trap is connected to drainage of the Center and due the 24 hour nature of Brookside, these functions must be in continuous operating condition for the health and wellness of Brookside residents, and

**WHEREAS**, Brookside care Center's adopted 2007 budget did not include funds for this unexpected failure in the sewer system, and

**WHEREAS**, Brookside Care center is requesting use of their reserves from Fund 600 for this repair, and

**WHEREAS**, County Levy is not affected by this resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the 2007 budget of Brookside Care Center be modified as follows:

Expenditures increase in an amount not to exceed \$30,000 and Revenues increase in an amount not to exceed \$30,000 as indicated in the attached budget modification form which is incorporated into this resolution by reference.

Submitted by:

BUILDING & GROUNDS

David Singer

Gabe Nudo

Roger Johnson

Mark Wisnefski

HUMAN SERVICES

Judith Rossow

Ed Kubicki

David Arrington

Ruth Booth

FINANCE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Singer to adopt Resolution 29. Seconded by Supervisor Rossow.

Roll call vote passed unanimously.

#### **RESOLUTION 30**

30. From the Finance Committee regarding the buildings and other property belonging to the County of Kenosha be insured in the Local Government Property Insurance Fund.

**Resolved**, that from and after the 1<sup>st</sup> day of January 2007, the buildings and other property belonging to the County of Kenosha be insured in the Local Government Property Insurance Fund, under Chapter 605, Wis. Stats., and amendments thereto.



The clerk of the County of Kenosha is hereby directed to carry out the provisions of this Resolution.

Dated this 19<sup>th</sup> day of June, 2007

Adopted this 19<sup>th</sup> day of June, 2007

Submitted by:

FINANCE COMMITTEE

Mark Wisnefski

Anita Faraone

Terry Rose

Joseph Clark

John O'Day

It was moved by Supervisor Wisnefski to adopt Resolution 30. Seconded by Supervisor Clark.

Motion carried.

#### **RESOLUTION 31**

31. From the Finance Committee regarding 2008 Kenosha County Budget - Advisory Levy Objective.

**BE IT RESOLVED**, that the Kenosha County Board of Supervisors does hereby advise that the 2008 Kenosha County general purpose property tax levy shall increase in an amount of 2.5%, but not to exceed 3%, over the 2007 Kenosha County general purpose property tax levy. This levy objective shall apply to the operating levy, and the debt levy, in accord with Kenosha County Financial Policy Management Statement - Annual County Budget Advisory Levy Objective as approved by the County Board.

Submitted by:

FINANCE COMMITTEE

Mark Wisnefski

Terry Rose

Anita Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Wisnefski to adopt Resolution 31. Seconded by Supervisor Faraone.

Roll call vote.

Ayes: Supervisors Rossow, Rose, Kessler, Huff, Kubicki, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Wisnefski, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisors Molinaro, Jackson.

Ayes: 21. Nays: 2

Motion carried.

#### **RESOLUTION 32**

32. From Human Services, Administration and Finance Committees a Resolution to reorganize the Department of Human Services.

**WHEREAS**, Kenosha County has committed its participation in the State of Wisconsin Family Care Program to provide long term care services to Kenosha County's older and disabled citizens, and

**WHEREAS**, the services provided by Family Care will reduce the need for long term services provided by the Kenosha County Department of Human Services' divisions of Aging and Disability Services, and

**WHEREAS**, Kenosha County will effectively fulfill its obligation to provide Mental Health services (including alcohol-drug), Protective Services, and other remaining services for older persons and persons with disabilities through a reorganization of the divisions of Aging and Disability Services into a single division, and

**WHEREAS**, the Human Services, Administration and Finance Committees of the Kenosha County Board of Supervisors have reviewed and support a reorganization of the Department of Human Services' divisions of Aging and Disability Services into a single division,

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors approves the following reorganization of the Department of Human Services effective January 1, 2008:

- Eliminate the divisions of Aging Services and Disability Services, removing from the Non-Represented Employee Pay Plan the positions of Division Director

of Aging; Division Director of Disability Services; Planning and Development Coordinator Aging; Long Term Care Coordinator, Aging; Planning and Development Coordinator, Disability Services; and the Program Services Coordinator, Disability Services; and

- Eliminate one Office Support Worker position from the Division of Aging and one part time Systems Support Assistant position from the Division of Aging; and
- Establish the Division of Aging and Disability Services placing the following non-represented positions in the Non-Represented Employee Pay Plan: Division Director of Aging and Disability Services (pay grade I); Elder and Disability Services Manager, Division of Aging and Disability Services (pay grade F); and Mental Health and Protective Services Manager, Division of Aging and Disability Services (pay grade F); and
- Place the non-represented position Special Needs Services Coordinator (pay grade F) in the Division of Children and Family Services; and
- Move the represented positions of Senior Accountant, Account Clerk, Senior Office Associate, two Office Associates and Data Entry Clerk from the divisions of Aging Services and Disability Services to the Division of Aging and Disability Services.

Submitted by:

HUMAN SERVICES

Judy Rossow

Edward Kubicki

Ruth Booth

ADMINISTRATION

Dennis Elverman

Janice Marrelli

Kim Breunig

Anita Faraone

James Moore

FINANCE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Rossow to adopt Resolution 32. Seconded by Supervisor Elverman.

Roll call vote passed unanimously.

#### **RESOLUTION 33**

33. From Judiciary & Law Committee regarding Activity Control License - Wisconsin BGL, LLC/Country Thunder USA.

**WHEREAS**, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application from Wisconsin BGL, LLC., for an Activity Control License for Country Thunder USA, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, made during the month of June, 2007 and

**WHEREAS**, the Sheriff's Department has reviewed the documentation of the applicant, and

**WHEREAS**, an actual physical inspection of said property indicates that all items that could be, have been complied with pursuant to Chapter 8.01 of the Municipal Code of Kenosha County.

**NOW, THEREFORE BE IT RESOLVED**, by the Kenosha County Board of Supervisors that application of an Activity Control Licenses for Country Thunder USA be granted to Wisconsin BGL, LLC. for the dates of July 18<sup>th</sup>, 2007 through July 22<sup>nd</sup>, 2007.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

William Michel II

Ruth Delace Booth

Joseph D. Clark

David Arrington

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 33. Seconded by Supervisor Booth.

Motion carried.

#### **RESOLUTION 34**

34. From Judiciary & Law and Finance Committees regarding Request for waiver of competitive bid process for installation and connectivity technical services for radio communication equipment.

**WHEREAS**, in the Sheriff's 2007 budget, \$200,000 had been appropriated in the capital expenditure budget (pg. CIP 80 in 2007 County Budget manual) for the upgrade and/or purchase and installation of radio communication base stations/repeaters to upgrade our voice communication to accommodate digital capabilities, and

**WHEREAS**, the equipment being purchased will be Motorola brand products that are on State Contract, however regarding the installation and integration of this new equipment it is hereby being sought for 'single source' consideration with Milwaukee 2-Way, Inc 11408 W. Lincoln Ave., West Allis, Wi, and

**WHEREAS**, the Kenosha County Sheriff's Department currently has a service contract agreement with Milwaukee 2-Way, Inc., an authorized Motorola dealer, to maintain connectivity and service of already installed Motorola radio communication equipment, and

**WHEREAS**, Milwaukee 2-Way, Inc. is and has been responsible for the integrated system performance which could be compromised if other service vendors are introduced, and

**WHEREAS**, in order to ensure continued continuity of operation, the Sheriff requests single source procurement with Milwaukee 2-Way, Inc. for the installation, integration and connectivity of the purchased radio communications equipment under this capital improvement project.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors authorize that Milwaukee 2-Way, Inc. be the single source provider as allowed by exception described in County Board Ordinance #24, Purchasing Police, 3.11(4)(d) of the Municipal Code for this purchase only and allow Milwaukee 2-Way, Inc. to provide for the installation and connectivity of the purchased equipment.

Submitted by:

JUDICIARY & LAW ENFORCEMENT

William Michel

Ruth Booth

David Arrington

Joseph Clark

FINANCE

Terry Rose

Mark Wisnefski

Anita Faraone

John O'Day

It was moved by Supervisor Michel to adopt Resolution 34. Seconded by Supervisor O'Day.

Roll call vote.

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

Nays: Supervisor Huff.

Motion carried.

#### **RESOLUTION 35**

35. From the Judiciary & Law and Finance Committees regarding Hazardous Device Unit Equipment Grant.

**WHEREAS**, The Kenosha County Sheriff's Department, as the Agency in charge of the Kenosha County Sheriff Hazardous Device Unit, has been awarded \$30,000.00 from the Wisconsin Office of Justice Assistance under the Department of Homeland Security to purchase equipment for the Kenosha County Sheriff Hazardous Device Unit.

**WHEREAS**, the equipment being purchased will be used by the Kenosha County Sheriff's Department Hazardous Device Unit to respond to and process Hazardous Device Incidents in Kenosha County and the Southeast Wisconsin Region.

**WHEREAS**, the Kenosha County Sheriff's Department will purchase this equipment from multiple vendors, utilizing the Kenosha County Purchasing Department.

**WHEREAS**, WI OJA and Homeland Security are not requiring a match for this award, therefore no additional tax levy dollars are requested to implement this grant award.

**WHEREAS**, the project funding period for this grant is May 2007 through February 2008.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept this grant and approve the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herin by reference.

**BE IT FURTHER RESOLVED**, that any unobligated funds remaining available at the end of the year be hearby authorized for carryover to subsequent year until the grant funds are expended in accord with the grant requirements and the administration shall be authorized to modify the grant fund appropriation among various budget and appropriation expenditure units with the Sheriff's department in accordance with all Federal and State regulations of funding in compliance with the generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$30,000.00 and increases expenditures by \$30,000.00.

Submitted by:

JUDICIARY & LAW COMMITTEE

William Michael

Ruth Booth

David Arrington

Joseph Clark

FINANCE COMMITTEE

Terry Rose

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Michel to adopt Resolution 35. Seconded by Supervisor Arrington.

Roll call vote passed unanimously.

#### **RESOLUTION 36**

36. From Judiciary & Law and Finance Committees regarding Homeland Security Law Enforcement Terrorism Prevention Program.

**WHEREAS**, Kenosha County Division of Emergency Management is being awarded a US Department of Homeland Security Exercise funding Grant totaling \$27,500.00 from the State of Wisconsin Office of Justice Assistance (OJA), and

**WHEREAS**, this grant will be used to pay for materials, supplies, expendable equipment and cover overtime/backfill costs of those participating in the US Coast Guard's Spill of National Significance (SONS) 07 exercise and can be used to cover the cost of a temporary employee if needed, and

**WHEREAS**, the cost of this grant is 100% funded by WI OJA requiring no tax levy, and

**WHEREAS**, the Kenosha County Emergency Management Budget will require a FY07 Budget Modification of \$27,500.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve FY07 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form, and

**BE IT FURTHER RESOLVED**, that the Administration be authorized to modify these Budget Expenditures for purposes of expending all of the grant dollars in accordance with the Grant Criteria.

Submitted by:

JUDICIARY & LAW

William Michel

Ruth Booth

David Arrington

Joseph Clark

It was moved by Supervisor Michel to adopt Resolution 36. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

37. From the Land Use Committee regarding Final Plat of Parkside Springs Subdivision (formerly "Jayne's Estates"), Parkside Springs Subdivision LLC (Developer) located in the Town of Somers.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on June 13, 2007, review was given to the Final Plat of Parkside Springs Subdivision located on Tax Parcels #80-4-222-142-0180 and #80-4-222-142-0190 being part of the northwest quarter of the northwest quarter of Section 14, Township 2 North, Range 22 East, Town of Somers. For informational

purposes only, this property is located on the south side of County Trunk Highway "E" (12<sup>th</sup> Street) approximately 0.4 miles west of the intersection of 52<sup>nd</sup> Avenue; and

**WHEREAS**, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

**WHEREAS**, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

**WHEREAS**, the Town of Somers recommended approval of Parkside Springs Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

**WHEREAS**, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) reviewed the subject plat with regards to stormwater management and erosion control and recommended approval of the plat;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve the Final Plat of Parkside Springs Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 37. Seconded by Supervisor O'Day.  
Motion carried.

#### **RESOLUTION 38**

38. From the Land Use Committee regarding Final Plat of Somers Market Center Subdivision, Somers Market Center LLC (Developer), Nathan Bryant (Agent) located in the Town of Somers.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on June 13, 2007, review was given to the Final Plat of Somers Market Center Subdivision located on Tax Parcels #80-4-222-271-0101, #80-4-222-271-0200 and #80-4-222-271-0211 being part of the northeast quarter of Section 27, Township 2 North, Range 22 East, Town of Somers. For informational purposes only, these properties are generally located on the northwest corner of the intersection of State Trunk Highway "31" (Green Bay Road) and County Trunk Highway "S" (38<sup>th</sup> Street) and;

**WHEREAS**, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

**WHEREAS**, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

**WHEREAS**, the Town of Somers recommended approval of Somers Market Center Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

**WHEREAS**, Ruekert-Mielke, a consulting engineering firm, reviewed the subject plat with regards to stormwater management and erosion control and recommended approval of the plat;

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors approve the Final Plat of Somers Market Center Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson  
Roger Johnson  
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 38. Seconded by Supervisor Roger Johnson.  
Roll call vote.

Ayes: Supervisors Rossow, Rose, Kessler, Kubicki, Booth, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisnefski, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisor Jackson.

Ayes: 22. Nays: 1.

Motion carried.

**COMMUNICATION**

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

4. From Michael K. Higgins, City Clerk, regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

**CLAIMS**

5. Esther R. Linyard vehicle damaged on I-94.

Chairman Rose referred Claim 5 to Corporation Counsel.

It was moved by Supervisor Molinaro to approve the June 5, 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 9:15 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**JULY 3, 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, Kubicki, Marrelli, Booth, Faraone, Ronald Johnson, Michel, Singer, Nudo, Moore, Molinaro, Jackson, Clark, Noble, West, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Huff, Carbone, Arrington, O'Day, Wisnefski, Roger Johnson.

Present. 22 Excused. 6

Chairman Rose spoke regarding the letter he received from Division of Transportation. Al Stanek, Planning & Analysis Administrator thanked Kenosha County Board of Supervisors for Resolution 11, in support of extension of Commuter Rail Service from Kenosha to Racine and Milwaukee. Fred Patrie is checking to see if there are any hearing set between now and the fall.

**SUPERVISOR REPORTS**

Supervisor Noble reported on Highway & Parks Committee. Regarding the golf. We are 4,000 rounds over 2006. Due to good weather and promotions that were offered. Father's Day had 988 rounds and 476 in 2006. The staff will be reporting revenue expenses at the July meeting. There is a fundraiser for Frank Fabiano's family on Saturday, August 11, 2007. Also, The Annual Kenosha County Executive Cup Golf Outing is a fundraiser for the Kenosha County Junior Golf Program and will be held on Wednesday, August 22, 2007 at Brighton Dale Links. The History Center is also holding a fundraiser on September 11, 2007. The Little League Ball Park in Brighton is not quite ready for play. He has received a letter from the office of the Commission of Railroads that agrees with the Town of Somers to have new signals put up on County Highway "A" and County Highway "L" which would be the Union Pacific Railroad. This was scheduled to be done in 2008 but the Union Pacific has counter-filed for the closure of both intersections. If that happened the county could no longer consider those County Highways and they would have to be maintained by the Town of Somers.

Supervisor Michel reported on Joint Services. The bargaining committee is still in negotiations. The County Executive and the Mayor are currently trying to resolve any issues regarding the budget between the city and county.

**COMMUNICATION**

3. Michael K. Higgins City Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Claim 3 to Land Use.

**CLAIMS**

6. Charlene Cortes - lost items while incarcerated.
7. Cathlyn Wilk - car damage.
8. Claire Erdmann - car damage
9. Sammy Greco - Car damage.

Chairman Rose referred Claims 6 thru 9 to Corporation Counsel.

It was moved by Supervisor Molinaro to approve the June 19, 2007 minutes as amended. Seconded by Supervisor Faraone.

Motion Carried.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor Michel.

Motion Carried.

Meeting adjourned at 7:45 P.M.

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

County Clerk



**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**July 17, 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 Rossow, Rose, Grady, Kessler, Huff, Kubicki, Marrelli, Carbone, Arrington, Faraone, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Roger Johnson, Breunig, Haas, Elverman, Ekornaas. Excused: Supervisors Booth, Ronald Johnson, Noble, West. Present: 24. Excused: 4.

**CITIZEN COMMENTS**

Sheriff Dave Beth asked the board for their support of Resolution 44 which is on tonight's agenda. It is very crucial they get these ten officers to keep the revenue coming in. The Sheriff's Department has brought in more federal inmates than they had anticipated. A week and a half ago, Sheriff Beth declared an emergency in the pre-trial facility. If the resolution is adopted, the ten correctional officers would be brought in steps to get the sheriff's department closer to the point they need to be, in order to open up the new 118 bed facility in the beginning of 2008 so they can continue the revenue process.

Mark Conforti, president of the Kenosha County Deputy Sheriff's Association stated they are here to support the sheriff in his request for ten additional correctional officers. Currently their members are working a significant amount of overtime. It is his understanding that the overtime situation in the jail has reached a critical stage and is in need of immediate attention. He appreciates the boards time to listen to their comments and hopes they support the sheriff with his request.

**CHAIRMAN ANNOUNCEMENTS**

Chairman Rose welcomed Supervisor Carbone back from his absence and asked Supervisor Carbone to say a few words.

Supervisor Carbone thanked members of the board who sent notes wishing him a speedy recovery. He also thanked everyone who visited him while at Brookside, especially Supervisor Ron Johnson who visited him every week, and Supervisor Faraone and her sister Laurie who visited him a couple times a week and always brought him a strawberry shake. He attested to the fact that Brookside is an outstanding facility.

Chairman Rose stated the board received a very thoughtful note from Mrs. Fabiano. If anyone would like to read it they can do so after the meeting.

**SUPERVISOR REPORTS**

Supervisor Singer reported there was a mandatory walk through for the hot water replacement system at the Kenosha County Detention Center. The resurfacing of the Molinaro parking lot also had a mandatory walk through. They may delay that project until after the Jensen trial because of the amount of media that is expected. There will be a re-bidding for the Ambrose roof replacement because they only received one bid. Brookside floor replacement is proceeding wing by wing. The unemployment building is being reviewed by staff and an independent architect for the possibility to use it as a 911 dispatch center. The Piasecki Funeral Home is being reviewed to see if it could be used for the medical examiner. The ball diamonds and soccer fields will be ready for play in 2008. The job center roof replacement is complete and phase two of the duct work will commence in August. The grease pit vault at Brookside has been completed.

Supervisor Carbone stated that Chairman Rose has been selected to the Board of Directors of the Supreme Court. He also reported that the State Surveyors were at Brookside and had nothing but praise for Brookside and designated their program as one of the best in Wisconsin.

Supervisor Clark stated that there was a newspaper article that reported Kenosha County had one of the higher tax rate increases in the state. He feels they worked hard getting the levy in line. The average increase over the last

three years in all municipalities in Kenosha County was 3½% Kenosha Unified School District's average was at 6.91%. The County's last three year average has been 2.95%. He feels they have done a good job on the County Board and looks forward to holding the line in the future.

**COUNTY EXECUTIVE APPOINTMENT**

19. Charles Burmeister to serve on the Kenosha County Veterans Commission.

Chairman Rose referred County Executive Appointment 19 to the Finance Committee.

**NEW BUSINESS**

Ordinances - First reading, two required.

**ORDINANCE 13**

13. From Judiciary & Law Committee regarding Amending Chapter 9 of the Municipal Code of Kenosha County Entitled "Public Peace and Good Order"

**ORDINANCE 14**

14. From Judiciary & Law Committee regarding Amending Section 3.60 of the Municipal Code of Kenosha County Entitled "Uniform Citation Ordinance"

Ordinances - one reading.

**ORDINANCE 15**

15. From Land Use Committee regarding Benson Corners LLC (Owner), Charles Schuren (Agent) requesting rezoning from A-1 Agricultural Preservation District to B-3 Highway Business 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 part of Tax Parcels #35-4-121-053-0301, #35-4-121-064-0401 and #35-4-121-064-0450 located in the southwest quarter of Section 5 and the southeast quarter of Section 6, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District to B-3 Highway Business District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the north side of State Trunk Highway "50" (75<sup>th</sup> Street) approximately 555 feet west of the intersection of U.S. Highway 45.

