

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**January 18, 2005**

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

Present: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, Kerkman, Smitz, Ekornaas.

Excused: Supervisors Huff, West, Gorkinski.

Present. 25 Excused. 3

There were no Citizen Comments.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman spoke regarding a discussion from the last meeting about unsigned ordinances and resolutions. By the next meeting, the problem will be resolved.

**SUPERVISOR REPORTS**

Supervisor L. Johnson stated that last Friday he had the opportunity to attend the banquet meeting of the State Board of Technical Colleges. County Executive Allan Kehl received an award for Outstanding Alumnus of the Technical College System for the State of Wisconsin.

Supervisor Michel stated that in Branch 3, Judge Schroeder's courtroom there are a lot of lights out, also the ceiling is falling in and the area is roped off. He would like Building and Grounds to look into it.

**County Executive Appointments**

45. Mary K. Mainland, M.D. to serve as the Kenosha County Medical Examiner and Public Health Lab Director.

Chairman Elverman referred County Executive Appointment 45 to the Human Services Committee.

**NEW BUSINESS**

Ordinance - first reading two required

**ORDINANCE 50**

50. From the Highway and Parks Committee to repeal and recreate an Ordinance on Speed Limits for CTH "C" from the Canadian National Railroad Crossing, westerly for a distance of 0.70 of a mile.

**ORDINANCE 51**

51. From the Highway and Parks Committee to repeal and recreate Ordinance's on speed limits for CTH "H" from Wisconsin/Illinois State Line to a point 0.5 miles north of County Trunk Highway "E".

Ordinance - one reading.

From the Land Use Committee:

**ORDINANCE 52**

52. Delia Daba, requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural 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 #35-4-121-233-0405 located in the southwest quarter of Section 23, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (0.67 acres). For informational purposes only, this property is located on the north side of County Trunk Highway "Q" (104<sup>th</sup> Street) approximately ¼ mile east of the intersection of County Trunk Highway "MB."

**Delia Daba - (Owner)**

**Description:** Part of the southwest quarter of Section 23, Town 1 North, Range 21 East of the Fourth Principal Meridian, lying and being in the Town of Bristol, Kenosha County, Wisconsin and being more particularly described as: Commencing

at the southeast corner of said quarter section; thence south 89°23'31" west along the south line of said quarter section 1101.34 feet to the point of beginning of the parcel to be herein described; thence continue south 89°23'31" west along said south line 60.00 feet; thence north 02°10'50" west parallel to the west line of the east half of said quarter section 300.00 feet; thence south 89°23'31" west parallel to the south line of said quarter section 160.00 feet to the west line of the east half of said quarter section; thence north 02°10'50" west along said west line 60.00 feet; thence north 89°23'31" east parallel to the south line of said quarter section 220.00 feet; thence south 02°10'50" east parallel to the west line of the east half of said quarter section 360.00 feet to the south line of said quarter section and the point of beginning; containing 31,188 square feet, more or less; including road, 29,208 square feet, more or less; excluding road; subject to a public road over and across the southerly portion thereof and subject to easements and restrictions of record.

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

SUBMITTED BY:

Land Use:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

#### ORDINANCE 53

53. Patrick Shawn and Debra Joanne Haney, requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-1 Rural Residential 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 Parcels #30-4-220-141-0100 and #30-4-220-141-0150 located in the northeast quarter of Section 14, Township 2 North, Range 20 East, Town of Brighton be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-1 Rural Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, these parcels are located on the north side of State Trunk Highway "142" (Burlington Road) approximately ¼ mile east of the intersection of County Trunk Highway "X" (240<sup>th</sup> Avenue).

the east half of said quarter section 994.84 feet; thence south 87°53'46" west 24.00 feet to said west line; thence south 01°46'40" **Patrick Shawn and Debra Joanne Haney - (Owners)**

**Descriptions:** A-2 General Agricultural District to R-1 Rural Residential District excluding lands currently zoned C-1 Lowland Resource Conservancy District: Part of the northeast quarter of Section 14, Town 2 North, Range 20 East of the Fourth Principal Meridian; lying and being in the Town of Brighton, Kenosha County, Wisconsin and being more particularly described as: Commencing at the northeast corner of said quarter section; thence south 87°51'07" west along the north line of said quarter section 450.00 feet to the point of beginning; thence continue south 87°51'07" west along said north line 440.00 feet; thence south 01°46'40" east parallel to the west line of the east half of said quarter section 561.45 feet; thence south 12°37'24" west 719.27 feet to the northerly right-of-way line of State Trunk Highway "142" (Burlington Road); thence south 59°41'22" east along said right-of-way line 300.00 feet; thence north 12°37'24" east 1466.41 feet to the north line of said quarter section and the point of beginning; containing 10.01 acres, more or less; subject to easements and restrictions of record.

In addition: Commencing at the northeast corner of said quarter section; thence south 87°51'07" west along the north line of said quarter section 890.00 feet to the point of beginning; thence continue south 87°51'07" west along said north

line 409.07 feet; thence south 01°46'40" east parallel to the west line of" east along said west line 101.14 feet to the northerly right-of-way line of State Trunk Highway "142" (Burlington Road); thence south 59°41'22" east along said right-of-way line 300.00 feet; thence north 12°37'24" east 719.27 feet; thence north 01°46'40" west parallel to aforesaid west line of the east half of said quarter section 561.45 feet to the north line of said quarter section and the point of beginning; containing 10.05 acres, more or less; subject to easements and restrictions of record.

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

SUBMITTED BY:

Land Use:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

#### ORDINANCE 54

54. Wayne B., Neil W. and Kenneth W. Botwright (Owners), Jeff C. Bush (Buyer/Agent), 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 #80-4-222-172-0400 located in the northwest quarter of Section 17, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (20 acres). For informational purposes only, this property is located on the west side of 100<sup>th</sup> Avenue at the intersection of 14<sup>th</sup> Street.

**Wayne B., Neil W. and Kenneth W. Botwright - (Owners)**

**Jeff C. Bush - (Buyer/Agent)**

**Description:** A tract of land being a part of the northwest quarter, the southwest quarter, of the northwest quarter of Section 17, 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 southwest corner of said section; thence north 01°13'11" west for a distance of 861.48 feet, along the west line of said quarter section, to the point of beginning; thence north 01°13'11" west for a distance of 673.02 feet, continuing along said west line, to a point; thence north 89°25'23" east for a distance of 1328.33 feet, to a point; thence south 01°05'05" east for a distance of 673.01 feet, along the east line of the west ½ of the northeast quarter, to a point; thence south 89°25'23" west for a distance of 1326.75 feet, to the point of beginning. Reserving the easterly 33.00 feet for public road purposes. Contains 20.50986 acres including road right-of-way; 20.000 acres excluding road right-of-way.

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

SUBMITTED BY:

Land Use:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinances 52-54. Seconded by Supervisor Molinaro.

Motion carried.

#### ORDINANCE 55

55. Golf Glen Estates LLC, Gadi Cohen (Owner/Developer), Antonio Lori (Agent), requesting 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 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 #81-4-223-072-0150 and #81-4-223-072-0160 located in the northwest quarter of Section 7, Township 2 North, Range 23 East, Town of Somers 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 and C-1 Lowland Resource Conservancy District. For informational purposes only, these properties are located on the southeast corner of the intersection of County Trunk Highway "A" (7<sup>th</sup> Street) and County Trunk Highway "Y" (22<sup>nd</sup> Avenue).