**Benson Corners LLC - Owner**

**Description:** An area of land to be rezoned from A-1 to B-3 located in the southwest ¼ of the southwest ¼ of Section 5 and part of the southeast ¼ of the southeast ¼ of Section 6, all in Township 1 North, Range 21 East, Town of Bristol, Kenosha County, Wisconsin; described as follows:

Commencing at a concrete monument with brass cap found marking the southeast corner of said southeast ¼ section; run thence N02°12'07"W along the east line of said ¼ section, 166.94' to a point on the north right-of-way of S.T.H. "50"; thence S88°39'44"W, along said right-of-way, 320.04' to the place of beginning of the lands to be described herein; thence S88°39'44"W, continuing along said right-of-way, 175.23'; thence leaving said right-of-way, N01°20'16"W, along a delineated wetland line, 11.75' N54°53'52"E, continuing along said wetland line, 21.45'; thence N50°11'08"E, 33.13'; thence N15°26'08"E, 27.79'; thence N07°15'58"E, 47.96'; thence N5°44'18"E, 50.73'; thence N12°01'27"E, 46.53'; thence N5°59'01"E, 19.68'; thence S79°27'45"E, 17.87'; thence N26°06'37"E, 32.07'; thence N0°53'56"E, 21.30'; thence N35°03'31"W, 35.79'; thence N8°50'49"E, 47.95'; thence N60°57'32"E, 33.39'; thence N41°01'30"E, 32.96'; thence N36°20'28"W, 14.23'; thence N45°10'12"W, 45.45'; thence S88°36'44"E, 20.98'; thence N7°03'58"E, 56.91'; thence N34°39'43"E, 57.11'; thence N28°34'14"E, 20.38'; thence N88°39'56"E, 686.20'; thence S02°11'53"E, 560.00' to a 0.75" iron pipe found on the north line of the aforementioned north right-of-way of S.T.H. "50" and marking the southwest corner of Certified Survey Map No. 1159, as duly recorded in Kenosha County Records; thence S88°39'48"W, along said right-of-way, 159.63'; thence N2°12'07"W, leaving said right-of-way, 369.99'; thence S88°39'56"W, 225.03'; thence S88°39'34"W, 320.04'; thence S02°12'07"E, 369.98'; to the place of beginning; said area contains 5.38 acres more or less.

An area of land to be rezoned from A-1 to C-1 located in the southwest ¼ of the southwest ¼ of Section 5 and part of the southeast ¼ of the southeast ¼ of

Section 6, all in Township 1 North, Range 21 East, Town of Bristol, Kenosha County, Wisconsin; described as follows:

Commencing at a concrete monument with brass cap found marking the southeast corner of said southeast ¼ section; run thence N02°12'07"W, along the east line of said ¼ Section, 166.94' to a point on the north right-of-way of S.T.H. "50"; thence S88°39'44"W, along said right-of-way 495.27' to the place of beginning of the lands to be described herein; thence S88°39'44"W, continuing along said right-of-way, 575.85'; thence N01°36'08"W, 173.58'; thence N89°17'39"E, along a delineated wetland, 41.11'; thence S05°47'10"W, continuing along said wetland, 36.17'; thence S21°56'36"E, 43.82'; thence S05°05'16"W, 43.66'; thence S74°51'38"E, 54.94'; thence S80°32'24"E, 58.63'; thence S85°46'51"E, 72.65'; thence N89°46'58"E, 90.69'; thence N82°41'15"E, 59.43'; thence N87°04'41"E, 61.44'; thence N81°20'36"E, 68.14'; thence N79°07'16"E, 24.61'; thence N12°20'07"E, 11.14'; thence N09°45'12"W, 28.06'; thence N01°42'13"W, 25.37'; thence N40°05'54"E, 19.78'; thence N19°22'20"E 37.58'; thence N10°26'17"E, 41.85; thence N09°16'38"W, 37.06'; thence N10°57'16"E, 43.09'; thence N21°04'53"W, 32.50'; thence N10°18'34"W, 35.10'; thence N27°17'48"E, 37.44'; thence, leaving said wetland line, N88°39'34"E, 71.16' to a point on the centerline of an unnamed branch of Brighton Creek, hereinafter known as point "A"; thence northerly along the centerline of said waterway to a point being N22°54'07"E, 191.98' of point "A". thence N88°39'56"E, 33.62'; thence S28°34'14"W, along a delineated wetland line, 20.38'; thence S34°39'43"W, continuing along said wetland line, 57.11'; thence S07°03'58"W, 56.91'; thence N88°36'44"W, 30.98'; thence S45°10'12"E, 45.45' thence S36°20'28"E, 14.23'; thence S41°01'30"W, 32.96'; thence S60°57'32"W, 33.39'; thence S08°50'49"W, 47.95'; thence S35°03'31"E, 35.79' thence S00°53'56"W, 21.30'; thence S26°06'37"W, 32.07'; thence N79°27'45"W 17.87'; thence S05°59'01"W, 19.68'; thence S12°01'27"W, 46.53'; thence S05°44'18"W, 50.73'; thence S07°15'58"W, 47.96'; thence S15°26'08"W, 27.79'; thence S50°11'08"W, 33.13'; thence S54°53'52"W, 21.45', thence S01°20'16"E, 11.75'; to the place of beginning; said area contains 1.44 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 15. Seconded by Supervisor O'Day.

Motion carried

#### **ORDINANCE 16**

16. From Land Use Committee regarding Town of Paris requesting rezoning from A-1 Agricultural Preservation District to I-1 Institutional District in the Town of Paris.

#### **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 #45-4-221-153-0350 located in the southwest quarter of Section 15, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District to I-1 Institutional District. For informational purposes only, this property is the Town Hall property located at 16607 Burlington Road which is on the south side of State Trunk Highway "142" approximately ¼ mile east of the intersection of County Trunk Highway "D" (north).

#### **Town of Paris - Owner**

**Description:** Part of the Southwest Quarter of Section 15, Township 2 North, Range 21 East of the 4<sup>th</sup> Principal Meridian, lying and being in the Town of Paris, Kenosha County, Wisconsin, and being more particularly described as: Beginning at the southwest corner of said quarter section; thence N 89°43'27" E along the south line of said quarter section 1018.7 feet; thence N 1°05'44" W

719.39 feet to a point of tangency in the southerly right-of-way- line of State Trunk Highway "142" (Burlington Road); thence northwesterly 1072.27 feet along said right-of-way line, which is the arc of a circular curve concave to the southwest, said curve having a central angle of 3°35'01", a radius of 17143.73 feet, and a chord which bears N 74°25'09.5" W 1072.09 feet and to the intersection with the west line of said quarter section; thence S 1°36'04" E along said west line 1012.52 feet to the point of beginning; containing 20.448 acres, more or less and subject to easements and restrictions of record, if any.

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 16. Seconded by Supervisor Roger Johnson.

Motion carried.

#### **ORDINANCE 17**

17. From Land Use Committee (Sponsor), James C. Las (Owner) requesting rezoning from R-2 Suburban Single-Family 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 Parcels #67-4-120-322-0125 and #66-4-120-293-0101 located in the northwest quarter of Section 32 and the southwest quarter of Section 29, Town of Salem be changed from R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential 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 north side of County Trunk Highway "C" (Wilmut Road) approximately ½ mile west of the intersection of 286<sup>th</sup> Avenue.

**James C. Las - 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 17. Seconded by Supervisor Roger Nudo.

Motion carried.

#### **ORDINANCE 18**

18. From Land Use Committee regarding Town of Somers (Sponsor), Raymond and Denise McKee (Owners) requesting rezoning from B-3 Highway Business District to R-2 Suburban 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 #80-4-222-022-0355 located in the northwest quarter of Section 2, Township 2 North, Range 22 East, Town of Somers be changed from B-3 Highway Business District to R-2 Suburban Single-Family Residential District. This rezoning is considered a zoning map amendment to reflect the existing use

of the property. For informational purposes only, this property is located on the north side of County Trunk Highway "M" (Old Green Bay Road) approximately 0.18 miles north of the intersection of State Trunk Highway "31" (current Green Bay Road).

**Raymond and Denise McKee - 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 18. Seconded by Supervisor O'Day.

Motion carried.

#### **ORDINANCE 19**

19. From Land Use Committee regarding Partridge Farms, LLC (Owner), Gene Kovacs (Agent) requesting rezoning from A-1 Agricultural Preservation District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, 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 part of Tax Parcel #95-4-119-072-0100 located in the northwest quarter of Section 7, Township 1 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural Preservation District (30.45 acres), C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of County Trunk Highway "P" (400<sup>th</sup> Avenue) immediately north of Prairie View Subdivision (intersection of 404<sup>th</sup> Avenue and County Trunk Highway "F" or Bloomfield Road).

**Partridge Farms LLC (Owner)**

**Description:** 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 19. Seconded by Supervisor Roger Johnson.

Motion carried.

Resolutions - one reading.

#### **RESOLUTION 39**

39. From Extension Education and Finance Committees regarding UW-Extension 2007 budget modification for 'Afterschool Project'.

**WHEREAS**, Kenosha County has received funding from Kenosha Unified School District for afterschool training and staff development, and

**WHEREAS**, the external-funded position of Afterschool Program Coordinator is solely supported by this grant and thus the position will be eliminated when the grant funding ceases, and

**WHEREAS**, Kenosha Unified School District has awarded \$3,300 in additional funds to Kenosha County UW-Extension for the Afterschool Project, and

**WHEREAS**, county levy remains unaffected by this budget amendment,

**NOW, THEREFORE, BE IT RESOLVED** that the 2007 Kenosha County UW-Extension 67600 Afterschool Project budget be amended as reflected in the attached Expense/Revenue Budget Modification Form incorporated herein by reference, and  
Fund: 100 Business Unit #: 67600 Afterschool Project Account  
Revenue Object Code 446650 \$ 13,200

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension 67600 Office Account budget may be modified to reflect the following additional line items as necessary to reflect expenditures for the position of After School Program Coordinator, and

Fund: 100 Business Unit #: 67600 Salaries	
Expense Object Code 511100	\$10,200
Fund: 100 Business Unit #: 67600 FICA	
Expense Object Code 515100	\$800
Fund 100 Business Unit #67600 Mileage & Travel	
Expense Object Code 533900	\$650

Fund 100 Business Unit #67600 Other Operating Supplies	
Expense Object Code 534900	\$1,550

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension 67600 Afterschool Project account budget line items may be modified to increase the revenues and corresponding expenditures if the award comes in higher than expected and any expended dollars as of December 31, 2007, should be rolled over into the 2008 budget.

Submitted by:

EXTENSION EDUCATION COMMITTEE  
Janice Marrelli, Chairman  
Kimberly Breunig, Vice-Chairman  
Ronald L. Johnson, Secretary  
Mark A. Molinaro, Jr.  
Richard A. Kessler

FINANCE COMMITTEE  
Robert Carbone  
Mark Wisnefski, Vice-Chairman  
Anita Faraone  
Joseph D. Clark  
John O'Day

It was moved by Supervisor Marrelli to adopt Resolution 39. Seconded by Supervisor Carbone.

2/3 vote required.

Roll call vote passed unanimously.

#### **RESOLUTION 40**

40. From Finance Committee regarding the Cost of Marriage Licenses.

**WHEREAS**, Kenosha County Clerk issues marriage licenses at a cost of 75.00 and has not increased the cost for 5 years, and

**WHEREAS**, \$25.00 goes to the State of Wisconsin, \$20.00 to the Family Court Commissioner's Office and \$30.00 to Kenosha County, and

**WHEREAS**, issuing of the license takes at least 20 to 30 minutes time of an employee in the County Clerk's Office, and

**WHEREAS**, the abutting Counties of Racine and Walworth charge \$80.00 and

**WHEREAS**, by raising the cost per license \$5.00 it would increase revenue approximately \$4,050 per year.

**THEREFORE BE IT RESOLVED;** that Kenosha County raise the cost of a marriage license to \$80.00 effective on January 1, 2008.

Submitted by,

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

It was moved by Supervisor Carbone to adopt Resolution 40. Seconded by Supervisor O'Day.

Roll call vote.

Ayes: Supervisors Rossow, Rose, Grady, Kessler, Huff, Marrelli, Carbone, Arrington, Faraone, Michel, O'Day, Singer, Moore, Molinaro, Jackson, Clark, Breunig, Elverman, Ekornaas.

Nays: Supervisors Kubicki, Nudo, Wisnefski, Roger Johnson, Haas.

Ayes: 19. Nays: 5.

Motion carried

**RESOLUTION 41**

41. From Finance Committee regarding Amending the 2007 Budget to Allow Broadband Planning and Implementation for Kenosha County Wireless Network.

**WHEREAS**, Kenosha County will have a surplus from the 911 wireless grant reimbursement, and

**WHEREAS**, the Wireless broadband project will promote economic development and allow for the deployment of a Kenosha County Wireless network, and

**WHEREAS**, the \$135,000 would provide the groundwork for planning and deploying a wireless broadband network, and

**WHEREAS**, the project will not require tax levy dollars,

**NOW, THEREFORE, BE IT RESOLVED** that the County Board hereby authorize \$135,000 to be appropriated for the purposes of planning and deploying a wireless broadband network, and

**BE IT FURTHER RESOLVED**, that the County Board does hereby approve the carryover of these funds to 2008 to complete the project, and

**BE IT FURTHER RESOLVED**, that the county budget be amended as reflected in the attached budget modification form which is hereby incorporated by reference.

Submitted by:

Robert Carbone

Mark Wisniewski

Anita Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Carbone to adopt Resolution 41. Seconded by Supervisor Wisniewski.

2/3 vote required.

Roll call vote passed unanimously.

**RESOLUTION 42**

42. From Finance Committee regarding Reprogramming of Capital Funds.

**WHEREAS**, there are \$37,500 of undesignated funds available in the Highway Capital Outlay Reserve Account Fund 711 for Highway projects, and

**WHEREAS**, there are \$72,000 of undesignated funds available in the County Capital Outlay Reserve Account Fund 411 for Facilities projects, and

**WHEREAS**, the monies are undesignated, and

**WHEREAS**, there are Highway and Facilities projects which have been identified as needing immediate attention, and

**WHEREAS**, County Levy and the General Fund remain unaffected by this resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the County Board of Supervisors approve the following repairs and projects as per the attached memo which is attached and incorporated by reference, and

**BE IT FURTHER RESOLVED** that the County budget be amended to appropriate \$109,500 of the available reserve funds and operating transfer as per the budget modification form which is attached and incorporated by reference.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Carbone to adopt Resolution 42. Seconded by Supervisor Faraone.

Roll call vote passed unanimously.

**RESOLUTION 43**

43. From Judiciary & Law and Finance Committees regarding FY07 Law Enforcement Justice Assistance Grant (JAG)

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$17,526.00 for a Law Enforcement Justice Assistance Grant (JAG), for the period July 1<sup>st</sup>, 2007 through June 30<sup>th</sup>, 2008, and

**WHEREAS**, these funds have been made available to the Kenosha County Sheriff's Department through the City of Kenosha after an agreed upon split of

a total award of \$43,814.00 through the US Dept of Justice, Office of Justice Programs, and

**WHEREAS**, these funds will be used to purchase law enforcement equipment for the Department that has been so designated by the Sheriff for law enforcement purposes, and

**WHEREAS**, this grant will not require any local match, and

**WHEREAS**, this budget modification will not require any additional tax levy dollars.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the grant and that the revenue and expenditure line items be modified, as per the attached budget modification forms, which are incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the JAG grant requirements, and that the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by \$17,526.00 and increases expenditures by \$17,526.00.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

William Michel

Ruth Delace Booth

David Arrington

It was moved by Supervisor Michel to adopt resolution 43. Seconded by Supervisor Arrington.

Roll call vote passed unanimously.

#### **RESOLUTION 44**

44. From Judiciary & Law, Administration and Finance Committees regarding Authorizing Increase in Correctional/Direct Supervision Officer FTE's.

**WHEREAS**, the Kenosha County Sheriff's Department Detentions Division has been tasked with the incarceration and care of Local, State, and Federal Inmates, both U.S. Marshall and BICE, and

**WHEREAS**, from February through June 2007, the amount of inmates being housed in the Kenosha Sheriff's Detention System rose dramatically as a result of a new agreement with the US Marshall's in Milwaukee along with BICE increasing their numbers from 98 inmates a day to averaging over 200 a day, and

**WHEREAS**, to provide necessary manpower to guard these inmates, it has been necessary to require frequent overtime assignments due to staff vacancies, absences and to guard additional posts due to the increased population, and

**WHEREAS**, as a result of the high overtime obligation, the Detentions Division staff have become overburdened, and

**WHEREAS**, in the winter of 2007, it is anticipated the 118 bed addition to the KCDC will be completed, and

**WHEREAS**, to relieve the frequency and quantity of overtime assignments, and to prepare for the staffing of the KCDC expansion, the Sheriff needs to add an additional ten (10) Correction/Direct Supervision Officer FTE's beginning in the fall of 2007 increasing the authorized strength of CO's and DSO's from 133 to 143, and

**WHEREAS**, the cost of the added staff including uniforms will be \$116,884 funded with anticipated surplus of federal housing revenue for 2007, and

**WHEREAS**, if the funding source mentioned does not materialize or is otherwise dissolved, the ten (10) Correctional/Direct Supervision Officer



positions will be terminated ~~via attrition~~ and the Sheriff's authorized strength of Correctional/Direct Supervision Officer will return to 133.

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

Submitted by:

JUDICIARY & LAW

ADMINISTRATION

FINANCE

William Michel

Dennis Elverman

Robert Carbone

Ruth Booth

Kimberly Breunig

Joe Clark

David Arrington

John O'Day

Joe Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 44. Seconded by Supervisor Elverman.

It was moved by Supervisor Clark to amend Resolution 44, to remove the words "via attrition" in the eighth paragraph. Seconded by Supervisor Ekornaas. Roll call vote.

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

Nays: Supervisors Huff, Molinaro, Elverman.

Ayes: 21. Nays: 3.

Motion carried.

It was moved by Supervisor Grady to close debate on Resolution 44. Seconded by Supervisor Kessler.

Roll call vote.

Ayes: Supervisors Rossow, Grady, Kessler, Kubicki, Marrelli, Carbone, Arrington, Michel, O'Day, Singer, Nudo, Wisniewski, Jackson, Clark, Roger Johnson, Breunig, Haas, Ekornaas.

Nays: Supervisors Rose, Huff, Faraone, Moore, Molinaro, Elverman.

Ayes: 18. Nays: 6

Motion Carried.

Roll call vote on Resolution 44.

Ayes: Supervisors Rossow, Grady, Kessler, Huff, Kubicki, Marrelli, Carbone, Arrington, Faraone, Michel, O'Day, Singer, Nudo, Molinaro, Wisniewski, Jackson, Clark, Roger Johnson, Breunig, Haas, Elverman Ekornaas.

Nays: Supervisors Rose, Moore.

Ayes: 22. Nays: 2.

Motion carried.

#### **RESOLUTION 45**

45. From Land Use Committee regarding Final Plat of The Crosswinds Subdivision, Anisur and Ann Rahman (Developers), Gary Splinter (Agent) in the Town of Bristol.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on July 11, 2007, review was given to the Final Plat of The Crosswinds Subdivision located on Tax Parcel #35-4-121-054-0400 being part of the southeast quarter of Section 5, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, this property is located on the west side of County Trunk Highway "D" (184<sup>th</sup> Avenue) approximately 700' north of the intersection of State Trunk Highway "50"; and

**WHEREAS**, the plat was submitted in accordance with the requirements of Chapter 236 of Wisconsin State Statutes and the developer agreed to comply with those land platting laws; and

**WHEREAS**, the plat is in conformance with the Kenosha County Subdivision Control Ordinance and the developer agreed to all county conditions for approval (Exhibit 1, on file in the Department of Planning and Development); and

**WHEREAS**, the Town of Bristol recommended approval of The Crosswinds Subdivision subject to the conditions presented in (Exhibit 1, on file in the

Department of Planning and Development) and subject to signing the developer's agreement between the developer and the Town; and

**WHEREAS**, the Department of Planning and Development reviewed the subject plat with regards to stormwater management and erosion control and recommended approval of the plat;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve the Final Plat of The Crosswinds Subdivision subject to the conditions as approved by the Land Use Committee.

It was moved by Supervisor Ekornaas to adopt Resolution 45. Seconded by Supervisor Nudo.

Motion carried.

**COMMUNICATIONS**

5. From George E. Melcher, Director of Planning & Development regarding future rezonings.

Chairman Rose referred Communication 5 to the Land Use Committee.

**CLAIMS**

10. Larry Fitzgerald - damaged trees from salt.

Chairman Rose referred Claim 10 to Corporation Counsel.

**SUPERVISOR COMMENTS**

Supervisor Faraone stated she receives the weekly agenda on Tuesday or Wednesday and sees no reason why we should spend money on postage and paper to have it mailed out when it's available on the county's web site and through e-mail. She also stated that most of the committees post their minutes on the county's web site in a timely manor except for Building & Grounds and Highway & Parks which have not posted since December, 2006. It's important to be able to see what's going on in other committees. She would like to make a request that all committee meetings be detailed in nature like the Administration Committee's minutes. She feels all the dialogue that took place should be available to all that reads the minutes, including the public and supervisors.

It was moved by Supervisor Moore to approve the July 3, 2007 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Motion Faraone.

Meeting adjourned at 9:15 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**AUGUST 7, 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, Huff, Kubicki, Marrelli, Booth, Faraone, Ronald Johnson, Michel, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Carbone, Arrington, West, Kessler, O'Day.

Present. 23 Excused. 5

It was moved by Supervisor Rossow to amend the roll call to show that Supervisor Arrington was absent. Seconded by Supervisor Faraone. Roll call vote.

Ayes: Supervisors Rossow, Kessler, Huff, Kubicki, Marrelli, Booth, Faraone, Ron Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisnefski, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Rose, Jackson.

Abstain: Supervisor Clark.

Ayes. 22 Nays. 2 Abstain. 1

Motion carried.

**CITIZEN COMMENTS**

Steve Herr, 7918-60<sup>th</sup> Ave., Kenosha. He wants to urge the County Board to support State Senator Robert W. Wirth with his effort for **Healthy Wisconsin**. This plan will cover pre-existing conditions. This health plan is great for small businesses.

Larry Zamba, 1720-216<sup>th</sup> Ave., Brighton. He feels overall, **Healthy Wisconsin** is an excellent plan. New employment in the state would greatly improve due to health benefits. He can see nothing but good coming from this.

Leah Blough, 8355-57<sup>th</sup> Ave., Kenosha. She has been a nurse for 18 years and the health insurance situations are getting worse. We pay huge sums of money for very little coverage. There are people using the emergency room in place of office visits. Health Care should be a right and not just for the privileged. Insurance Companies will be on an even playing field and not profit through loopholes.

Marge Krupp, 11427-79<sup>th</sup> Place, Pleasant Prairie. We need **Healthy Wisconsin** because it is a cost savings for everyone and she does not understand any opposition to it.

Dan Krupp, 11427-79<sup>th</sup> Place, Pleasant Prairie. He worked as a school psychologist for 31 years. He saw many hard working families who had children and could not afford to see a doctor. It was just deplorable.

**CHAIRMAN'S ANNOUNCEMENTS**

Chairman Rose stated that on September 18<sup>th</sup> at the regular County Board Meeting he will announce the appointments from the Youth & Governance Committee recommendations. This is the project sponsored by the Extension Education Committee. There will be a reception at 6:30 p.m. The youth members will be present.

Supervisor Singer, stated that everyone is invited to attend the Building & Grounds Committee Meeting next Tuesday. Some of the projects going on are: the parking lot between the Courthouse and Molinaro Building, the flooring at Brookside is coming along well and it looks really good. The Kemper Center roofing has been re-bid. Many more people have gone through the walk-thru. And the bids will be coming.

Supervisor Noble reported on Highway & Parks meeting last night. Highway "S" is still under construction and with weather permitting it should be done in about two weeks. The detour to the west of County "H" has been taken off. Highway "L" was closed for a week due to railroad crossing repair. The bike path at "E" is delayed because of Federal money being involved. The Frank

Fabiano, Jr. Memorial outing is this Saturday. The fund raiser for junior golf is on Wednesday, August 22<sup>nd</sup>.

Supervisor Rossow stated that Human Services met just before tonight's meeting and she just wanted to make the County Board aware of the resolutions that will be coming. The Workforce Development will be receiving from the State funds \$28,000 to up-grade computers & printers. A resolution prohibiting smoking in all Wisconsin work-sites including restaurants and taverns. Also, County Executive, Allan Kehl, sent a letter to the State Budget Conference Committee members urging them to restore the funding language to lower Kenosha County's Family Share Contribution to 22% of Community Aids. Contact Laurie Staves, Director of Fiscal Services at 697-4757.

Supervisor Molinaro spoke about the 1<sup>st</sup> reading of a City Ordinance regarding placement of sexual predators. His concern is that this burden will be put on other outlying communities. A number of motels along Sheridan Road in Somers have contracts with the State. If anything is to be put into place, it should be county-wide.

Chairman Rose referred this issue to Human Services and Judiciary & Law Committees and a joint meeting should be next week.

Supervisor Elverman reported on the Administration Committee Meeting last night and discussion of the Non-Represented Pay Plan. We are able to compete with the private sector. The problem is the up-grades and the steps. All the information is available in the Personnel Department.

Supervisor Michel reported that Judiciary & Law Committee had taken a trip to Country Thunder with Sheriff Beth. The mobile command center is a very unique tool for the Sheriff's Department. Allowing only dispatchers to be present and it was communication for the deputies. Several members of different law enforcement agencies worked together. Also, he will be contacting state representatives regarding placement of sexual predators.

#### **OLD BUSINESS**

Ordinances - second reading, two required.

#### **ORDINANCE 13**

13. From Judiciary & Law Committee regarding Amending Chapter 9 of the Municipal Code of Kenosha County Entitled "Public Peace and Good Order"

The Kenosha County Board of Supervisors does hereby ordain that section 9.961.573 of the Municipal Code of Kenosha County be, and hereby is, created to read as follows:

#### **"9.961.573 POSSESSION OF DRUG PARAPHERNALIA**

The provisions of Section 961.573(1) of the Wisconsin Statutes and any subsequent amendments are adopted except that the penalty upon conviction is a forfeiture of not less than \$100 nor more than \$500. This ordinance shall apply to first offenders only."

Submitted by:

JUDICIARY & LAW COMMITTEE

William Michel

Ruth Booth

David Arrington

It was moved by Supervisor Michel to adopt Ordinance 13. Seconded by Supervisor Booth.

It was moved by Supervisor Ekornaas to amend Ordinance 13 by adding the sentence - This ordinance shall apply to first offenders only.

Roll call vote on amendment.

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

Nays: Supervisor Jackson.

Ayes. 22. Nays. 1

Motion carried.

Roll call vote on Ordinance 13 as amended.

Motion carried unanimously.

#### **ORDINANCE 14**

14. From Judiciary & Law Committee regarding Amending Section 3.60 of the Municipal Code of Kenosha County Entitled "Uniform Citation Ordinance".

It was moved by Supervisor Michel to adopt Ordinance 14.  
Seconded by Supervisor Booth.

The Kenosha County Board of Supervisors does hereby ordain that section 3.60 of the Municipal Code of Kenosha County be, and hereby is, amended to read as follows:

ORDINANCE NUMBER	DESCRIPTION	CASH DEPOSIT	PS	JS CLDS	JISS/ CSSS	CC	TOTAL DEPOSIT
			(26% of cash dep.)				
9.961.573	Possession of Drug Paraphernalia	\$100.00	\$26.00	\$18.00	\$80.00	\$25.00	\$249.00

Submitted by:

JUDICIARY & LAW COMMITTEE

William Michel

Ruth Booth

David Arrington

It was moved by Supervisor Michel to adopt Ordinance 14. Seconded by Supervisor Booth.

Roll call vote.

Motion carried unanimously.

#### **NEW BUSINESS**

Resolution - one reading.

#### **RESOLUTION 46**

46. From Supervisors Faraone and Moore regarding Providing Greater Detail in County Board Committee Minutes.

Chairman Rose referred Resolution 46 to Legislative Committee.

#### **COMMUNICATION**

6. From Michael K. Higgins City Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Communication 6 to Land Use Committee.

7. From Chairman Terry Rose regarding Supporting State Senate Bill 150, Entitled the "Breathe Free Wisconsin Act".

Chairman Rose referred Communication 7 to Human Services.

8. From Senator Robert W. Wirth regarding "Healthy Wisconsin".

Chairman Rose referred Communication 8 to Finance & Legislative.

#### **CLAIMS**

11. Justin Graf - family dog shot by County Deputy.

Chairman Rose referred Claim 11 to Corporation Counsel.

It was moved by Supervisor Nudo to approve the July 17, 2007 minutes.  
Seconded by Supervisor Faraone.

Motion carried.

It was moved by Supervisor Wisniewski to adjourn. Seconded by Supervisor Michel.

Motion carried.

Meeting adjourned at 8:30 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**AUGUST 21, 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 Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Grady, Moore.

Absent: Supervisor Arrington.

Present. 25 Excused. 2 Absent. 1

**CITIZEN COMMENTS**

Joyce Erickson, 7802-38th Ave., Kenosha. Spoke in support of State Senate Bill 150, known as the "Breathe Free Wisconsin Act", currently pending in the Legislature. Of the smokers surveyed, over 80% want to quit but it is an addiction. It is a financial issue as well as a public health issue. In the City of Appleton, 100% Smoking Ban had been implemented two years ago and the overall number of licensed establishments increased from 112 to 122 in 2007 and there were no bar closures. This indicates people stay in their local community and do not "drive to smoke".

David Stevens, 8111 Sheridan Road, a senior at Tremper High School asked the County Board to support State Senate Bill 150 and make Kenosha a safe place to breath.

Chaz Bartucz, 212B-55<sup>th</sup> Street, chairman of The Kenosha Tobacco Free Coalition. He wanted to thank the committees that supported Senate Bill 150. Illinois will be going smoke free next year and Minnesota this fall. 22 states are smoke free.

Mike Brey, Executive Director of Kemper Center wanted to share with the board the 2007 Beautification Award received from the Kenosha Area Chamber of Commerce.

**SUPERVISORS REPORTS**

Supervisor Elverman reported on the Administration Committee meeting last night and they were given a report on our health insurance. We are 1.1 million dollars ahead of projections. This is a lucky pattern. A resolution regarding the 2008-2010 County Board compensation will stay the same and will now go to Finance Committee.

Supervisor Michel reported that Judiciary & Law met with Human Services regarding the City Ordinance defending sex offenders. There was a request that the County Executive create a task force to review the ordinance. Also, the Village of Pleasant Prairie has an ordinance and are waiting to see what happens with the city's.

Supervisor Huff reported that at the last Legislative Committee meeting Corporation Counsel said they would put together a news letter of information. That News Letter was in everyone's packet. Please read.

Supervisor Ron Johnson gave a report on the NACo Convention he attended last month. On July 13<sup>th</sup> he attended a meeting for Environmental, Energy and Land Use Sub Committee. On Saturday he attended a Committee of the Whole to vote on Resolutions. On Sunday he attended a General Session and Tucker Carlson, host of MSNBC, spoke humorously about all the candidates that are running for office this year. Also, on Sunday he attended a workshop about starting children off on the wrong foot by getting youths engaged and connected which is similar to our Youth & Governance Program.

Supervisor Singer reported on Building & Grounds Committee. The Molinaro Parking lot is coming along. The last meeting was at Brookside and they did a great job on the flooring. The demonstration for the Score Board has been held up until October due to illness.

Supervisor Marrelli stated that the Youth & Governance Reception will be at 6:30 P.M. on September 18th and the swearing-in will be at 7:30 P.M.

**NEW BUSINESS**

Ordinances - one reading.

**ORDINANCE 19A**

19A. From Land Use Committee (Sponsor), Philip P. and Clara C. McPhail (Owners) requesting rezoning from B-1 Neighborhood Business District to R-5 Urban Single-Family Residential District in the Town of Randall.

**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 #60-4-119-192-1200 located in the northwest quarter of Section 19, Township 1 North, Range 19 East, Town of Randall be changed from B-1 Neighborhood Business District to R-5 Urban Single-Family Residential District. This rezoning is considered a zoning map amendment to bring the existing use into compliance with the county's zoning ordinance. For informational purposes only, this property is located at 40723 93<sup>rd</sup> Street, which is on the south side of 93<sup>rd</sup> Street approximately 0.38 miles west of the intersection of 401<sup>st</sup> Avenue.

**Philip P. and Clara C. McPhail - Owners**

**Description:** A piece of land lying and being in the northwest quarter of Section 19, T. 1 N., R. 19 E. particularly described as follows: Commence at the northwest corner of said Section 19, thence east along the north line of said Section 132 feet; thence southwesterly to a point on the north shore of Benedict's Lake 65 feet directly east of the west line of Section 19; thence westerly along the north shore of said lake to the westerly line of Section 19; thence north along section line to place of beginning. Said land being in the Town of Randall, County of Kenosha, State of Wisconsin. Also that part of the southwest quarter of Section 18, T. 1 N., R. 19 E. of the 4<sup>th</sup> P.M. which is situated on the south side of the highway which runs in a northwesterly and southeasterly direction between Powers Lake and Benedict Lake and across said quarter section, and more particularly described as: Commencing at the southwest corner of the southwest  $\frac{1}{4}$  of said Section 18, T. 1 N., R. 19 E. of the 4<sup>th</sup> P.M., thence north along the west line of said quarter section 44.4 feet to the south line of the road which runs northwesterly and southeasterly between Powers Lake and Benedict Lake and across said quarter section; thence southeasterly along the south line of said road, 89.7 feet to the south line of said quarter section; thence west along south line of said quarter section 78.85 feet to the place of beginning.

Also a triangular piece of land containing 9/100 acres, more or less, in Section 24, Bloomfield Township Walworth County, Wisconsin, further described as follows: Beginning at the northeast corner of Section 24, T. 1 N., R. 18 E. of the 4<sup>th</sup> P.M., Walworth County, Wisconsin; thence west 90 feet along the north section line of said section to the shore of Benedict Lake; thence in a southeasterly direction along the shore of Lake Benedict to the east line of said section; thence north along the east line of said section to the place of beginning. Also beginning at the southeast corner of Section 13, T. 1 N., R. 18 E. of the 4<sup>th</sup> P.M., Township of Bloomfield, County of Walworth, State of Wisconsin, run thence north on the east line of Section 13, 79.70 feet to a point in the center of a public highway; thence N 58°33' W., on the center of said highway, 60.3 feet to a point; thence S 24°45' W., 122.65 feet to a point; thence S 86°18'18" E., 106.29 feet to the southeast corner of said Section 13 and the place of beginning. Said land is located in the Southeast  $\frac{1}{4}$  of Section 13, T. 1 N., R. 18 E. County and State aforesaid, and containing 0.193468 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, Chairman

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 19A. Seconded by Supervisor Jackson.  
Motion carried.

#### ORDINANCE 20

20. From Land Use Committee regarding Jason Weis (Owner), Jason Feucht, Kapur & Associates (Agent) 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 #95-4-219-263-0100 located in the southwest 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 (5.729 acres). For informational purposes only, this property is located on the east side of the "old" State Trunk Highway "83" approximately one half mile south of the intersection of County Trunk Highway "JB".

#### **Mark J. and Adora D. Weis - Owners**

**Description:** All that part of the Northwest  $\frac{1}{4}$  and part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 26, Township 2 North, Range 19 East, Town of Wheatland, Kenosha County, State of Wisconsin bounded and described as follows: Commencing at the Northwest corner of the Southwest  $\frac{1}{4}$  of said Section 26; thence North  $88^{\circ}31'36''$  East along the north line of said Southwest  $\frac{1}{4}$ , 1262.12 feet to the centerline of Old S.T.H. 83 also being the point of beginning of the lands hereinafter described; thence continuing North  $88^{\circ}31'36''$  East along the north line of said Southwest  $\frac{1}{4}$ , 363.15 feet; thence South  $01^{\circ}00'40''$  West, 471.43 feet; thence South  $88^{\circ}37'23''$  West, 194.57 feet; thence South  $01^{\circ}03'34''$  East, 36.17 feet to the PC of a curve concave to the northeast; thence southeasterly, 128.62 feet along the arc of said curve having a radius of 267.00 feet and a chord bearing South  $14^{\circ}51'36''$  East, 127.38 feet to a point of compound curvature; thence Southwesterly 216.86 feet along the arc of a curve concave to the West having a radius of 133.00' and a chord bearing South  $18^{\circ}03'00''$  West, 193.62 feet to a point on the centerline of Old S.T.H. 83; thence North  $01^{\circ}03'34''$  West along said centerline 348.93 feet to the PC of a curve concave to the east; thence Northerly, 280.66 feet along the arc of said curve and said centerline, having a radius of 5729.49 feet and a chord bearing North  $00^{\circ}20'38''$  East, 280.63 feet to the point of tangency of said curve; thence North  $01^{\circ}44'50''$  East, 176.84 feet along said centerline to the PC of a curve concave to the west; thence northerly, 274.39' along the arc of said curve and said centerline having a radius of 954.92 feet and a chord bearing North  $06^{\circ}29'05''$  West, 273.44 feet to the point of beginning.

This parcel contains 5.729 acres (249,561 S.F.), more or less. Area dedicated for public road purposes 1.061 acres (46,216 S.F.) more or less. Net area excluding those lands dedicated for public road purposes 4.668 acres (203,345 S.F.) 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 20. Seconded by Supervisor Roger Johnson.  
Motion carried.

#### ORDINANCE 21

21. From Land Use Committee regarding Mark J. and Adora D. Weis (Owners), Jason Feucht, Kapur & Associates (Agent) 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 Tax Parcel #95-4-219-263-0210 located in the southwest 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 (4.25 acres). For informational purposes only, this property is located on the east side of the "new" State Trunk Highway "83" approximately one half mile south of the intersection of County Trunk Highway "JB" (31<sup>st</sup> Street).

**Jason Weis - Owner**

**Description:** That part of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 26, Township 2 North, Range 19 East, Town of Wheatland, Kenosha County, State of Wisconsin described as follows:

Commencing at the Northwest corner of the Southwest  $\frac{1}{4}$  of said Section 26; thence North 88°31'36" East along the north line of said Southwest  $\frac{1}{4}$ , 888.15 feet to the point of beginning of the parcel hereinafter described; thence continuing North 88°31'36" East along said north line, 373.97 feet to a point on the arc of a curve, concave to the west; thence southeasterly, 274.39' along the arc of said curve, having a radius of 954.52 feet and a chord bearing South 06°29'04" East, 273.44 feet to the point of tangency of said curve; thence South 01°44'50" West, 176.84 feet to the point on the arc of a curve concave to the east; thence southwesterly, 280.66 feet along the arc of said curve having a radius of 5729.49 feet and a chord bearing South 00°20'38" West, 280.63 feet to the point of tangency of said curve; thence South 01°03'34" East, 128.49 feet; thence South 88°27'38" West, 72.95 feet to a point on the arc of a curve concave to the southeast; thence northwesterly, 912.72 feet along the arc of said curve having a radius of 3909.72 feet and a chord bearing North 21°03'04" West, 910.65 feet to the point of beginning.

This parcel contains 4.250 acres (183,125 S.F.), more or less. Area dedicated for public road purposes 0.729 acres (31,747 S.F.), more or less. Net area excluding those lands dedicated for public road purposes 3.521 acres (153,376 S.F.), more or less.

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

Approved 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 21. Seconded by Supervisor Nudo.

Motion carried.

Resolution - one reading.

**RESOLUTION 48**

48. From Supervisors Jackson and Rose regarding The State of Indiana for Permitting Grievous harm to Lake Michigan.

Chairman Rose referred Resolution 48 to Legislative Committee.

**RESOLUTION 49**

49. From Highway & Parks Opposing the Closure of Union Pacific railroad crossings on Highways "A" and "L" in the Town of Somers.

**WHEREAS**, The Union Pacific Railroad Company has petitioned the Town of Somers for the closure of the at-grade crossings of CTH "A" and CTH "L" in the Town of Somers, Kenosha County. The crossing numbers are 176 884W and 176 889F respectively, and

**WHEREAS**, The Somers Town Board has passed Resolution No. 10-05 opposing the closing of the Union Pacific Railroad crossings on CTH "A" and CTH "L", and

**WHEREAS,** The Southeastern Wisconsin Regional Planning Commission staff recommends that the Union Pacific Railroad crossing of CTH "A" and CTH "L" be maintained and not be closed, in order to provide for good land and transportation system development, and

**WHEREAS,** It is vitally important to the Town of Somers and Kenosha County for future land use planning, economical development and public access to emergency services that the Union Pacific Railroad crossings on CTH "A" and CTH "L" remain open to vehicular traffic.

**WHEREAS,** On February 20, 2006 the State of Wisconsin Office of Commissioner of Railroads issued an order to the Union Pacific Railroad Company to upgrade the warning devices at the railroads grade crossings on CTH "A" and CTH "L",

**NOW, THEREFORE, BE IT RESOLVED:** that the Kenosha County Board of Supervisors hereby opposes the closure of the Union Pacific Railroad crossings on CTH "A" and CTH "L" in the Town of Somers, Kenosha County and that the Union Pacific Railroad Company comply with the Office of Commissioner of Railroads February 20, 2006 order to upgrade the warning devices.

**BE IT FURTHER RESOLVED:** that a copy of this resolution be forwarded to the State of Wisconsin Office of Commissioner of Railroads.

Submitted by:

HIGHWAY & PARKS COMMITTEE

Douglas Noble

William Grady

Bob Haas

Richard Kessler

It was moved by Supervisor Noble to adopt Resolution 49. Seconded by Supervisor Haas.