**Golf Glen Estates LLC, Gadi Cohen - (Owner/Developer)**

**Antonio Lori - (Agent)**

**Descriptions: PORTION OF LAND TO BE REZONED FROM C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District:**

Part of the Northwest Quarter of Section 7, Town 2 North, Range 23 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 said quarter section; thence N 87 degrees 51'47" E along the north line of said quarter section 1209.65 feet; thence S 01 degrees 58'45" E 828.37 feet to the point of beginning; thence continue S 01 degrees 58'45" E 491.51 feet; thence S 87 degrees 51'47" W 47.49 feet; thence N 00 degrees 43'40" W 43.15 feet; thence N 34 degrees 02'32" E 26.64 feet; thence N 35 degrees 52'06" W 21.55 feet; thence N 75 degrees 56'35" W 19.67 feet; thence N 62 degrees 05'42" W 34.32 feet; thence N 84 degrees 33'09" W 27.18 feet; thence S 64 degrees 49'13" W 35.04 feet; thence S 87 degrees 50'56" W 56.66 feet; thence S 84 degrees 57'58" W 59.08 feet; thence S 85 degrees 10'33" W 77.68 feet; thence N 88 degrees 10'58" W 40.06 feet; thence N 71 degrees 24'33" W 62.58 feet; thence N 55 degrees 09'34" W 18.77 feet; thence N 41 degrees 37'03" W 37.45 feet; thence N 27 degrees 34'44" W 25.14 feet; thence N 16 degrees 30'52" W 39.27 feet; thence N 10 degrees 34'12" W 35.19 feet; thence N 10 degrees 25'44" E 54.98 feet; thence N 41 degrees 09'03" E 37.95 feet; thence N 58 degrees 16'24" E 21.22 feet; thence S 89 degrees 08'46" E 37.11 feet; thence N 81 degrees 09'34" E 32.70 feet; thence N 86 degrees 08'50" E 33.16 feet; thence S 68 degrees 53'11" E 31.89 feet; thence S 45 degrees 37'04" E 23.36 feet; thence S 09 degrees 54'02" E 21.55 feet; thence S 13 degrees 35'34" E 22.08 feet; thence S 35 degrees 15'12" E 41.40 feet; thence S 72 degrees 23'00" E 42.57 feet; thence N 53 degrees 12'38" E 29.41 feet; thence N 29 degrees 39'30" E 25.93 feet; thence N 09 degrees 02'58" E 68.05 feet; thence N 13 degrees 33'31" E 32.08 feet; thence N 37 degrees 04'55" E 84.98 feet; thence N 41 degrees 10'33" E 34.86 feet; thence N 41 degrees 29'13" E 52.05 feet; thence N 62 degrees 17'25" E 11.19 feet; thence N 88 degrees 45'36" E 50.23 feet to the point of beginning; containing 107,684 square feet, more or less; NOT INCLUDING the following exception: EXCEPTING THEREFROM A PORTION WHICH WILL REMAIN C-1; being more particularly described as: Commencing at the northwest corner of said quarter section; thence S 36 degrees 05'08" E 1297.16 feet to the point of beginning; thence S 08 degrees 02'22" E 3.63 feet; thence S 82 degrees 17'38" E 7.61 feet; thence S 05 degrees 54'26" E 15.32 feet; thence S 37 degrees 05'25" E 21.59 feet; thence S 69 degrees 12'10" E 19.73 feet; thence S 29 degrees 18'03" E 26.43 feet; thence S 43 degrees 10'04" E 25.41 feet; thence N 88 degrees 14'59" E 30.53 feet; thence N 89 degrees 08'23" E 34.41 feet; thence N 87 degrees 26'09" E 32.49 feet; thence S 75 degrees 34'36" E 35.09 feet; thence N 89 degrees 48'07" E 56.33 feet; thence N 77 degrees 53'38" E 36.58 feet; thence N 55 degrees 26'49" E 39.91 feet; thence N 46 degrees 40'58" E 21.14 feet; thence N 44 degrees 50'09" E 14.56 feet; thence N 24 degrees 42'13" E 27.35 feet; thence N 11 degrees 28'32" W 36.34 feet; thence N 14 degrees 46'56" E 29.74 feet; thence N 01 degrees 16'21" E 42.91 feet; thence N 36 degrees 02'26" W 32.66 feet; thence N 11 degrees 54'02" W 19.82 feet; thence S 60 degrees 44'03" W 17.13 feet; thence S 46 degrees 00'50" W 15.72 feet; thence S 12 degrees 41'01" W 24.68 feet; thence S 05 degrees 40'13" E 10.74 feet; thence S 08 degrees 48'33" W 20.41 feet; thence S 19 degrees 58'23" E 15.31 feet; thence S 72 degrees 57'34" E 17.55 feet; thence S 20 degrees 05'11" E 14.54 feet; thence S 33 degrees 40'21" W 34.75 feet; thence S 38 degrees 38'41" W 47.79 feet; thence S 75 degrees 45'45" W 43.65 feet; thence S 87 degrees 42'16" W 47.50 feet; thence N 50 degrees 43'15" W 34.39 feet; thence S 75 degrees 03'40" W 33.18 feet; thence S 74 degrees 37'38" W

43.30 feet; thence N 74 degrees 15'39" W 46.83 feet; thence N 57 degrees 52'52" W 28.18 feet; thence N 26 degrees 53'35" W 18.62 feet; thence S 85 degrees 37'47" W 19.46 feet to the point of beginning; containing 22,570 square feet, more or less.

**PORTION OF LAND TO BE REZONED FROM A-2 General Agricultural District to R-3 Urban Single-Family Residential District:**