Motion carried unanimously.

#### **RESOLUTION 50**

50. From Human Services Committee regarding Supporting the Breath Free Wisconsin Act - Senate Bill (SB) 150

**WHEREAS,** State Senate Bill 150, known as the "Breathe Free Wisconsin Act," is currently pending in the Legislature, and

**WHEREAS,** SB 150 would uniformly prohibit smoking at all Wisconsin work sites, including restaurants and taverns, and

**WHEREAS,** the scientific evidence substantiating the negative health consequences of both direct and secondhand smoke in terms of death, disease & health care costs is overwhelming & compelling, and

**WHEREAS,** our neighboring states of Minnesota & Illinois have recently passed comprehensive smoke free laws, and

**WHEREAS,** other Wisconsin counties such as La Crosse, Marathon, St Croix & Fond Du Lac, have passed Resolutions in support of SB 150, and

**WHEREAS,** SB 150 has the formal support of such diverse groups as the Wisconsin Medical Society, Wisconsin Restaurant Association, League of Wisconsin Municipalities, WI Public Health Association, WI Innkeepers Association, and

**WHEREAS,** it is genuinely hoped that passage of SB 150 will have a salutary impact on the 33% of adults in Kenosha County who still smoke (22% statewide), reduce the 217 annual deaths we experience and lower the \$62+ million in yearly health care costs we incur. But most of all, a statewide, smoke free, indoor environment will prove to be a legacy of life for our youth.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors shall help WISCONSIN BREATHE FREE by promoting smoke free work sites as specified in SB 150. This support shall be communicated to the Governor, all Kenosha area state legislative representatives and all cities, villages, towns and school districts within the County of Kenosha.

Submitted by:

HUMAN SERVICES COMMITTEE

Judy Rossow

William Grady

Ed Kubicki

David Arrington

Ruth Booth

Roll call vote.

Ayes: Supervisors Rose, Kessler, Kubicki, Marrelli, Booth, Ron Johnson, Michel, Singer, Molinaro, J. Jackson.

Nays: Supervisors Rossow, Huff, Carbone, Faraone, O'Day, Nudo, Wisnefski, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Ayes. 10. Nays. 15.

Motion defeated.

#### **RESOLUTION 51**

51. From Human Services Committee regarding Approving the Appointing of Charles Burmeister to the Kenosha County Veterans Commission.

**WHEREAS**, pursuant to County Executive Appointment 2007/08-19, the County Executive has appointed Charles Burmeister to serve on the Kenosha County Veterans Commission, 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 Veterans Commission and is recommending to the County Board the approval of this appointment,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors confirms the appointment of Charles Burmeister to the Kenosha County Veterans Commission. Mr. Burmeister's appointment shall be effective immediately and continuing until the 31st day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Burmeister will serve without pay but will receive per diem as defined under Resolution 65 (1982-83). He will be succeeding Edo Maccari.

Submitted by:

HUMAN SERVICES COMMITTEE:

Judy Rossow

William Grady

Ruth Booth

Ed Kubicki

David Arrington

It was moved by Supervisor Rossow to adopt Resolution 51. Seconded by Supervisor Booth.

Motion carried.

#### **RESOLUTION 52**

52. From Human Services and Finance Committees regarding Modifying 2007 Budget for Additional Special Improvement Funds for Child Support Information Technology Modernization.

**WHEREAS**, the Kenosha County Department of Human Services, Division of Workforce Development was awarded additional Special Improvement Funds by the State for Modernization of Child Support Information Technology Equipment, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Workforce Development is receiving \$28,258 from the Department of Workforce Development, Family Supports Division for upgrading/replacement of printers and computers for Child Support, and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Department of Human Services, Division of Workforce Development budget be modified as follows:

Authorize increase of expenditures of \$28,258 and to increase revenues by \$28,258, per the attached budget modification incorporated herein by reference.

Submitted by:

HUMAN SERVICES COMMITTEE

Robert Carbone

Mark Wisnefski

Anita Faraone

John O'Day

Joe Clark

FINANCE COMMITTEE

Judy Rossow

William Grady

Ed Kubicki

David Arrington

Ruth Booth

Terry Rose

It was moved by Supervisor Rossow to adopt Resolution 52. Seconded by Supervisor Carbone.  
Motion carried unanimously.

**RESOLUTION 53**

53. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for Dave's Saloon.

**WHEREAS**, the application of Catherine Meinen for a probationary cabaret license for Dave's Saloon, 34500 - Geneva Road, New Munster, Wisconsin, in the Town of Wheatland, was made during the month of May, was turned over to this office on May 1<sup>st</sup>, 2007, and

**WHEREAS**, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

**WHEREAS**, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

**NOW, THEREFORE BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Catherine Meinen for Dave's Saloon.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

William Michel

Ruth Delace Booth

Joseph D. Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 53. Seconded by Supervisor Clark.  
Motion carried.

**RESOLUTION 54**

54. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for Somers House.

**WHEREAS**, the application of Todd Rose for a probationary cabaret license for Somers House, 1548 - Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of February, was turned over to this office on February 20<sup>th</sup>, 2007, and

**WHEREAS**, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

**WHEREAS**, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

**NOW, THEREFORE BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Todd Rose for Somers House.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

William Michel

Ruth Delace Booth

Joseph D. Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 54. Seconded by Supervisor Booth.  
Roll call vote.

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

Nays: Supervisors Clark and Jackson.  
Motion carried.

**RESOLUTION 55**

55. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for The Sly Fox.

**WHEREAS**, the application of Daniel Patton for a probationary cabaret license for the Sly Fox, 32800 - Geneva Road, Burlington, Wisconsin, in the Town of Wheatland, was made during the month of March, was turned over to this office on March 27<sup>th</sup>, 2007, and

**WHEREAS**, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

**WHEREAS**, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

**NOW, THEREFORE BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Daniel Patton for the Sly Fox.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

William Michel

Ruth Delace Booth

Joseph D. Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 55. Seconded by Supervisor Booth.  
Motion carried.

**RESOLUTION 56**

56. From Land Use Committee regarding SEWRPC Planning Report No.255 (2<sup>ND</sup> edition) Kenosha County Land and Water Resource Management Plan - 2008-2012.

**WHEREAS**, in 1997, Act 27 was created, which caused a revision to the Wisconsin Statutes, Chapter 92, requiring all counties in Wisconsin to develop a Land and Water Resource Management Plan to address non-point source pollution from rural and urban land uses; and

**WHEREAS**, SEWRPC Planning Report No. 255 the Kenosha County Land and Water Resource Management Plan was prepared under the jurisdiction of the Kenosha County Land and Water Conservation Committee for the years 2000 through 2004, and was adopted by the Kenosha County Board of Supervisors by Resolution Number one Hundred and Twenty Seven (127) on November 14, 2000; and

**WHEREAS**, the Kenosha County Land Conservation Committee, through the Department of Planning and Development, has been charged to develop a revised Land and Water Resource Management Plan to maintain and/or improve conservation program efforts throughout Kenosha County, allowing the County to remain eligible for state program grant funding; and

**WHEREAS**, this newly revised Land and Water Resource Management Plan was jointly prepared under the direction of the Land and Water Conservation Committee through the Kenosha County Land and Water Resource Management Citizen Advisory Committee, the Kenosha County Department of Planning and Development, and the Southeastern Wisconsin Regional Planning Commission which entails a comprehensive work plan developed for the period 2008 through 2012; this plan revision fulfills all state statutory requirements of the planning and development process, including but not limited to extensive public input and participation; and

**WHEREAS**, in addition to maintaining the value of providing future Land and Water Resource Management Plan program direction and focus in Kenosha County, the Land and Water Resource Management Plan provides for the protection of our natural resources through conservation best management practices and provides the capability to distribute informational and educational resources to the public through an environmental educational approach; thus, the revisions made as outlined in the Revised Land & Water Resource Management Plan may continue to qualify Kenosha County as being deemed eligible to receive significant pollution abatement state grant funding allocation, beginning in the year 2008 through the calendar year 2012; and

**WHEREAS**, the Kenosha County Land and Water Conservation Committees and the Land Use Committee approve the adoption of the revised Kenosha County Land and Water Resource Management Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Kenosha County Board of Supervisors that the revised Kenosha County Land & Water Resource Management Plan (2008 through 2012) as set forth in SEWRPC Planning Report No. 255 (2<sup>nd</sup> Edition) is hereby approved; and the Kenosha County Land and Water Conservation Committee is authorized to submit the revised Land and Water Resource Management Plan to the Wisconsin Land & Water Conservation Board for their review and consideration of approval.

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

It was moved by Supervisor Ekornaas to adopt Resolution 56. Seconded by Supervisor Roger Johnson.

Motion carried.

**COMMUNICATION**

9. From Michael K. Higgins, City Clerk-Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

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

Chairman Rose referred Communications 9 & 10 to Land Use Committee.

It was moved by Supervisor Rossow to amend the August 7, 2007 minutes to reflect that Supervisor Arrington was absent and not excused. Seconded by Supervisor Faraone.

Roll call vote on the August 7, 2007 minutes as amended.

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

Nays: Supervisors Rose and Jackson.

Abstain: Supervisor Clark.

Ayes. 22. Nays. 2. Abstain 1.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:40 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**SEPTEMBER 4, 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, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisor Wisnefski.

Absent: Supervisor Arrington.

Present. 26 Excused. 1 Absent. 1

**CITIZEN COMMENTS**

Mayor, John M. Antaramian, 8318-25<sup>th</sup> Avenue. He wanted to make a couple of things clear regarding Joint Services, specifically the communications part of Joint Services. For 4 years the City has requested, through the administration that a settlement be agreed upon due to duplication that exists and the City has over-paid for Joint Services. It is time to look at how the structure is being paid for. The City is willing to help pay for the study as long as they are part of the study. When government sues government the losers are the taxpayers.

**SUPERVISORS REPORTS**

Supervisor Marrelli reminded everyone to show up at 6:30 P.M. on September 18<sup>th</sup> for the installation of the Youth & Governance. OLD BUSINESS

**RESOLUTION 48**

48. From Legislative Committee The State of Indiana for Permitting Grievous harm to Lake Michigan.

**WHEREAS**, the state of Indiana Governor has signed a permit allowing British Petroleum Corporation's Whiting refinery to increase dumping of their waste into Lake Michigan by 1,584 pounds of ammonia and 4,925 pounds of sludge per day. This has been done with out the consideration of neighboring states and municipalities.

**WHEREAS**, Kenosha County gets a large percentage of their drinking water from Lake Michigan and known carcinogens are carried in these suspended solids. Increased amounts of ammonia have known effects on fish population production.

**WHEREAS**, Kenosha County has invested heavily in the improvement of our Lake front and boating industry. This increased dumping by BP, just 80 miles from our fishing and boating waters, creates hazards to the economic future of this industry.

**WHEREAS**, the ecological stress put upon Lake Michigan with lower Lake levels totaling 17 inches coupled with invasive species problems and increased applications for water diversions puts our Lake in a precarious environmentally delicate situation. No added stress is needed.

**THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors do hereby condemn the dumping by British Petroleum's Whiting refinery in the state of Indiana into Lake Michigan as undesirable for the health and water quality of the surrounding shoreline states, village's, towns and cities. We hereby censure the allowance of such a permit as grievous harm to our economic future and the future health of our citizenry.

**THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors asks that a meeting of Southeastern Wisconsin Mayors, County Executives, Legislators and the Governor of Wisconsin be held in support of our resolution as quickly as possible to prevent further pollution from occurring.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board also requests a copy of this resolution be sent to every Federal Congressperson and Senator from the State of Wisconsin and those states bordering Lake Michigan the State of Indiana Governor.

Submitted by:  
LEGISLATIVE COMMITTEE  
James Huff  
James Moore  
Ron Johnson  
Gordon West  
Jennifer Jackson

It was moved by Supervisor Huff to adopt Resolution 48. Seconded by Supervisor Jackson.

Motion carried unanimously.

**NEW BUSINESS**

Resolutions - one reading.

**RESOLUTION 57**

57. From Legislative Committee regarding Opposition to 2007 Assembly Bill 438.

**WHEREAS**, 2007 Assembly Bill 438 creates a nine-member task force to study the responsibilities and obligations of county government and to develop a plan to reduce the number of counties in this state from 72 to 18 or fewer, and

**WHEREAS**, 2007 Assembly Bill 438 requires that the task force's proposal regarding a reduction in the number of counties be prepared by 2011, and

**WHEREAS**, the suggestion of 18 counties or fewer is an arbitrary number that lacks substantiated research to support the proposition that Wisconsin citizens would be better served by 18 counties or fewer, and

**WHEREAS**, numerous commissions and task forces such as the Kettl Commission have devoted a great deal of time, energy, and resources to the state and local government partnership and the delivery of services, and

**WHEREAS**, the Kettl Commission provided a substantive and innovative report with numerous worth-while recommendations regarding local government service delivery and efficiencies that were never considered by state Legislature, and

**WHEREAS**, Wisconsin citizens would be better served by a discussion relating to local government issues in their entirety, rather than creating a committee charged with attempting to implement a subjective reduction in the number of Wisconsin counties, and

**WHEREAS**, the state/local government partnership, how local government services are provided and funded, and Wisconsin's taxation structure and system are issues that should be discussed before state policy makers arbitrarily modify the number of Wisconsin counties, and

**WHEREAS**, any examination of the number of counties and structure of county government in Wisconsin should consider the current and future social and economic trends, current and future demographics and the examination should consider a practical and lasting solution that serves Wisconsin citizens for generations to come, and

**WHEREAS**, numerous issues have to be considered and implemented for the reduction of counties to occur, and

**WHEREAS**, issues that must be resolved include but are not limited to: existing labor contracts between a respective county and its labor unions, real estate documentation such as deeds and plats, zoning authority and land use issues, human service contracts and services, general contracts between a respective county and services provider, and more, and

**WHEREAS**, the initial costs of transforming from 72 counties to 18 counties or fewer would be substantial to Wisconsin taxpayers, and

**WHEREAS**, the costs borne to taxpayers to implement such a reduction in counties would come at a time when the state of Wisconsin has continuous structural budget deficits and other pressing issues such as an aging population and an antiquated taxation system.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors opposes 2007 Assembly Bill 438.

Submitted by:  
LEGISLATIVE COMMITTEE  
James Huff  
James Moore  
Ronald Johnson



Gordon West  
Jennifer Jackson

It was moved by Supervisor Huff to adopt Resolution 57. Seconded by Supervisor Moore.  
Motion carried unanimously.

**RESOLUTION 58**

58. From Supervisor Clark regarding Response to the Unilateral Action by the City of Kenosha to Cut Funding for the Joint Services Board.

It was moved by Supervisor Clark to adopt Resolution 58. Seconded by Supervisor Ron Johnson.

It was moved by Supervisor Faraone to Substitute Resolution 48 with a Resolution Establishing a Negotiating Committee to Work with the City of Kenosha to Resolve Issues surrounding the Joint Services' Budget. Seconded by Supervisor Kubicki.

It was moved by Supervisor Moore to refer both resolutions to Finance and Judiciary & Law Committees for a joint meeting and bring a resolution to the September 18<sup>th</sup> County Board Meeting. Seconded by Supervisor Singer.  
Motion carried unanimously.

**COMMUNICATION**

11. From Michael K. Higgins, City Clerk-Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

It was moved by Supervisor Singer to approve the August 21, 2007 minutes. Seconded by Supervisor Faraone.  
Motion carried.

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

Meeting adjourned at 9:00 P.M.

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

**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 26<sup>th</sup> 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 (1<sup>st</sup> Street) approximately 0.9 miles east of State Trunk Highway "45" (200<sup>th</sup> 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" (328<sup>th</sup> Avenue) approximately 0.36 miles south of County Trunk Highway "JB" (31<sup>st</sup> 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 31<sup>st</sup> Street approximately ¼ mile east of the intersection of 368<sup>th</sup> 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 (307<sup>th</sup> Avenue) approximately 94 feet north of the intersection of 114<sup>th</sup> 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" (304<sup>th</sup> 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" (31<sup>st</sup> 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 195<sup>th</sup> Avenue approximately 80 feet north of the intersection of 83<sup>rd</sup> 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 4<sup>th</sup> 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" (18<sup>th</sup> Street) approximately ¼ mile west of the intersection of 47<sup>th</sup> 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" (12<sup>th</sup> 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 144<sup>th</sup> 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 4<sup>th</sup> 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" (12<sup>th</sup> Street) and County Trunk Highway "EA" (72<sup>nd</sup> 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 13<sup>th</sup> Avenue approximately 0.28 miles north of the intersection of County Trunk Highway "A" (7<sup>th</sup> 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 91<sup>st</sup> Street, at the corner of 22<sup>nd</sup> 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 91<sup>st</sup> 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-2<sup>nd</sup> 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 10<sup>th</sup> 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 2<sup>nd</sup> 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

Robert Carbone

Mark Wisnefski

Anita Faraone

Joseph D. Clark

John O'Day

JUDICIARY & LAW

William Michel

Ruth Booth

Joseph Clark

Bob Haas

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

William P. Michel II

David Arrington

Joseph D. 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 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 4<sup>th</sup> 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 4<sup>th</sup>, 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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**OCTOBER 2, 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, Wisnefski, Jackson, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Clark, Molinaro.

Presentation of the 2008 Budget by County Executive Allan Kehl.

Douglas Baker, Director of Long Range Library Strategic Planning Committee, presented to the County Board a plan that will foster future orderly and coordinated planning by Kenosha County library agencies. The Plan addresses the major issues and concerns that will confront public library service development over the next ten years in Kenosha County.

**SUPERVISOR REPORTS**

Supervisor Rossow stated that Wednesday and Thursday nights there will be meetings at the Kenosha Achievement Center starting at 7:00 P.M. regarding the Shalom Center.

Supervisor Carbone stated that the budget is now in the hands of the committees. Any questions please fill out the proper form and get it to the Finance Department. The budget hearings will start on Tuesday, October 23<sup>rd</sup>.

Supervisor Marrelli stated that a report from Tedi Winnett regarding the Farmers Chef Connection was placed on everyone's desk. There are six restaurants in Kenosha that are buying directly from local farmers.

**OLD BUSINESS**

Ordinance - second reading, two required.

**ORDINANCE 22**

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.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby repealed:

Section 7.02 Speed Limits

(4.1) County Trunk Highway "B", Silver Lake in Salem.

- (a) 35 m.p.h. from a point 0.71 miles south of its intersection with State Trunk Highway "50", southerly 0.3 miles to a point 1.01 miles south of said intersection. (9/15/81)
- (b) 25 m.p.h. from a point 1.01 miles south of its intersection with State Trunk Highway "50", southerly to its west intersection with County Trunk Highway "F". (9/15/81)
- (c) 45 m.p.h. from its intersection with County Trunk Highway "AH", northerly to its east intersection with County trunk Highway "F".
- (d) 25 m.p.h. from its east intersection with County Trunk Highway "F", northerly to its intersection with Larch Street in the Village of Silver Lake.

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

(4.1) County Trunk Highway "B", Town of Salem and Village of Silver Lake

- (a) 45 m.p.h. from a point 0.5 miles north of its intersection with State Trunk Highway 50 to a point 0.6 miles southerly from its intersection with State Trunk Highway 50.
- (b) 35 m.p.h. from a point 0.6 miles southerly from its intersection with State Trunk Highway 50 to a point 0.9 miles southerly from its intersection with State Trunk Highway 50.
- (c) 25 m.p.h. from a point 0.9 miles southerly from its intersection with State Trunk Highway 50, southerly to its west intersection with County Trunk Highway "F".
- (d) 25 m.p.h. from its east intersection with County Trunk Highway "F", northerly to its intersection with Larch Street.
- (e) 45 m.p.h. from its intersection with County Trunk Highway "AH", northerly to its east intersection with County Trunk Highway "F".

Submitted by:  
HIGHWAY & PARKS  
Douglas Noble  
William Grady  
Bob Haas  
Richard Kessler  
Gordon West

It was moved by Supervisor Noble to adopt Ordinance 22. Seconded by Supervisor Grady.

It was moved by Supervisor Wisnefski to refer Ordinance 22 back to committee. Motion died due to lack of a second.

Motion to adopt carried.

#### **NEW BUSINESS**

Ordinance - first reading, two required.

#### **ORDINANCE 34**

34. From Supervisor O'Day regarding Creating Section 3.02 of the Municipal Code of Kenosha County Entitled "County Board Supervisory Nomination Papers". Resolution - one reading.

#### **RESOLUTION 70**

70. From Finance Committees regarding Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,000,000 for Kenosha Area Business Alliance Project.

**WHEREAS**, the Kenosha Area Business Alliance ("KABA") is a nonprofit agency organized to engage in activities to provide for the improvement of the industrial climate of Kenosha County (the "County") within the meaning of Section 59.57 of the Wisconsin Statutes; and

**WHEREAS**, the County has previously contributed money to KABA to finance a revolving loan program which KABA has successfully used to attract industry and jobs to the County; and

**WHEREAS**, KABA, in conjunction with the State of Wisconsin and the City of Kenosha, has been engaged in efforts to encourage DaimlerChrysler ("Chrysler") to make substantial improvements to the production lines and buildings at its Kenosha Engine Plant (the "Project"); and

**WHEREAS**, KABA has asked the County to contribute \$1,000,000 to KABA which will be used by KABA to provide a grant to Chrysler to ensure an adequate power supply for the Project, which assurance will serve as inducement to Chrysler to construct and operate the Project; and

**WHEREAS**, it is the finding of the County Board that the construction and operation of such a facility would create significant new job opportunities in the County, would enhance the County's tax base and would directly and indirectly promote the general welfare of the residents of the County and that the County's contribution of funds to KABA to facilitate that purpose is a public purpose within the meaning of Section 67.04(1)(b) of the Wisconsin Statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of Kenosha County, Wisconsin that there may be issued, pursuant to Section 67.12(12), Wisconsin Statutes, General Obligation Promissory Notes in an amount not to exceed \$1,000,000 for the public purpose of making a contribution to KABA to be used to assist in providing an adequate power supply for the Project



as an inducement to Chrysler to construct and operate the Project. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such Notes.

Adopted and recorded this 2nd day of October, 2007.

Terry W. Rose  
County Board Chairperson

Attest:

Edna R. Highland  
County Clerk  
(SEAL)

Alan Kehl  
County Executive

RESPECTFULLY SUBMITTED:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski, Vice-Chairman

Anita Faraone, Secretary

Joseph D. Clark

It was moved by Supervisor Carbone to adopt Resolution 70. Seconded by Supervisor O'Day.

3/4 vote required.

Motion carried unanimously.

#### **RESOLUTION 71**

71. From Finance Committee regarding Providing for the Sale of Not to Exceed \$4,050,000 General Obligation Promissory Notes.

**WHEREAS**, on June 21, 2005, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Borrowing of Not to Exceed \$20,000,000; Providing for the Issuance and Sale of General Obligation Securities Therefor; and Authorizing the Borrowing of Not to Exceed \$56,300,000; Providing for the Issuance and Sale of General Obligation Refunding Securities Therefor; and Levying a Tax in Connection Therewith" (the "2005 Initial Resolution") authorizing, among other things, the issuance of general obligation promissory notes in an amount not to exceed \$20,000,000 for public purposes, including paying the cost of constructing, extending, repairing and improving streets, roads and bridges; improvement and maintenance projects at various County buildings and sites; constructing and equipping a law enforcement and dispatch center; implementing the survey monumentation program; upgrades to the communications systems; and acquiring vehicles, equipment, furnishings, fixtures and land; and

**WHEREAS**, on December 21, 2006, the County issued its \$2,150,000 General Obligation Promissory Notes, Series 2006, to finance capital projects authorized by the 2005 Initial Resolution; and

**WHEREAS**, on October 2, 2007 the County Board, by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,000,000 for Kenosha Area Business Alliance Project" (the "2007 Initial Resolution") for the public purpose of making a contribution to the Kenosha Area Business Alliance ("KABA") to be used to ensure an adequate power supply to the existing Kenosha Engine Plant (the "Plant") operated by DaimlerChrysler ("Chrysler") as an inducement for Chrysler to make substantial improvements to the production lines and buildings at the Plant (the "KABA/Chrysler Project"); and

**WHEREAS**, the County Board of Supervisors hereby finds and determines that the projects authorized by the 2005 Initial Resolution and the 2007 Initial Resolution are within the County's power to undertake and therefore serve a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

**WHEREAS**, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such purposes; and,

**WHEREAS**, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in an amount not to exceed \$3,050,000 for purposes authorized in the 2005 Initial Resolution and general

obligation promissory in an amount not to exceed \$1,000,000 for the purpose authorized in the 2007 Initial Resolution should be issued, and it is now necessary and desirable to authorize their sale.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying costs of the projects authorized by the 2005 Initial Resolution and the 2007 Initial Resolution, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal amount not to exceed Four Million Fifty Thousand Dollars (\$4,050,000) from a purchaser to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating a principal amount not to exceed Four Million Fifty Thousand Dollars (\$4,050,000) (the "Notes"). The County shall offer the Notes for public sale at a subsequent meeting of the County Board.

Section 3. Notices of Sale. The County Clerk (in consultation with the County's financial advisor, Ehlers & Associates, Inc.) shall cause a Notice of Sale to be prepared and distributed and may prepare or cause to be prepared an Official Statement or other form of offering circular setting forth the details of the Notes.

Section 4. Award of the Notes. Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes and to award the Notes to the lowest responsible bidder therefor.

Section 5. Further Authorizations. The County Executive and the other officers of the County are authorized to execute any documents or agreements related to or required to carry out the transactions contemplated by the KABA/Chrysler Project.

Section 6. Reimbursement. The County declares its reasonable expectation to reimburse itself from the proceeds of the Notes for expenditures relating to the KABA/Chrysler Project which it pays from the Treasurer's cash account prior to receipt of the proceeds of the Notes no more than 60 days prior to the date this Resolution is adopted. The County may also reimburse itself for preliminary expenditures relating to the KABA/Chrysler Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board.

Section 7. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded this 2<sup>nd</sup> day of October, 2007.

Terry R. Rose  
County Board Chairperson  
Attest:

\_\_\_\_\_  
Edna R. Highland  
County Clerk  
SUBMITTED By:  
FINANCE COMMITTEE  
Robert Carbone  
Mark Wisnefski

\_\_\_\_\_  
Allan Kehl  
County Executive

Anita Faraone  
Joseph D. Clark  
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 71. Seconded by Supervisor Wisniewski.  
Roll call vote.  
Motion carried unanimously.

**RESOLUTION 72**

72. From Finance Committee and Richard Rodenbeck, Director of Business Finance regarding Authorizing the Kenosha Area Business Alliance, Inc (KABA) to Seek Approval from the US Department of Commerce/Economic Development Administration (EDA) to Permanently Increase the Maximum Individual Loan Limit Amount for the EDA Revolving Loan Fund (EDA/RLF) from \$400,000 to \$800,000.

**WHEREAS**, Federal monies are available under the EDA/RLF Program, administered by KABA on behalf of Kenosha County, for the purpose of economic development within the boundaries of Kenosha County, and

**WHEREAS**, the existing EDA/RLF requirements limit the maximum loan size to \$400,000 and

**WHEREAS**, the existing EDA/RLF requirements have not been updated to reflect current economic conditions and realities, and

**WHEREAS**, economic development opportunities to assist local companies and ultimately Kenosha County are limited by the maximum loan size allowed by the EDA/RLF requirements, and

**WHEREAS**, KABA administers other Revolving Loan Fund programs, on behalf of Kenosha County, in which the maximum loan limit size ranges from \$740,000 to \$800,000, and

**WHEREAS**, the proposed resolution does not constitute a Kenosha County budget amendment, and

**WHEREAS**, the proposed resolution does not require a transfer of funds within the Kenosha County budget, and

**WHEREAS**, after public meeting and due consideration, the Kenosha County Finance Committee has recommended that KABA seek approval from the EDA to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000, and

**WHEREAS**, it is necessary for the Kenosha County Board of Supervisors to approve the preparation and submission of a request to the EDA seeking approval to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000, and

**WHEREAS**, the Kenosha County Board of Supervisors has reviewed the need for the proposed increase and the benefits to be gained therefrom.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors does approve and authorize the preparation and submission of a request to the EDA seeking approval to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000, and

**BE IT FURTHER RESOLVED**, that the Kenosha County Executive and Kenosha County Clerk are hereby authorized to sign all necessary documents on behalf of Kenosha County to affect such an increase, and

**BE IT FURTHER RESOLVED**, that authority is here granted to KABA to take the necessary steps to prepare and submit the appropriate application to the EDA seeking approval to permanently increase the maximum individual loan limit size for the EDA/RLF from \$400,000 to \$800,000.

Submitted by:

FINANCE COMMITTEE  
Robert Carbone, Chairman  
Mark Wisniewski, Vice-Chairman  
Anita Faraone, Secretary  
Joseph D. Clark  
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 72. Seconded by Supervisor Faraone.  
Motion carried.

**COMMUNICATION**

14. From Michael K. Higgins, City Clerk-Treasurer regarding Temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Communication 14 to Land Use Committee.

**CLAIM**

13. Thomas Williams - Notice for personal injuries and property damage.

Chairman Rose referred Claim 13 to Corporation Counsel.

It was moved by Supervisor Wisnefski to approve of the September 18<sup>th</sup>, 2007 minutes. Seconded by Supervisor Faraone.  
Motion carried.

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

Motion carried.

Meeting adjourned at 8:15 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**OCTOBER 16, 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, Wisniewski, Jackson, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Clark.

**CHAIRMAN'S ANNOUNCEMENT**

Chairman Rose reminded everyone about the public hearings of the Finance Committee regarding the budget.

**SUPERVISOR REPORTS**

Supervisor Elverman gave a report from the Administration Committee. The budget is very much in line and the biggest item is health insurance with a 1% increase for next year. They received a report on the Non-Rep pay plan evaluations of six people and all received positive evaluations.

Supervisor Carbone stated that the budget schedules for the budget hearings were put on everyone's desk.

Supervisor Singer reported that the parking lot by the Courthouse is complete. Building & Grounds will be having a meeting to go over the issues for the emergency center.

Supervisor Noble reported that at the Highway & Parks meeting many citizens spoke regarding Hwy C and the speed limit. This issue is being looked into.

**OLD BUSINESS**

Ordinance - second reading, two required.

**ORDINANCE 34**

34. From Supervisor O'Day regarding Creating Section 3.02 of the Municipal Code of Kenosha County Entitled "County Board Supervisory Nomination Papers".

The Kenosha County Board of Supervisors does hereby ordain that section 3.02 of the Municipal Code of Kenosha County be, and hereby is created to read as follows:

**3.02 COUNTY BOARD SUPERVISORY NOMINATION PAPERS**

Pursuant to Wisconsin Statute Section 8.10 (3m), the number of required signatures on nomination papers for the office of county supervisor for Kenosha County shall be not less than 50 or more than 200 electors. This ordinance shall take effect on November 15 following its enactment.

It was moved by Supervisor O'Day to adopt Ordinance 34. Seconded by Supervisor Ekornaas.

Roll call vote.

Ayes: Supervisors Rose, Rossow, Marrelli, Booth, Carbone, R. Johnson, O'Day, Singer, Wisniewski, West, Breunig, Ekornaas.

Nays: Supervisors Grady, Kessler, Huff, Kubicki, Arrington, Faraone, Michel, Nudo, Moore, Molinaro, Jackson, Noble, Roger Johnson, Haas, Elverman.

Ayes. 12. Nays. 15.

Motion lost.

**NEW BUSINESS**

Ordinance - one reading.

**ORDINANCE 35**

35. From Land Use Committee regarding John R. Husenica and Kristi Ann Theodore-Husenica (Owners), Jerry Ketterhagen (Agent) requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Brighton.

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 #30-4-220-203-0150 located in the Southwest quarter of Section 20, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (39.38 acres). For informational purposes only, this property is located on the north side of County Trunk Highway "JB" (31<sup>st</sup> Street) approximately ¼ mile east of the intersection of 296<sup>th</sup> Avenue.

**John R. Husenica and Kristi Ann Theodore-Husenica - Owners**

**Description:** A parcel of land located in part of the East ½ of the Southwest ¼ of Section 20, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Township of Brighton, Kenosha County, Wisconsin, and being more particularly described as follows: Commence at the South ¼ corner of said Section 20; thence South 88°36'52" West along the south line of said Southwest ¼ Section 980.78 feet to the place of beginning of the parcel of land hereinafter described; thence continue South 88°36'52" West along said south line 334.17 feet; thence North 01°54'45" West 2605.08 feet to a point on the north line of said Southwest ¼ Section; thence North 87°52'26" East along said north line 334.16 feet; thence South 01°54'45" East 2609.40 feet to a point on the south line of said Southwest ¼ Section and the place of beginning. Containing 20.00 acres of land more or less. Subject to the rights of the public over the South 33 feet thereof for road purposes (31<sup>st</sup> Street).

In addition: Commence at the South ¼ corner of said Section 20; thence South 88°36'52" West along the south line of said Southwest ¼ Section 657.475 feet to the place of beginning of the parcel of land hereinafter described; thence continue South 88°36'52" West along said south line 323.31 feet; thence North 01°54'45" West 2609.40 feet to a point on the north line of said Southwest ¼ Section; thence North 87°52'26" East along said north line 323.44 feet; thence South 01°54'33" East 2613.58 feet to a point on the south line of said Southwest ¼ Section and the place of beginning. Containing 19.39 acres of land, more or less. Subject to the rights of the public over the south 33 feet thereof for road purposes (31<sup>st</sup> Street).

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 35. Seconded by Supervisor O'Day.  
Motion carried.

#### **ORDINANCE 36**

36. From Land Use Committee regarding Rastol Investments LLC requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to R-1 Rural 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 #35-4-121-293-0100 located in the southwest quarter of Section 29, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District (31.09 acres) and C-1 Lowland Resource Conservancy District (0.06 acres). For informational purposes only, this property is located on the south side of County Trunk Highway "45" approximately 0.17 miles south of the intersection of County Trunk Highway "JS" (107<sup>th</sup> Street).

**Rastol Investments LLC - 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 36. Seconded by Supervisor Jackson.  
Motion carried.

#### **ORDINANCE 37**

37. From Land Use Committee regarding Larry Gitzlaff (Owner) requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District on part 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 #80-4-222-102-0301 located in the northwest quarter of Section 10, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (10.42 acres). For informational purposes only, this property is located on the east side of County Trunk Highway "EA" (72<sup>nd</sup> Avenue) approximately ½ mile north of the intersection of County Trunk Highway "E" (12<sup>th</sup> Street).

#### **Larry Gitzlaff - Owner**

**Description:** All that part of the Southwest ¼ of the Northwest ¼ and the Northwest ¼ of the Southwest ¼ of Section 10, Township 2 North, Range 22 East, Town of Somers, Kenosha County, Wisconsin.

Commencing and beginning at the southwest corner of the Northwest ¼ of said Section 10; thence North 01°41'59" West along the west line of said Northwest ¼, 370.00 feet; thence North 89°23'14" East and parallel with the south line of said Northwest ¼, 849.08 feet; thence South 01°41'59" East and parallel with said west line, 526.27 feet to the centerline of Pike Creek as described in Warranty Deed dated December 30, 2004 and recorded in the Kenosha County Register of Deeds Office on January 5, 2005 as Document No. 1417860; thence the following courses along the centerline of said Pike Creek; South 86°59'39" West, 220.96 feet; South 85°59'39" West, 476.53 feet; North 82°00'21" West, 103.31 feet to the east line of C.T.H. "EA" - (72<sup>nd</sup> Avenue); thence North 01°42'49" West along said east line and parallel with and 50 feet east, as measured perpendicular to, of the west line of said Southwest ¼, 178.24 feet to the south line of said Northwest ¼; thence South 89°23'14" West along said south line, 50.01 feet to the point of beginning.

Containing in all 454,100 square feet (10.4247 acres) gross and 435,600 square feet (10.0000 acres) net of lands, 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 37. Seconded by Supervisor Roger Johnson.  
Motion carried.

#### **ORDINANCE 38**

38. From Land Use Committee regarding Kenneth A. Koch Living Trust, Ken Koch, Trustee requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, R-2 Suburban Single-Family 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 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 Parcels #95-4-219-331-0100 and #95-4-219-331-0300 located in the northeast quarter of Section 33, Township 2 North, Range 19 East, Town of Wheatland be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District, R-2 Suburban Single-Family Residential 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, these parcels are located on the east side of 368<sup>th</sup> Avenue approximately 0.15 miles north of the intersection of 52<sup>nd</sup> Street.

**Kenneth A. Koch Living Trust, Ken Koch, Trustee (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 38. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 39**

39. From Land Use Committee regarding Susan M. Riley and Kelly A. Wilson (Owners) requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District and from R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District. Both parcels are located in the Northwest ¼ of Section 12, 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 Parcels #95-4-119-122-0602 and #95-4-119-122-0650 both located in the Northwest quarter of Section 12, Township 1 North, Range 19 East, Town of Wheatland be changed as follows: Tax Parcel #95-4-119-122-0602 be changed from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to A-1 Agricultural Preservation District, C-1 Lowland Resource Conservancy District and R-2 Suburban Single-Family Residential District, and Tax Parcel #95-4-119-122-0650 be changed from R-2 Suburban Single-Family Residential 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, these properties are located on the east side of County Trunk Highway "JI" (328<sup>th</sup> Avenue) at the intersection of 80<sup>th</sup> Street.

**Susan M. Riley - Owner**

**#95-4-119-122-0602**

**Kelly A. Wilson - Owner**

**#95-4-119-122-0650**

**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 39. Seconded by Supervisor O'Day.  
Motion carried.

**ORDINANCE 40**

40. From Land Use Committee regarding Land Use Committee (Sponsor), Wayne W. and Paul J. Wagner (Owners) requesting rezoning from R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District, 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 #95-4-219-343-0701 located in the southwest quarter of Section 34, Township 2 North, Range 19 East, Town of Wheatland be changed from R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District, 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 52<sup>nd</sup> Street approximately 0.34 miles west of the intersection of County Trunk Highway "KD" (352<sup>nd</sup> Avenue).

**Wayne W. and Paul J. Wagner - 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 40. Seconded by Supervisor Jackson.

Motion carried.

Resolution - one reading.

**RESOLUTION 73**

73. From Building & Grounds and Finance Committees regarding the release of additional funds for the 45/50 Law Enforcement Center.

**WHEREAS**, the 2005 County Budget included \$1,100,000 for Safety Building remodeling, and

**WHEREAS**, the 2005 County Budget Resolution (Policy Resolution #1) stated that the Safety Building remodeling project be reviewed by the Buildings Committee and recommendation be brought to the County Board and,

**WHEREAS**, the 2006 budget including \$400,000 (excluding \$16,835 for equipment purchases) for the remodeling of the Medical Examiner's and

**WHEREAS**, the 2006 County Budget Resolution (Policy Resolution #2) authorized that \$100,000 of a \$1,100,000 appropriation for safety Building Remodeling be used for the purpose of determining building construction and operating costs of relocation certain functions including but not limited to Sheriff Patrol, 911 Dispatch, Emergency Management, Medical Examiner's Office, and

**WHEREAS**, the 2006 County Budget Resolution (Policy Resolution #2) stated that the Medical Examiner remodeling project be review by the Building and Grounds and Finance Committees, and that a final plan be approved by the County Board, and

**WHEREAS**, on January 30<sup>th</sup> 2007, a preliminary site location and office layout plan as presented to the Joint Committees of Building & Grounds, Judiciary & Law, Finance, Human Services, and Land Use, and

**WHEREAS**, the 2007 Resolution of Statement of Need and Authorization to Proceed (Resolution #114) authorized that an additional \$150,000 be authorized to be spent to provide additional planning dollars bringing the total authorized to be spent to \$250,000 of the original \$1,100,000 and designed a need to continue with the planning and development of a new office location at the property currently owned by Kenosha County commonly referred to as 45/50 and

**WHEREAS**, the total expenditures for said project are \$368,620 that include \$2,400 for the tower analysis by Graef Anhalt & Schloemer, \$18,894 for the site survey by R A Smith & Associates, \$9,520 for the soil analysis by Terracon Consultants, \$43,121 for schematic design by Zimmerman Design Group, \$129,365 for design development by Zimmerman Design Group, and \$6,712 for additional expenses incurred by Zimmerman Design Group (attached is expenditure detail).

**NOW, THEREFORE BE IT RESOLVED**, that based upon the total expenses incurred to date for the planning and development of a new office location at the property currently owned by Kenosha County commonly referred to as 45/50, an additional \$150,000 be authorized to fund additional planning services, bringing the total authorized funds for said services to \$400,000.

Submitted by:

BUILDING & GROUNDS	FINANCE COMMITTEE
David Singer	Robert Carbone
Mark Molinaro Jr.	Mark Wisnefski
Gabe Nudo	Anita Faraone
Roger Johnson	Joseph Clark
Mark Wisnefski	John O'Day

It was moved by Supervisor Singer to adopt Resolution 73. Seconded by Supervisor Carbone.

It was moved by Supervisor Molinaro to postpone Resolution 73. Seconded by Supervisor Huff.

Roll call vote on postponement.

Ayes: Supervisors Rossow, Huff, Arrington, Ron Johnson, Michel, Moore, Molinaro, West, Breunig, Haas, Elverman, Ekornaas.

Nays: Supervisors Rose, Grady, Kessler, Kubicki, Marrelli, Booth, Carbone, Faraone, O'Day, Singer, Nudo, Wisnefski, Jackson, Noble, Roger Johnson.

Motion lost.

Roll call vote on Resolution 73.

Ayes: Supervisors Grady, Rossow, Kessler, Huff, Kubicki, Carbone, Faraone, Ron Johnson, O'Day, Singer, Nudo, Wisnefski, Noble, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisors Rose, Marrelli, Booth, Michel, Moore, Jackson, West, Haas,

Abstain: Supervisors Arrington, Molinaro.

Ayes. 17. Nays. 8. Abstain. 2.

Motion carried.

COMMUNICATIONS

15. From George E. Melcher , Director of Planning & Development regarding future rezonings.

Chairman Rose referred Communication 15 to Land Use.

It was moved by Supervisor Arrington to Approve the October 2nd, 2007 minutes. Seconded by Supervisor Nudo.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:52 P.M.

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

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**November 6, 2007**

The **Public Hearing** 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, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisors Jackson, Booth.

Present. 26. Excused. 2.

Supervisor Carbone presented the 2008 Budget on behalf of the Finance Committee. General Purpose Levy for 2008 Budget is \$52,445,460.00. This is an increase of \$1,990,810 or 3.9% based on equalized value a home valued at \$196,510 will pay \$729.37.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**November 6, 2007**

The **Organizational Meeting** immediately followed the **Public Hearing**.

**CHAIRMAN'S ANNOUNCEMENT**

Chairman Rose stated that the County Board Christmas Party will be December 18, 2007 at the Kenosha County Center.

Chairman Rose stated that a packet containing election forms has been placed on all Supervisor's desks.

**SUPERVISOR REPORTS**

Supervisor Noble reported from Highway & Parks Committee. The long awaited bike path connecting Parkside and Carthage will taking bids on it next week. We expect construction in 2008.

Supervisor Huff on behalf of the Legislative Committee regarding an issue brought up about who can circulate nomination papers. Anyone can circulate nomination papers for you as long as they are 18 years of age and a legal resident of the United States.

Supervisor Clark thanked everyone for the cards, calls and flowers he received regarding his daughters recovery and his mother's passing away.

**NEW BUSINESS**

Resolutions - one reading.

**RESOLUTION 74**

74. From Terry Rose, Chairman of the Board of Supervisors regarding Supporting Future State of Wisconsin Consideration of the Extension of Commuter Trail Service from Kenosha to Racine and Milwaukee (KRM)

**WHEREAS**, Kenosha County Board of Supervisors June 19, 2007 unanimously approved a Resolution in support of the Extension of Commuter Rail service from Kenosha to Racine and Milwaukee, (a copy of which is attached hereto; and

**WHEREAS**, the Town Board of Bristol on July 9, 2007 unanimously supported the Kenosha County Board action of June 19, 2007, (a copy of which is attach hereto); and

**WHEREAS**, at the May 8, 2007 Board Meeting of the Kenosha Area Business Alliance took a unanimous vote to affirm and communicate the support for the Kenosha to Racine to Milwaukee service (a copy of which is attached hereto); and

**WHEREAS**, the Legislature has not come to a positive agreement regarding the proposed funding of the Kenosha to Racine to Milwaukee rail service as part of the budget process; and

**WHEREAS**, the Kenosha County Board of Supervisors recognized the economic and development benefits of investing in infrastructure projects that benefit all Southeastern Wisconsin;

**NOW, THERE, BE IT RESOLVED**, by the Board of Supervisors of Kenosha County, as follows:

Kenosha County Reiterates its support for the Kenosha to Racine, to Milwaukee commuter rail project.

Kenosha County reiterates its support for the Southeastern Wisconsin Regional Transit Authority (RTA) recommendation to increase the RTA fee on car rentals to \$15.00 per transaction in order to fund the local share of the costs.

Kenosha County respectfully submits that the Office of the Governor and the Wisconsin Legislature receive this Resolution and immediately take up the issue of KRM funding either in special session or as the first possible agenda item of the next Legislative session.

It was moved by Supervisor Rose to adopt Resolution 74. Seconded by Supervisor Faraone.

Roll call vote.

Motion carried unanimously.

**COMMUNICATION**

16. From Michael K. Higgins, City Clerk-Treasurer regarding Annexation of Land in the Town of Paris.

Chairman Rose referred Communication 16 to Land Use.

**CLAIM**

14. Wilbur Warren - damaged crystal trophy.

Chairman Rose referred Claim 14 to Corporation Counsel.

It was moved by Supervisor Clark to approve the October 16, 2007 Minutes. Seconded by Supervisor Arrington.

Motion carried.

It was moved by Supervisor Wisnefski to adjourn sine die. Seconded by Supervisor Kessler.

Motion carried.

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
November 6, 2007**

The **Annual Meeting** immediately followed the **Organizational Hearing**.

**NEW BUSINESS**

Policy Resolution - first reading, two required.

1. From Finance Committee regarding 2008 Kenosha County Budget.

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

Meeting adjourned at 8:20 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**November 7, 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, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused: Supervisor Booth.

OLD BUSINESS

Policy Resolution - second reading, two required.

**POLICY RESOLUTION 1**

1. From Finance Committee regarding 2008 Kenosha County Budget.

**WHEREAS**, Pursuant to Section 65.90 of the Wisconsin Statutes, Kenosha County is a public body having the power to levy a general property tax and has the responsibility of formulating an annual budget and holding public hearings thereon; and

**WHEREAS**, pursuant to Section 59.17 of the Wisconsin Statutes, the County Executive is charged with the responsibility of annually submitting a proposed budget to the County Board; and

**WHEREAS**, the Executive's budget has been referred to the Finance Committee, and the Finance Committee has met and added its recommendations; and

**WHEREAS**, public notices were issued and public hearings were held in accordance with Wisconsin Statutes, Section 65.90; and

**WHEREAS**, certain accounts, accounting procedures, and fees have been revised in the 2008 budget are herein incorporated into the budget; and

**WHEREAS**, Section 59.52(6)(c) of the Wisconsin Statutes permits the County Board to direct the County Clerk to sell property on such terms as the County Board approves; and

**WHEREAS**, the Summary of Budgeted Personnel Changes has been incorporated as part of the 2008 budget; and

**WHEREAS**, pursuant to County Executive Appointment 2007/08-20 (which is attached and incorporated by reference), the County Executive has appointed LaVerne Jaros to serve as the Kenosha County Director of the Division of Aging and Disability Services per County Board Resolution 32 which established said positions; and

**WHEREAS**, subject to review and approval of the Human Services Committee the Executive's appointment of LaVerne Jaros to serve in the position of Director of the Division of Aging and Disability Services; and

**WHEREAS**, pursuant to County Executive Appointment 2007/08-21 (which is attached and incorporated by reference), the County Executive has appointed David Geertsens to serve as the Kenosha County Director of Finance and Administrative Services, a new Department Head position which has been included in the 2008 budget and

**WHEREAS**, the Finance Committee as part of the Budget deliberations has reviewed the Executive's request and approval of the appointment of Director of Finance and Administrative Services; and

**WHEREAS**, the Sheriff's Department staffing of Deputies and Correctional Officers vacancies has caused recruiting, staffing, morale, and efficiency problems; and

**WHEREAS**, the State of Wisconsin has determined that an error in the determination of equalized value (known as a palpable error) has been made and as a result of the palpable error, the State has ordered under s.74.41 that the County make payments to certain municipalities; and

**WHEREAS**, pursuant to provision of Section 75.22 of the Wisconsin State Statutes, the County shall charge back to the local municipalities illegal assessments and cancel the tax certificates; and

**WHEREAS**, certain appropriations in the 2007 and 2008 budget will be encumbered (contractually obligated, but not liquidated) at year end 2007 and 2008; and

**WHEREAS**, the County health insurance program is self-funded, and exposed to a degree of volatility,

**WHEREAS**, from time to time emergency situations occur which result in immediate action by a Department or Division, and

**WHEREAS**, the state law requires that proceeds from debt issuance be recorded in a separate fund; and

**WHEREAS**, certain capital projects and capital outlay funded with bond proceeds are budgeted within Special Revenue or General Funds, however, it is the desire of the County Board to reflect these as capital projects; and

**WHEREAS**, it is projected that there will be unspent funds at year-end 2008; and

**WHEREAS**, The Budget includes a county-wide vacancy adjustment of \$1,360,000 and

**WHEREAS**, the County Board adopted Resolution No. 8 in 1998, which phased out the Kemper Center annual subsidy; and

**WHEREAS**, the County Board has appropriated \$250,000 in previous levy under-spending from Human Services and designated these funds for use as a one-time grant to support construction, renovation and/or start-up costs of a community homeless shelter; and

**WHEREAS**, the Shalom Center and the Kenosha Achievement Center have agreed to a property transaction that provides a location acceptable to the community on which the shelter facility can be constructed; and

**WHEREAS**, the Shalom Center pending City approval of land use and construction plans will have initiated prior to the end of the first fiscal quarter of 2008 a capital fund raising campaign for this facility and may be expected prior to the end of the second fiscal quarter of 2008 to have raised at least 30% of the capital funding target for this facility, which percentage is the condition imposed by the County for release of the \$250,000 in appropriated funding; and

**WHEREAS**, as the Joint Services Board has eliminated Joint Services reserves; and

**WHEREAS**, effective October 1, 2007 the Federal Deficit Reduction Act had revoked the use of State Child Support Incentive funds which were used by counties to capture 66% reimbursement of Federal funds to supplement county budgets; and

**WHEREAS**, the State of Wisconsin Bureau of Child Support has suggested a one year alternative to moderately "cushion" the impact of the loss of Federal funds and has provided early access to Kenosha County's 2008 Incentive Funds through a contract amendment dated October, 2007; and

**WHEREAS**, the 2008 Child Support Incentive funds received in 2007 will increase State revenue and allow Department of Human Services to carry forward to the 2008 budget the same amount of levy to match the "early" incentive funds received under the State/County contract amendment; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Kenosha County Board of Supervisors, that the County Executive's Budget of October 2, 2007, which is attached hereto and incorporated by reference, be adopted as the County Board's Budget as herein amended and a copy of said budget document as certified by the County Clerk as having been brought up for first reading on November 6<sup>th</sup>, 2007 is herewith attached; and

**BE IT FURTHER RESOLVED**, by the Kenosha County Board of Supervisors, that the budget for 2008 be adopted as shown in the Kenosha County Budget Summary which is attached and incorporated as part of this resolution; and

**BE IT FURTHER RESOLVED**, that it is the policy intent, desire, and order of the County Board, that each appropriation unit of the budget's detailed pages for which money has been appropriated be carried out as if adopted by a separate resolution according to the terms and conditions as outlined in the "Establishment Of The Appropriation Unit for the 2008 Budget" which is attached and incorporated by reference; and to the extent necessary to carry out the public intent, the funds hereby appropriated are made available; and that unless provided by law, no monies appropriated for an appropriation unit are to be used for another purpose without prior approval (the Finance Committee is delegated such authority for amounts not to exceed \$1000); and

**BE IT FURTHER RESOLVED**, that all expenditures herein appropriated be and the same are ordered not to exceed the funded monies as detailed in the budget document without prior approval of the County Board; and

**BE IT FURTHER RESOLVED**, that it is the policy of the County Board that the budget is authority for the departments or divisions to act as otherwise provided by law, and that administrative revisions of account identification, but not dollar totals or specific purposes, may take place during the budget year; and

**BE IT FURTHER RESOLVED**, that the sum of \$52,445,460 be apportioned to the city and the various towns and villages of Kenosha County for all purposes and expenses for 2008; and

**BE IT FURTHER RESOLVED**, that the sum of \$1,328,329 be apportioned to the towns and villages of Brighton, Bristol, Genoa City, Paris, Pleasant Prairie, Somers, and Wheatland for the purpose of library expense for 2008; and

**BE IT FURTHER RESOLVED**, that the sum of \$2,484,546 be apportioned to the city and the various towns and villages of Kenosha County for the State Forestry Tax expense for 2008; and

**BE IT FURTHER RESOLVED**, that the County Board does hereby authorize an appropriation to be disbursed to the applicable municipalities in this budget year for palpable errors identified by the State after adoption of this budget; and

**BE IT FURTHER RESOLVED**, that palpable errors be appropriated in account 15130.559100 for the purpose of paying to the municipalities, in accordance with State law, as ordered by the State of Wisconsin Department Revenue; and

**BE IT FURTHER RESOLVED**, that palpable errors in the amount of \$4,586 will be added to the property tax levy for collection in 2008 as allowed by the State of Wisconsin. Therefore, this apportionment will not affect the general fund; and

**BE IT FURTHER RESOLVED**, that the various towns and villages and the city within the County be charged for the recovery of the illegal assessments on certain parcels on which tax certificates are to be cancelled in whole or in part as shown in the following schedule; and

TOWN/VILLAGE	DESCRIPTION	YR/TA X	AMOUNT
--------------	-------------	------------	--------

None for 2008

**BE IT FURTHER RESOLVED**, that the proceeds from anticipated debt issuance be listed in the budget for informational purposes only and that the proceeds be recorded in a note/bond issuance proceeds account within the capital projects fund after the debt is approved by the County Board and deposited in the County Treasury; and

**BE IT FURTHER RESOLVED**, that the County Clerk sell property under term and conditions establish by the County Board; and

**BE IT FURTHER RESOLVED**, that as it is the intent of the County to develop a debt policy, until such time as a policy is adopted by the County Board, it shall be the policy of Kenosha County to require initial resolutions authorizing the issuance of debt be approved by 21 votes of the County Board; and



**BE IT FURTHER RESOLVED**, for purposes of arbitrage, it is the intent that bond proceeds can be applied to any legally allowable capital expenditures, and

**BE IT FURTHER RESOLVED**, that the added positions, eliminated positions, reclassifications, and In-range salary adjustments, as shown in the Summary of Budgeted Personnel Changes, shall be established with the 2008 budget; and

**BE IT FURTHER RESOLVED**, that the approval of the appointment LaVern Jaros to serve as the Director of the Division of Aging and Disability Services effective January 2, 2008, subject to the approval of the Health and Human Services Committee; and

**BE IT FURTHER RESOLVED**, that the approval of the appointment of David Geertsen to serve as the Director of Finance and Administrative Services effective January 2, 2008; and

**BE IT FURTHER RESOLVED**, that the Sheriff's Department be allowed to hire Deputies and Correctional Officers prior to the incumbent vacating the position so that a new hire can immediately fill said position, resulting in savings in overtime dollars, increasing morale and provide efficient transition of staff, as long as the early hiring can be accomplished within the approved budget of the department; and

**BE IT FURTHER RESOLVED**, that the County shall continue the Voluntary Reduction in Work Hour Plan which allows an employee to take up to five unpaid (without pay) days in 2008, and

**BE IT FURTHER RESOLVED**, that the Health Insurance premium base to be used for purpose of premium contributions (payroll deductions) shall be based upon estimates provided by the County Actuary and shall be as follows for 2008: Single Premium \$8,316 Family Premium \$19,956 (monthly premium contribution shall be rounded to the nearest dollar for payroll purposes); and

**BE IT FURTHER RESOLVED**, that at the close of books in 2007 it shall be the objective of the County to use the anticipated health insurance surplus to increase the health insurance reserve, provided that such an action by the County Board is prudent relative to the overall financial condition of the County; and

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors does approve an appropriation for the Federally required re-disbursement of the Kenosha County Housing Rehabilitation Revolving loan program funds, and that the disbursements of these funds are to never exceed the amount collected from loan repayments; and

**BE IT FURTHER RESOLVED**, that all unspent funds of the Kenosha Housing Authority Rehabilitation Revolving Loan Program and Wisconsin Community Development Block Grant Housing Program remaining at the end of the year be carried over into the subsequent year to be disbursed or re-disbursed in compliance with all Federal regulations of this program and in compliance with generally accepted accounting principles; and

**BE IT FURTHER RESOLVED**, that the accounts and balances for the Kenosha Housing Authority Rehabilitation Revolving Loan Program and Wisconsin Community Development Block Grant Housing Program will continue to be maintained on Kenosha County's books.

**BE IT FURTHER RESOLVED**, that except in the case of specific action by the County Board, all positions included in the budget which are fully or partially grant funded shall be terminated if the grant is terminated and alternate, non-levy funding is not available; and

**BE IT FURTHER RESOLVED**, that year end encumbrances be approved and that appropriations are hereby authorized as necessary to satisfy the contractual obligations of the County; and

**BE IT FURTHER RESOLVED**, that the carryovers and/or reserves as shown in the budget be used to offset the County levy; and

**BE IT FURTHER RESOLVED**, that reserves and/or carryovers be listed in the budget for informational purposes only, and that these information accounts not be carried on the books as revenue accounts during 2008; and

**BE IT FURTHER RESOLVED**, that expenditures funded with carryovers be modified to reflect actual available funds to be expended; and

**BE IT FURTHER RESOLVED**, that appropriations funded with post-mill rate freeze debt shall not be authorized until such time that a related initial resolution is approved by the County Board; and

**BE IT FURTHER RESOLVED**, that appropriations for costs related to the issuance of Bond/Notes shall be authorized when and if bonds/notes are issued to fund capital projects approved in the 2008 budget; and

**BE IT FURTHER RESOLVED**, that departments be allowed to transfer vehicles and equipment between departments as long as Generally Accepted Accounting Principals are followed and such transfers are properly reflected on the County books; and

**BE IT FURTHER RESOLVED**, that all fund balances or equity that are not earmarked or otherwise legally obligated shall be lapsed to the General Fund at such a time as it is determined that cash in these funds are available for appropriation; and

**BE IT FURTHER RESOLVED**, that in no case shall any expenditure exceed the legal appropriation as established herein except in the case when the expenditure is issued as the result of an emergency (as defined by Webster's Dictionary) in which case the Oversight Committee and Finance Committee may approve the expenditure as soon as reasonably possible after the emergency has occurred. (This shall not supersede County Ordinance Chapter 5 relative to Emergencies) or other County policies or County Board rules.

**BE IT FURTHER RESOLVED**, that appropriations within Capital Projects Funds and Capital Projects within Proprietary Funds unspent at year end be carried forward to future years to complete the designated project(s), with the exception of unobligated funds business unit accounts 76390 and 76360 appropriated for the purpose of planning and building new space for Dispatch, Patrol, Medical Examiner, Emergency Services, IS Backup, and Facilities, or unless prior Appropriation is eliminated as part of Budget or other action of the County Board; and

**BE IT FURTHER RESOLVED**, that the balance of unspent and unobligated funds in business unit accounts 76390 and 76360 appropriated for the purpose of planning and building new space for Dispatch, Patrol, Medical Examiner, Emergency Services, IS Backup, and Facilities, shall be carried forward for 2007 to 2008 into a specific contingency - Capital account; and

**BE IT FURTHER RESOLVED**, that Capital Items 58XXXX accounts which are unspent and grants which have not been expended by year end shall be automatically carried over and where allowed that grants be modified to allow appropriations to be modified to allow for spend down of the grant dollars in accord with the grant requirements, and that the administration shall be authorized to modify these grant funded appropriations for purposes of capital items for which the County retains possession; and

**BE IT FURTHER RESOLVED**, that funds may be lapsed to or from the general fund in an amount sufficient to reflect the actual Brookside Care Center vacancy adjustment, and

**BE IT FURTHER RESOLVED**, that Resolution No. 8 in 1998, which phased out the Kemper Center's annual funding is hereby suspended for budget year 2008; and

**BE IT FURTHER RESOLVED**, that \$50,000 shall be released as requested by the Kemper Center, and that the remaining funds appropriated for Kemper Center shall not be released until such time that all components of the annual certified audit, to include the management letter and an operating budget are released to the County; and

**BE IT FURTHER RESOLVED**, that the \$50,000 of Kemper Center Capital improvements funds, funded with Bonding be released only after the project is approved by the County Board, and

**BE IT FURTHER RESOLVED**, that the Golf Capital Improvements, \$50,000 for Irrigation Engineering and Design and \$14,700 for Pets

Parking lot Engineering and Design shall be placed in a specific contingency account within the golf division budget; and

**BE IT FURTHER RESOLVED**, that the \$250,000 previously appropriated by the County Board for use in supporting the start-up of a community homeless shelter shall carry forward in the 2008 budget and remain available to support this worthy effort through a grant awarded to the shelter operator selected by the Joint Task Force on Homelessness under a Department of Human Services contract after having raised 30% of the capital funding target for the facility; and

**BE IT FURTHER RESOLVED**, that funds available within the Human Services Department Fund 200, that otherwise would lapse to the General Fund and are not be used to offset the vacancy adjustment or a health insurance deficit, are hereby authorized for appropriation for the sole purpose of funding shortfalls that might occur within the Division of Children and Family

Service for out-of-home placement costs; and

**BE IT FURTHER RESOLVED**, that the Register of Deeds charge for search fee of Real Estate Records which is used exclusively for records preservation and management be automatically carried over annually; and

**BE IT FURTHER RESOLVED**, the Department of Planning and Development Revolving Pre-Development fund which require review and monitoring by outside experts and which costs are paid for by the developer or operator shall be automatically carried over; and

**BE IT FURTHER RESOLVED**, that legal expenditures associated with insurance may be charged to the Insurance Internal Service Fund, and

**BE IT FURTHER RESOLVED**, that payments to Joint Services may be made on the 1st of each month and that the payments for January through November shall be as if the levy for Joint Services were split 50/50 between the City and County, but that the final payment in December may be increased to be \$150,000 higher than the monthly amounts paid for January through November, with the higher \$150,000 payment to be funded with reserves, and that the County may advance to Joint Services an amount not to exceed \$100,000 for cash flow purposes, and

**BE IT FURTHER RESOLVED**, that the 2008 Child Support Incentive funds will be reduced by the amount of levy carryover; and

**BE IT FURTHER RESOLVED**, that the County will be able to use the Child Support levy carryover in 2008 to drawdown additional Federal funding at 66% reimbursement level for one year; and

**BE IT FURTHER RESOLVED**, that the Department of Human Services will abide by the State/County contract and request the carryover of Child Support levy during the 2007 closeout process; and

**BE IT FURTHER RESOLVED**, that funds available to replenish salt and gravel inventory be carried over from year to year to replenish such inventory, and

**BE IT FURTHER RESOLVED**, that when language in the budget resolution or previously adopted board action conflicts with budget action reflected in numbers or accounts within the budget document, that the numbers and accounts shall take precedence, and

**BE IT FURTHER RESOLVED**, that certain fees and charges for services have been reviewed and modified to reflect increased costs to the County and have been included in the budget, and

**BE IT FURTHER RESOLVED**, that the property tax levy be allocated by fund on the books of Kenosha County.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Carbone to adopt Policy Resolution 1.

Seconded by Supervisor Wisnefski.

Roll call vote.

Motion carried unanimously.

Meeting adjourned at 8:10 P.M.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
November 20, 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, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Excused: Supervisors Haas.

Absent: Supervisor Wisnefski.

Present. 26. Excused 1. Absent. 1.

**CITIZEN COMMENTS**

Kurt Koser, 4122-109<sup>th</sup> Street, Pleasant Prairie. Last Tuesday the Building & Grounds Committee voted to tear down a building by Kemper Hall. This house is in the 3<sup>rd</sup> Avenue Historic District. It is part of the history of Kemper Center.

**SUPERVISOR COMMENTS**

Supervisor Jackson let everyone know about the Wisconsin Way Meeting on December 4<sup>th</sup> and that is also County Board night. Look on the internet under wisconsinway.com regarding property tax and education. Questions and comments can be done on line.

Supervisor Molinaro stated that he did not have a report but requested a report on Juvenile Intake. He would like an up-date and also a report on the contract.

**NEW BUSINESS**

Ordinances - one reading

**ORDINANCE 41**

41. From Land Use Committee regarding Land Use Committee (Sponsor), Lori Ann and Anthony Zwilling (Owners) requesting rezoning from R-2 Suburban Single-Family Residential District to C-1 Lowland Resource Conservancy District 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 #95-4-119-011-0305 located in the northeast quarter of Section 1, Township 1 North, Range 19 East, Town of Wheatland be changed from R-2 Suburban Single-Family Residential District to 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 County Trunk Highway "K" (60<sup>th</sup> Street) approximately 0.6 miles east of the intersection of County Trunk Highway "W".

**Lori Ann and Anthony Zwilling (Owners)**

**Description: C-1 Lowland Resource Conservancy District**

**WEST WETLAND LEGAL DESCRIPTION:**

BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF WHEATLAND, COUNTY OF KENOSHA, STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE NORTH 87°52'54" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 SECTION 966.94 FEET; THENCE SOUTH 01°19'06" EAST 40.00 FEET TO A POINT ON THE SOUTH LINE OF COUNTY TRUNK HIGHWAY "K" AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 87°52'54" EAST ALONG SAID SOUTH LINE 72.55 FEET; THENCE SOUTH, 01°04'19" WEST 1.07 FEET; THENCE SOUTH 02°32'33" WEST 22.87 FEET; THENCE SOUTH.00°35'05" EAST 16.17 FEET; THENCE SOUTH 01°40'51" EAST 17.99 FEET; THENCE SOUTH 31°04'55" EAST 20.23 FEET; THENCE SOUTH 13°38'21" EAST 23.86 FEET; THENCE SOUTH 22°08'50" WEST 36.30 FEET; THENCE SOUTH, 82°27'29" WEST 22.12 FEET; THENCE NORTH 74°23'12" WEST 28.17 FEET; THENCE NORTH 64°00'31" EAST 25.45 FEET; THENCE NORTH 01°19'06" WEST 113.73 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.22 ACRES OF LAND MORE OR LESS.

EAST WETLAND LEGAL DESCRIPTION:

BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF WHEATLAND, COUNTY OF KENOSHA, STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE -NORTH 87°52'54" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1 /4 SECTION 966.94 FEET; THENCE SOUTH 01°19'06" EAST 40.00 FEET TO A POINT ON THE SOUTH LINE OF COUNTY TRUNK HIGHWAY "K"; THENCE NORTH 87°52'54" EAST ALONG SAID SOUTH LINE-103.04 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 87°52'54" EAST ALONG SAID SOUTH LINE 135.53 FEET; THENCE SOUTH 07°57'14" WEST 8.84 FEET; THENCE SOUTH 18°35'54" WEST 25.08 FEET; THENCE SOUTH 16°59'27" WEST 15.22 FEET; THENCE SOUTH 73°29'10" WEST 20.49 FEET; THENCE SOUTH 71°48'34" WEST 39.12 FEET; THENCE SOUTH 48°37'36" WEST 30.62 FEET; THENCE SOUTH 41°23'12" WEST 12.52 FEET; THENCE NORTH 79°39'31" WEST 12.55 FEET; THENCE NORTH 51°33'22" WEST 16.80 FEET; THENCE NORTH 20°49'07" WEST 20.01 FEET; THENCE NORTH 15°51'54" WEST 32.60 FEET; THENCE NORTH -25°14'11" EAST 13.73 FEET; THENCE NORTH 08°02'45" EAST 14.50 FEET; THENCE NORTH 12°30'59" WEST 0.23 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.20 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, Chairman

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 41. Seconded by Supervisor Roger Johnson.

Motion carried.

ORDINANCE 42

42. From Land Use Committee Attic Self Storage Facility (Owner), Town of Salem (Buyer/Agent) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to I-1 Institutional District, A-1 Agricultural Preservation 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 Parcels #66-4-120-274-0103 and #66-4-120-273-0100 located in the southeast and southwest quarters of Section 27, Township 1 North, Range 20 East, Town of Salem be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to I-1 Institutional District, A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the north side of County Trunk Highway "C" (Wilmot Road) immediately east of the Wisconsin Central Transportation Corporation Railway Crossing.

**Attic Self Storage Facility - Owner**

**Town of Salem - Buyer**

**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 42. Seconded by Supervisor Nudo.

Motion carried.

**ORDINANCE 43**

43. From Land Use Committee regarding Delores S. Thomas, Gail M. and Larry L. Schwaiger (Owners) requesting rezoning from A-2 General Agricultural District to A-4 Agricultural Land Holding District and R-2 Suburban Single-Family Residential District on Tax Parcel #80-4-222-092-0313 (Thomas) and from R-2 Suburban Single-Family Residential District to A-4 Agricultural Land Holding 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 #80-4-222-092-0313 (Thomas) and part of Tax Parcel #80-4-222-093-0251 (Schwaiger) located in the northwest and southwest quarter sections of Section 9, Township 2 North, Range 22 East, Town of Somers be changed as follows: #80-4-222-092-0313 from A-2 General Agricultural District to A-4 Agricultural Land Holding District and R-2 Suburban Single-Family Residential District; and from R-2 Suburban Single-Family Residential District to A-4 Agricultural Land Holding District on part of Tax Parcel #80-4-222-093-0251 (Schwaiger). For informational purposes only, these properties are located on the east side of County Trunk Highway "H" (88<sup>th</sup> Avenue) approximately 165' north of the intersection of 10<sup>th</sup> Place.

**Delores S. Thomas - Owner #80-4-222-092-0313**

**Gail M. and Larry L. Schwaiger - Owners #80-4-222-093-0251**

**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 Resolution 43. Seconded by Supervisor Jackson.  
Motion carried.

**ORDINANCE 44**

44. From Land Use Committee Land Use Committee (Sponsor), Eron I. Miller (Owner) requesting rezoning from R-2 Suburban Single-Family Residential District and C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy 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 #95-4-119-061-0320 located in the northeast quarter of Section 6, Township 1 North, Range 19 East, Town of Wheatland be changed from R-2 Suburban Single-Family Residential District and C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of 396<sup>th</sup> Avenue at the intersection of County Trunk Highway "P" (400<sup>th</sup> Avenue).

**Eron I. Miller - 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 44. Seconded by Supervisor Roger Johnson.

**ORDINANCE 45**

45. From Land Use Committee Stafford Residential LLC requesting rezoning from PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District 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 #66-4-120-264-0251 located in the southeast quarter of Section 26, Township 1 North, Range 20 East, Town of Salem be changed from PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the south side of 115<sup>th</sup> Street between 232<sup>nd</sup> Avenue and 236<sup>th</sup> Avenue.

**Stafford Residential LLC - 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 45. 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, Clark, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisor Jackson.

Motion carried.

Resolutions - one reading.

**RESOLUTION 75**

75. From Building and Grounds and Finance Committees regarding Kenosha County Detention Center Remodeling Project Budget Modification.

**WHEREAS**, Kenosha County conducts stormwater analyses on all development proposals submitted to the Department of Planning and Development for approval, and

**WHEREAS**, reviews would be more efficient and effective, and further, completed in a more timely manner if the Planning and Development staff engineer had

AutoCAD software for said reviews, and

**WHEREAS**, funds are available in the Department of Planning and Development - Development Review & Verification budget which could be used for the purchase of the AutoCAD software, and

**WHEREAS**, the requested transfer of funds within this 2007 adopted budget would assure that better tools are available to the Engineer to complete stormwater reviews, and

**NOW, THEREFORE, BE IT RESOLVED** that funds are transferred from the Development Review & Verification budget to the Information Services budget per the attached budget modification form.

Approved by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita Faraone

Joseph D. Clark

LAND USE COMMITTEE

Fred R. Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson



John O'Day

Gabe Nudo

It was moved by Supervisor Singer to adopt Resolution 75. Seconded by Supervisor Carbone.  
2/3 vote required.  
Motion carried unanimously.

#### **RESOLUTION 76**

76. From Extension Education and Finance Committees regarding Budget Modification resolution - Neighborhood Revitalization Strategies.

**WHEREAS**, Kenosha County has received \$32,938 Community Development Block Grant (CDBG) from the City of Kenosha, and

**WHEREAS**, these funds awarded are designated for implementation of the Neighborhood Revitalization Strategies (NRSA) for two Kenosha neighborhoods, and

**WHEREAS**, the external-funded position of Neighborhood & Community Specialist is solely supported by these funds and thus the position will cease when the funding ceases, and

**WHEREAS**, the funding for this position requires reappropriation at this time from Other Professional Services to Salaries and FICA, and

**WHEREAS**, county levy remains unaffected by this budget amendment,

**NOW, THEREFORE, BE IT RESOLVED** that the 2007 Kenosha County UW-Extension budget be modified to reflect expenditures as:

Fund: 100	Business Unit #: 67300	Salaries	
Expense Object Code 511100			\$5,990
Fund: 100	Business Unit #: 67300	FICA	
Expense Object Code 515100			\$ 484
Fund 100	Business Unit #67300	Other Professional Services	
Expense Object Code 521900			\$14,899

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension UW-CDBG Project budget line items may be modified and any expended dollars as of December 31, 2007, should be rolled over into the 2008 budget

Approved by:

EXTENSION EDUCATION COMMITTEE

Janice Marrelli

Kimberly Breunig

Ronald L. Johnson

Richard A. Kessler

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita M. Faraone

John O'Day

It was moved by Supervisor Marrelli to adopt Resolution 76. Seconded by Supervisor Faraone.

2/3 vote required.

Roll call vote.

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

Abstain: Supervisor Booth.

Motion carried.

#### **RESOLUTION 77**

77. From Extension Education and Finance Committees regarding UW-Extension 2007 Budget Modification After-school Project.

**WHEREAS**, Kenosha County has received funding from Kenosha Unified School District for After-school resources and training, and

**WHEREAS**, the external-funded position of After-school Program Coordinator is solely supported by this grant and thus the position will be eliminated when the grant funding ceases, and

**WHEREAS**, county levy remains unaffected by this budget amendment,

**NOW, THEREFORE, BE IT RESOLVED** that the 2007 Kenosha County UW-Extension 67600 After-school Project budget be amended as reflected in the attached Expense/Revenue Budget Modification Form incorporated herein by reference, and

Fund: 100	Business Unit #: 67600	After-school Project Account	
Revenue Object Code 446650			\$ 9,900

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension 67600 Office Account budget may be modified to reflect the following additional line items

as necessary to reflect expenditures for the position of After School Program Coordinator, and

Fund: 100	Business Unit #: 67600	Salaries	
Expense Object Code 511100			\$7,200
Fund: 100	Business Unit #: 67600	FICA	
Expense Object Code 515100			\$600
Fund 100	Business Unit #67600	Mileage & Travel	
Expense Object Code 533900			\$600
Fund 100	Business Unit #67600	Other Operating Supplies	
Expense Object Code 534900			\$1,500

**BE IT FURTHER RESOLVED** that the Kenosha County UW-Extension 67600 After-school Project account budget line items may be modified to increase the revenues and corresponding expenditures if the award comes in higher than expected and any expended dollars as of December 31, 2007, should be rolled over into the 2008 budget.

Approved by:

EXTENSION EDUCATION COMMITTEE

Janice Marrelli

Kimberly Breunig

Ronald L. Johnson

Richard A. Kessler

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita M. Faraone

John O'Day

It was moved by Supervisor Marrelli to adopt Resolution 77. Seconded by Supervisor Breunig.

2/3 vote required.

Roll call vote.

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

Abstain: Supervisor Booth.

Motion carried.

#### **RESOLUTION 78**

78. From Finance Committee a Resolution Authorizing Kenosha County's Participation in the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance Housing Program.

**WHEREAS**, Federal monies are available under the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance housing program (CDBG-EAP), administered by the State of Wisconsin, Department of Commerce, for the purpose of housing activities; and

**WHEREAS**, after public hearing and due consideration, the Kenosha County Finance Committee has recommended that an application be submitted to the State of Wisconsin for the following project:

**A CDBG-EAP application in an amount not to exceed \$300,000. The grant would be used to: 1) acquire and demolish residential properties located in the 100-year recurrence interval floodplain of the Fox River, 2) relocate the occupants of the acquired property, and 3) fund Kenosha County Housing Authority staff costs attendant to grant administration.**

**WHEREAS**, it is necessary for the Kenosha County Board of Supervisors, to approve the preparation and filing of an application for the County to receive funds from this program; and

**WHEREAS**, the Kenosha County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained therefrom.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors does approve and authorize the County Executive to prepare and file an emergency application for funds under this program in accordance with this resolution.

**BE IT FURTHER RESOLVED**, that the Kenosha County Executive is hereby authorized to sign all necessary documents on behalf of the County; and

Note: This resolution uses \$0 from the General Fund.

Approved by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita M. Faraone  
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 78. Seconded by Supervisor O'Day.  
2/3 vote required.  
Motion carried unanimously.

**RESOLUTION 79**

79. From Finance and Land Use Committees Resolution to Request to Modify 2007 Development Review & Verification Budget to Cover the Costs of AutoCAD Software.

**WHEREAS**, Kenosha County conducts stormwater analyses on all development proposals submitted to the Department of Planning and Development for approval, and

**WHEREAS**, reviews would be more efficient and effective, and further, completed in a more timely manner if the Planning and Development staff engineer had AutoCAD software for said reviews, and

**WHEREAS**, funds are available in the Department of Planning and Development - Development Review & Verification budget which could be used for the purchase of the AutoCAD software, and

**WHEREAS**, the requested transfer of funds within this 2007 adopted budget would assure that better tools are available to the Engineer to complete stormwater reviews, and

**NOW, THEREFORE, BE IT RESOLVED** that funds are transferred from the Development Review & Verification budget to the Information Services budget per the attached budget modification form.

Approved by:

FINANCE COMMITTEE	LAND USE COMMITTEE
Robert Carbone	Fred R. Ekornaas
Mark Wisnefski	John O'Day
Anita Faraone	Jennifer Jackson
Joseph D. Clark	Roger Johnson
John O'Day	Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 79. Seconded by Supervisor Carbone.  
2/3 vote required.  
Motion carried.

**RESOLUTION 80**

80. From Land Use and Finance Committees Requesting to Disburse Funds on Deposit as Needed for Memorial for Larry B. Brumback, Former Director of the Division of County Development.

**WHEREAS**, Larry B. Brumback, was a dedicated public servant for Kenosha County in his position of Director of the Division of County Development, and

**WHEREAS**, Mr. Brumback was a constant figure in the offices of the Department of Planning and Development even through diagnosis of a terminal illness and years of treatments, and

**WHEREAS**, friends, relatives and acquaintances responded to their loss of Mr. Brumback with donations to construct a memorial in his honor, and

**WHEREAS**, said funds are on deposit in the amount of \$3,617 in the Planning and Development Department budget business unit 18290 for safe-keeping until construction of said memorial can be completed,

**NOW, THEREFORE, BE IT RESOLVED** that it is requested that funds are to be released from Business Unit 18290 as needed to pay for services/goods needed in the construction of the Larry B. Brumback memorial for a total amount of \$3,617, plus any additional monies that have yet to be donated. Any funds not dispersed in FY2007 will be carried over into FY2008 should construction not take place by December 31, 2007.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that said memorial will be constructed as a quiet seating area at the west end of the Kenosha County Center, Bristol, WI, including but not limited to a hardwood maple tree and bench "In Memory of Larry B. Brumback".

**BE IT RESOLVED**, that the Budget be modified as per the attached budget modification form, which is incorporated herein by reference.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Anita Faraone

Joe Clark

John O'Day

LAND USE COMMITTEE

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 80. Seconded by Supervisor Carbone.

2/3 vote required.

Motion carried unanimously.

#### **RESOLUTION 81**

81. From Highway and Parks Committee a Resolution opposing the closure of Union Pacific Railroad and Canadian Pacific Railway Crossings on Bain Station Road I the Village of Pleasant Prairie.

**WHEREAS**, The Union Pacific Railroad Company has petitioned the State of Wisconsin for the closure of the at-grade crossing on Bain Station Road in the Village of Pleasant Prairie, Kenosha County, and

**WHEREAS**, The Canadian Pacific Railway also crosses Bain Station Road in proximity to the Union Pacific Railroad crossing, and

**WHEREAS**, The Village of Pleasant Prairie Board has adopted Resolution No. 07-48 opposing the closing of either one or both railroad crossings on Bain Station Road, and

**WHEREAS**, The Southeastern Wisconsin Regional Planning Commission has for many years recognized the route importance of Bain Station Road by recommending Bain Station Road be classified as a County Trunk Standard Arterial Highway and that this recommendation is included in the most recent Regional Transportation System Plan for Southeastern Wisconsin: 2035, and

**WHEREAS**, It is vitally important to the Village of Pleasant Prairie and Kenosha County for future land use planning, economic development and public access to schools, businesses and governmental facilities that the Union Pacific Railroad crossing and the Canadian Pacific Railway crossing on Bain Station Road remain open to vehicular traffic.

**NOW, THEREFORE, BE IT RESOLVED:** that the Kenosha County Board of Supervisors hereby opposes the closure of the Union Pacific Railroad crossing and/or the Canadian Pacific Railway crossing on Bain Station Road in the Village of Pleasant Prairie, Kenosha County.

**BE IT FURTHER RESOLVED:** that a copy of this resolution be forwarded to the State of Wisconsin Office of Commissioner of Railroads.

It was moved by Supervisor Noble to adopt Resolution 81. Seconded by Supervisor Grady.

Motion carried unanimously.

#### **RESOLUTION 82**

82. From Judiciary and Law Committee regarding Probationary Cabaret License for El Fracazo Tavern.

**WHEREAS**, the application of Salomon Hernandez for a probationary cabaret license for the El Fracazo Tavern, 1778 - Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of July, was turned over to this office on July 24<sup>th</sup>, 2007, and

**WHEREAS**, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

**WHEREAS**, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

**WHEREAS**, the Kenosha Sheriff's Department has maintained a list of all reported incidents at this property, and

**WHEREAS**, a number of certain violent incidents inside this establishment and parking lot during the past year has created a lack of "general good order" and has caused concern over the operations to maintain control, and

**WHEREAS**, as a result, the Sheriff's Department has had to respond to this tavern more than any other tavern in the county and strongly recommended that video cameras be installed both inside and outside this establishment.

**WHEREAS**, the resolution for a probationary cabaret license was tabled by the Judiciary and Law Committee on August 8<sup>th</sup>, 2007 for a period of 90 days due to the high volume of calls for service by the Sheriff's Department.

**NOW, THEREFORE BE IT RESOLVED**, that the request for a probationary cabaret license be granted due to no serious incidents occurring at the tavern since August 8<sup>th</sup>.

**BE IT FURTHER RESOLVED**, that the probationary cabaret license for El Fracazo Tavern may be withdrawn if any acts of violence occur at the tavern.

**NOW, THEREFORE BE IT RESOLVED**, that this reapplication by the license holder, Salomon Hernandez, be granted for a probationary period of nine months for the El Fracazo Tavern.

Approved by:

JUDICIARY AND LAW COMMITTEE

William P. Michel, II

David Arrington

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 82. Seconded by Supervisor Arrington.

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, Jackson, Noble, West, Roger Johnson, Breunig, Elverman, Ekornaas.

Nays: Supervisors Marrelli, O'Day, Moore.

Abstain: Supervisor Clark.

Motion carried.

#### **RESOLUTION 83**

83. From Judiciary and Law regarding Probationary Cabaret License for 1146.

**WHEREAS**, the application of Richard E. Pierangeli for a probationary cabaret license for the "1146" tavern, 1146 - Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of July, was turned over to this office on July 25<sup>th</sup>, 2007, and

**WHEREAS**, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

**WHEREAS**, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

**NOW, THEREFORE BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Richard E. Pierangeli for 1146 tavern.

Approved by:

JUDICIARY AND LAW COMMITTEE

William P. Michel, II

David Arrington

Joseph D. Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 83. Seconded by Supervisor Clark.

Motion carried unanimously.

#### **RESOLUTION 84**

84. From Judiciary and Law and Finance Committees Recognizing Unanticipated Revenue Surplus to fund Overtime, Food/Grocery and Capital Budgets.

**WHEREAS**, the County of Kenosha did establish in the 2007 Sheriff's Department Budget a revenue line item for housing federal inmates of \$3,474,850 anticipating housing 127 per day, and

**WHEREAS**, based upon the realized daily average of 167 federal inmates at a reimbursement rate of \$70.00 per day plus transportation costs, the Sheriff's Department has unanticipated revenue through October and the outlook is favorable through year end, and

**WHEREAS**, department overtime expense, primarily for the Detentions and Patrol divisions, were forecasted through year end along with the Food budget, requiring an increase in Overtime and Retirement budgets by \$603,207 and the Food budget by \$40,000, and

**WHEREAS**, the integrated touchscreen Master Control Security System malfunctioned in early October causing a jail security shutdown for the Public Safety Building and the PreTrial Facility, and

**WHEREAS**, the recommendation of our security system contractor is to consider funding a project to improve the system before a major failure occurs that could shut the security system down for weeks, and

**WHEREAS**, the program re-write or replacement software could cost upwards of \$100,000.

**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 a portion of the expected surplus in Federal Inmate Housing revenue of **\$743,207** and increase personnel costs, Food/Groceries and Capital budget totaling **\$743,207**.

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 83. Seconded by Supervisor Clark.

2/3 vote required.

Motion carried unanimously.

#### **RESOLUTION 85**

85. From Judiciary and Law and Finance Committees regarding Budget Modification to Appropriate Funds from the General Fund for District Attorney's Trial related Expenditures.

**WHEREAS**, by Wisconsin State Statute, Kenosha County is responsible for incurring all expenses related to trials including but not limited to transcripts, paper service, witness fees, and prosecution expenditures, and

**WHEREAS**, high profile cases have generated higher than anticipated expenditure levels, and

**WHEREAS**, certain other expenditures have been incurred at a higher than anticipated level due to general increased caseload expenses and overall price increases, and

**NOW THEREFORE BE IT RESOLVED**, that \$26,500 be appropriated from the General Fund and the District Attorney's Office budget modified as per budget modification which is attached and incorporated herein by reference.

Approved by:

JUDICIARY & LAW COMMITTEE

William P. Michel, II

David Arrington

Joseph Clark

Bob Haas

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita M. Faraone

John O'Day

It was moved by Supervisor Michel to adopt Resolution 85. Seconded by Supervisor Arrington.

2/3 vote required.

Motion carried unanimously.

#### COMMUNICATIONS

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

Chairman Rose referred Communication 17 to Land Use.

#### CLAIMS

15. Dan Richard Anderson - denied methadone treatment while in custody.

16. Cedrika Jackson - injured while on a City Bus.

17. Bobby Hurst - injured on exercise equipment while in custody.

18. Karen Ann Fry - falsely arrested.

19. Ashley A. Huebner for Michael D. Estes, Legal Heir - wrongful death of David Joshua Estes

20. Arcangelo Romano - injured while Sheriff's Department Employee backed up truck with trailer.

Chairman Rose referred Claims 15 thru 20 to Corporation Counsel.

It was moved by Supervisor Breunig to approve the November 6<sup>th</sup> and 7<sup>th</sup>, minutes. Seconded by Supervisor Faraone.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor O'Day.

Motion carried.

Meeting adjourned at 9:05 P.M.

Prepared by: Pam Young  
Chief Deputy

Submitted by: Edna R. Highland  
County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
December 4<sup>th</sup>, 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.

**THERE WERE NO CITIZEN COMMENTS**

Mary Beier, Director of Kenosha County Juvenile Intake reported on Juvenile Detention for Kenosha County Youth. Juvenile Detention is a secure environment that is a short-term court ordered placement for youth that are between the ages of 10 and 17. It is used as the last alternative. Kenosha County does not own or operate a juvenile detention facility. There are three facilities located in southeast Wisconsin. For the past ten years, Kenosha County entered into multi-year contracts with Racine County for use of their bed space. The current contract runs through December 2009, which include 18 beds that are guaranteed daily. The daily rate is \$127.00 per bed per day. The rate will increase gradually in the next two years. Without the contract the normal rate would be \$53.00 more per day. Through the first eleven months of this year, Kenosha County Juvenile Court has admitted an average of thirty-two youth per month to detention, which is a decrease of seven youth per month from the year before. The youth that were admitted this year have each stayed on average 10.3 days or almost one day longer than last year. There is no conclusive way to predict when increases or decreases will occur.

John Jansen, Director of Kenosha County Division of Family Services spoke regarding delinquency programs in Kenosha County. Many of the programs have been in place for over twenty years and they continue to monitor their effectiveness. Kenosha County has been recognized throughout the state as a county that has been very progressive in providing services to families, and helping kids stay in their home whenever possible.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Rose reminded the board the Holiday Party will be on December 18<sup>th</sup> at 6:00 p.m. at the County Center.

Chairman Rose announced that Supervisor Robert Carbone would not seek re-election. Supervisor Carbone has served some twenty years on the board of supervisors. He has served as the Chairman of this Board, and Chairman of the Finance and Judiciary and Law Committees. His leadership will be missed.

**SUPERVISOR REPORTS**

Supervisor West stated there is an open invitation to the Brookside Care Center's Christmas party on December 19<sup>th</sup>, from 2:00 p.m. to 4:00 p.m.

Supervisor Marrelli stated the Extension Education had their 90<sup>th</sup> Anniversary on May 1<sup>st</sup>. They put together a pamphlet, which is on the supervisor's desks.

Supervisor Wisnefski reported he had the opportunity to meet with our bond rating people in Chicago. They just got the news that Kenosha County has been raised up from Aa3 to Aa2 rating.

Supervisor Noble reported a letter would be submitted expressing preliminary support of the I-94 reconstruction project at the public hearing on December 6<sup>th</sup>. The improvements include interchange reconstruction, and adding an additional lane in both directions. A resolution supporting the project will be drafted and brought before the County Board. He also reported the Technical Advisory Committee of the KRM recommended they not submit an application without a funding source in place. The committee will likely vote to suspend the application for a year which will delay the project. The Commissioner of Railroads has dismissed the petition from Union Pacific Railroad for a closure of the railroad crossings at CTH A and L in the Town of Somers. The Commissioner has ordered the crossings be upgraded by December 31, 2008. Bids for the bike trail in Somers that connects the two universities has



been received. The bids are being reviewed and will be awarded for spring construction. Traffic signals are up and working at the intersection of CTH S & H. The ball diamonds at Brighton Dale and the soccer fields at Silver Lake are completed and will be ready for play this spring and a grand opening will be announced.

Supervisor Molinaro stated it is unfortunate the Extension Education didn't do more to celebrate their successes. His experience on the Extension Committee has been nothing short of fantastic. They do an incredible amount of work on an incredibly small budget. The staff doesn't get nearly enough credit for all the work they do.

Supervisor Grady caused to have placed on the supervisor's desks a two-page enclosure entitled "What deaths fall within the Medical Examiner." During the deliberations of the County Budget, it was brought up what appears to be the increased amount of autopsies and medical exams in Kenosha County. The enclosure is a concrete document on how the autopsies are done and he thinks this is being more tightly adhered to under our current medical examiner's jurisdiction than in the past years.

#### **NEW BUSINESS**

Ordinance - first reading, two required.

46. From Legislative Committee regarding Amending Subsection (2) of Section 2.08 of the Municipal Code of Kenosha County Entitled Exercise of Power and Presentation.

Policy Resolution - first reading, two required.

2. 2007 Affirmative Action Plan.

Resolutions - one reading

#### **RESOLUTION 86**

86. From Terry Rose regarding Authorizing a Review of 812-56<sup>th</sup> Street, Kenosha, WI as a Possible Site for Relocating 911 Dispatch.

Chairman Rose referred Resolution 86 to the Building & Grounds and Finance Committees.

#### **RESOLUTION 87**

87. From Human Services Committee regarding Approving the Appointment of LaVerne Jaros to serve as Director of the Division of Aging & Disability Services. (Approved in the 2008 County Budget)

#### **RESOLUTION 88**

88. From Human Services & Finance Committees regarding the Medical Examiner's 2008 Budget to reflect the addition of a full-time Deputy Medical Examiner position.

**WHEREAS**, the Office of the Medical Examiner, is required to provide coverage for the residents of Kenosha County for 24 hours per day, 7 days per week, and

**WHEREAS**, the increase in the Office of the Medical Examiner's caseload, number of autopsies, and number of external examinations have necessitated a reevaluation of the staffing levels within the Office, and

**WHEREAS**, the Office of the Medical Examiner and the Division of Personnel Services is recommending that the position of Deputy Medical Examiner be filled in 2008, while reducing the number of coverage hours allocated to the part time Deputy Medical Examiners, and

**WHEREAS**, the contracted position of Autopsy Assistant will be eliminated through the addition of the Deputy Medical Examiner, and

**WHEREAS**, the Office of the Medical Examiner and the Division of Personnel Services, is requesting a reclassification of the Deputy Medical Examiner from a salary range of D to a salary range of C, and

**WHEREAS**, this budget modification poses no additional levy-funded costs to the County, and

**NOW, THEREFORE LET IT BE RESOLVED**, that the Kenosha County Board of Supervisors amends the Non-Represented Employee Pay Plan to place the position of the Deputy Medical Examiner in salary range C and amend the Office of the Medical Examiner's 2008 budget to include the addition of a Deputy Medical Examiner position: Revenues and expenditures increase by \$44,918 as indicated in the attached budget modification, which is incorporated into this resolution by reference.

SUBMITTED BY:

Human Services Committee:

Judy Rossow

Finance Committee:

Robert Carbone

William Grady  
Edward D. Kubicki  
David Arrington  
Ruth Booth

Joseph Clark  
John O'Day

It was moved by Supervisor Rossow to adopt Resolution 88. Seconded by Supervisor Carbone.  
2/3 vote required.

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

Nays: Supervisors Rose, Faraone, Moore, Wisnefski, Noble.

Ayes: 23. Nays: 5  
Motion carried.

#### **RESOLUTION 89**

89. From Legislative Committee regarding Maintaining the size of the County Board at 28 Members and to Review the Question of the Size of the Board at the Next Decennial Census in 2010.

**Whereas**, recent amendments to Wisconsin Statutes Sec. 59.10 (3)(cm)1 allow a County Board to decrease the number of elected Supervisors serving on the County Board and redistrict, readjust and change the boundaries of supervisory districts once between decennial census' provided that the number of districts equals the number of Supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are as compact as possible, and the districts consist of contiguous whole ward in existence at the time at which the redistricting plan is adopted, and to the extent possible place contiguous municipalities or contiguous parts of the same municipality are placed within the same district, and

**Whereas**, there is no petition pending for a referendum on the question of decreasing the number of seats on the County Board, and

**Whereas**, the Kenosha County Board has studied various alternatives pertaining to the size of the County Board, and

**Whereas**, the Kenosha County Board has determined that the decennial census and scheduled re-districting is to be reviewed in 3 years and further that any action taken at this time would have to be redone at that time, and

**Whereas**, the requirement of utilizing existing wards in any reduction between decennial censuses can result in larger deviations from the target population for each district which, in turn, can result in unequal representation between supervisory districts and litigation, and

**Whereas**, the Legislative Committee has conducted two public hearings on the size of the County Board, and whereas only three members of the public appeared and spoke on the question, and

**Whereas**, the Kenosha County Board, after having reviewed and discussed this matter thoroughly has determined that the size of the Kenosha County Board can and should at this time remain at the same and that further review take place after the 2010 census;

**Now Therefore Be It Resolved** that the size of the Kenosha County Board remain the same and that further review of the size of the County Board take place at the time of the 2010 census.

SUBMITTED BY:

Legislative Committee  
James Huff  
Ronald Johnson  
Gordon West  
Jennifer Jackson

It was moved by Supervisor Huff to adopt Resolution 89. Seconded by Supervisor Jackson.  
Roll call vote.

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

Nays: Supervisors Grady, Faraone, Moore, Clark, Noble.

Ayes: 23. Nays: 5

Motion carried.

**RESOLUTION 90**

90. From Finance Committee the Sale of Approximately \$4,050,000, General Obligation Promissory Notes, Series 2007A; Providing the Form of the Notes; and Levying a Tax in Connection Therewith.

**WHEREAS**, on June 21, 2005, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Borrowing of Not to Exceed \$20,000,000; Providing for the Issuance and Sale of General Obligation Securities Therefor; and Authorizing the Borrowing of Not to Exceed \$56,300,000; Providing for the Issuance and Sale of General Obligation Refunding Securities Therefor; and Levying a Tax in Connection Therewith" (the "2005 Initial Resolution") authorizing, among other things, the issuance of general obligation promissory notes in an amount not to exceed \$20,000,000 for public purposes, including paying the cost of constructing, extending, repairing and improving streets, roads and bridges; improvement and maintenance projects at various County buildings and sites; constructing and equipping a law enforcement and dispatch center; implementing the survey monumentation program; upgrades to the communications systems; and acquiring vehicles, equipment, furnishings, fixtures and land;

**WHEREAS**, on December 21, 2006, the County issued its \$2,150,000 General Obligation Promissory Notes, Series 2006, to finance capital projects authorized by the 2005 Initial Resolution;

**WHEREAS**, on October 2, 2007 the County Board of Supervisors, by a vote of more than three-quarters of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,000,000 for Kenosha Area Business Alliance Project" (the "2007 Initial Resolution") for the public purpose of making a contribution to the Kenosha Area Business Alliance ("KABA") to be used to ensure an adequate power supply to the existing Kenosha Engine Plant (the "Plant") operated by DaimlerChrysler ("Chrysler") as an inducement for Chrysler to make substantial improvements to the production lines and buildings at the Plant (the "KABA/Chrysler Project");

**WHEREAS**, the 2005 Initial Resolution and the 2007 Initial Resolution were not subject to petition for referendum;

**WHEREAS**, on October 2, 2007, the County Board of Supervisors of the County adopted Resolution No. 71 (the "Sale Resolution") which provided for the sale of General Obligation Promissory Notes (the "Notes") in an amount not to exceed \$4,050,000\* (\$3,050,000 for purposes authorized in the 2005 Initial Resolution and \$1,000,000 for the purpose authorized in the 2007 Initial Resolution);

**WHEREAS**, pursuant to the Sale Resolution, the County Clerk, in consultation with its financial advisor, Ehlers & Associates, Inc., has caused a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by reference) to be prepared and distributed setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on December 4, 2007;

**WHEREAS**, the following bid proposals were received:

<u>BIDDER</u>	<u>NET INTEREST COST</u>	<u>TRUE INTEREST RATE</u>
(SEE BID TABULATION ATTACHED AS <u>EXHIBIT B</u> )		

**WHEREAS**, it has been determined that the bid (the "Bid") submitted by the institution listed first on the attached Bid Tabulation fully complies with the bid requirements set forth in the official Notice of Sale and is deemed to be the most advantageous to the County. A copy of said Bid submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

**WHEREAS**, none of the proceeds of the Notes shall be used to fund operating expenses of the general fund of the County or to fund operating expenses of any special revenue fund of the County that is supported by property taxes;

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County that:

---

Section 1. Approval of Offering Documents. The Notice of Sale and other offering materials prepared and circulated by Ehlers & Associates, Inc. are hereby ratified and approved.

Section 2. Award of the Notes. The Bid of the Purchaser offering to purchase the Notes for the sum set forth on the Bid, plus accrued interest to the date of delivery, is hereby accepted. The Notes bear interest at the rates set forth on the Bid.

Section 3. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2007A"; shall be dated December 20, 2007; shall be issued in the aggregate principal amount of \$4,050,000\*; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall bear interest at the rates and shall mature on December 1 of each year, in the years and principal amounts as set forth on the schedule attached hereto as Exhibit D and incorporated herein by reference (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2008.

Section 4. Redemption Provisions. At the option of the County, the Notes maturing on December 1, 2015 and thereafter shall be subject to redemption prior to maturity on December 1, 2014 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP (the "Mandatory Redemption Provisions") and incorporated herein by this reference.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2007 through 2016 for the payments due in the years 2008 through 2017 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created below.

Section 7. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for Kenosha County General Obligation Promissory Notes, Series 2007A, dated December 20, 2007", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

---

\* Preliminary, subject to change.

Section 8. Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the projects financed by the Notes which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the dates the 2005 Initial Resolution and the 2007 Initial Resolution were adopted. The County may also reimburse itself for preliminary expenditures relating to those projects (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 9. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 10. Additional Tax Covenants; Small Issuer Exemption from Rebate; Qualified Tax-Exempt Obligation Status. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(D) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Notes are to be used for local governmental activities of the County and that the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued by the County, including all subordinate entities of the County, during calendar year 2007 will not exceed \$5,000,000. If for any reason the County did not qualify for the small issuer exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County Board of Supervisors hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County, all as of the Closing.

Section 11. Execution of the Notes. The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 12A. Persons Treated as Owners; Transfer of Notes. The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 13. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 14. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of the Note Proceeds allocable to the payment of issuance expenses to U.S. Trust Company, Minneapolis, Minnesota on the closing date for further distribution as directed by the County's financial advisor, Ehlers & Associates, Inc.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" for purposes of SEC Rule 15c2-12. All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and addenda to it are hereby ratified and approved. In connection with the closing for the Notes, the appropriate County official shall certify the Preliminary Official Statement and addenda. The County Clerk shall cause copies of the Preliminary Official Statement and addenda to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Notes may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Note Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

SUBMITTED BY:

Finance Committee:

Robert Carbone

Mark Wisniewski

Anita M. Faraone

Joseph D. Clark

John O'Day

It was moved by Supervisor Carbone to adopt Resolution 90. Seconded by Supervisor Wisniewski.

Roll call vote passed unanimously.

COMMUNICATIONS

18. From Michael K. Higgins, City Clerk-Treasurer, regarding temporary Zoning District Classification of Land in the Town of Somers.

Chairman Rose referred Communication 18 to Land Use.

CLAIMS

21. Monique E. McWhorter - bad experience while being booked.  
Chairman Rose referred Claim 21 to Corporation Counsel.

It was moved by Supervisor Carbone to approve the November 20, 2007 minutes.  
Seconded by Supervisor Nudo.  
Motion carried.

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

Meeting adjourned at 9:00 P.M.

Prepared by: Edie LaMothe  
Deputy

Submitted by: Edna R. Highland  
County Clerk