Part of the Northwest Quarter of Section 7, Town 2 North, Range 23 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 said quarter section; thence N 87 degrees 51'47" E 1134.65 feet; thence S 01 degrees 58'45" E 40.00 feet to the point of beginning; thence continue S 01 degrees 58'45" E 467.00 feet; thence N 87 degrees 51'47" E 75.00 feet; thence S 01 degrees 58'45" E 328.37 feet; thence S 88 degrees 45'36" W 50.23 feet; thence S 62 degrees 17'25" W 11.19 feet; thence S 41 degrees 29'13" W 52.05 feet; thence S 41 degrees 10'33" W 34.86 feet; thence S 37 degrees 04'55" W 84.98 feet; thence S 13 degrees 33'31" W 32.08 feet; thence S 09 degrees 02'58" W 68.05 feet; thence S 29 degrees 39'30" W 25.93 feet; thence S 53 degrees 12'38" W 29.41 feet; thence N 72 degrees 23'00" W 42.57 feet; thence N 35 degrees 15'12" W 41.40 feet; thence N 13 degrees 35'34" W 22.08 feet; thence N 09 degrees 54'02" W 21.55 feet; thence N 45 degrees 37'04" W 23.36 feet; thence N 68 degrees 53'11" W 31.89 feet; thence S 86 degrees 08'50" W 33.16 feet; thence S 81 degrees 09'34" W 32.70 feet; thence N 89 degrees 08'46" W 37.11 feet; thence S 58 degrees 16'24" W 21.22 feet; thence S 41 degrees 09'03" W 37.95 feet; thence S 10 degrees 25'44" W 54.98 feet; thence S 10 degrees 34'12" E 35.19 feet; thence S 16 degrees 30'52" E 39.27 feet; thence S 27 degrees 34'44" E 25.14 feet; thence S 41 degrees 37'03" E 37.45 feet; thence S 55 degrees 09'34" E 18.77 feet; thence S 71 degrees 24'33" E 62.58 feet; thence S 88 degrees 10'58" E 40.06 feet; thence N 85 degrees 10'33" E 77.68 feet; thence N 84 degrees 57'58" E 59.08 feet; thence N 87 degrees 50'56" E 56.66 feet; thence N 64 degrees 49'13" E 35.04 feet; thence S 84 degrees 33'09" E 27.18 feet; thence S 62 degrees 05'42" E 34.32 feet; thence S 75 degrees 56'35" E 19.67 feet; thence S 35 degrees 52'06" E 21.55 feet; thence S 34 degrees 02'32" W 26.64 feet; thence S 00 degrees 43'40" E 43.15 feet; thence S 87 degrees 51'47" W 1121.49 feet; thence N 01 degrees 30'45" W 1212.04 feet; thence N 15 degrees 49'33" E 71.38 feet; thence N 87 degrees 51'47" E 1062.29 feet to the point of beginning; containing 30.39 acres, more or less.

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

SUBMITTED BY:

Land Use:

Donald Smitz  
Thomas J. Gorlinski  
Mark Molinaro, Jr.  
Fred R. Ekornaas  
Janice Marrelli

**ORDINANCE 56**

56. Land Use Committee (Sponsor), Golf Glen Esteates LLC (Owner), requesting removal of the shoreland area delineation 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 the shoreland overlay designation on all of Tax Parcel #81-4-223-072-0160 and part of Tax Parcel #81-4-223-072-0150 as presented in (Exhibit 1, attached) be removed based on the determination of the Wisconsin Department of Natural Resources that the subject waterway is not navigable.

**Land Use Committee - (Sponsor)**

**Golf Glen Estates LLC - (Owner)**

**Description:** The proposed shoreland area to be removed is presented in (Exhibit 1, attached).

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

SUBMITTED BY:

Land Use:

Donald Smitz  
Thomas J. Gorlinski  
Mark Molinaro, Jr.

Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinances 55 & 56. Seconded by Supervisor Ekornaas.

Motion carried.

Resolution - one reading.

**RESOLUTION 80**

80. From Allan K. Kehl and the Finance Committee Resolution to appoint Patricia Johnson to the Kenosha County Library Committee.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-29, the County Executive has appointed Patricia Johnson 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 Patricia Johnson to serve on the Kenosha County Library Committee. Ms. Johnson's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2007, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Johnson will serve without pay as defined under Resolution 65 (1982-83). Ms. Johnson will be succeeding herself.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 80. Seconded by Supervisor Rose.

Supervisor L. Johnson abstained.

Motion carried.

**RESOLUTION 81**

81. From Judiciary & Law and Finance Committees regarding FY04 Homeland Security Local Planning Grant.

**WHEREAS**, Kenosha County Division of Emergency Management was awarded a FY04 Homeland Security Grant allocation amount totaling \$287,795 from the Federal Government through Wisconsin Office of Justice Assistance (OJA), and

**WHEREAS**, the FY04 Homeland Security Local Planning Grant, which is part of the FY04 Homeland Security Grant allocation, will be used to rewrite in part, the County's Emergency Operations Plan as required by the State and Federal Government, and

**WHEREAS**, the work under this Grant which is to be completed by November 30, 2005, and

**WHEREAS**, the Kenosha County Division of Emergency Management's Budget will require a FY05 Budget Modification of \$8,634.00,

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approve that the FY05 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

**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 Grant criteria.

Submitted by:

JUDICIARY & LAW COMMITTEE:

James Huff

Brenda Carey-Mielke

Susan Deschler

William Michael II

Terry Rose

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Carey-Mielke to adopt Resolution 81. Seconded by Supervisor Carbone. Roll call vote passed unanimously.

**RESOLUTION 82**

82. From Judiciary & Law and Finance Committees regarding WI Office of Justice Assistance FY04 Homeland Security Communication Interoperability Planning Grant.

**WHEREAS**, Kenosha County Division of Emergency Management is being awarded a Wisconsin Office of Justice Assistance (OJA) Communications Interoperability Planning Grant totaling \$46,549, and

**WHEREAS**, this grant will be used to conduct a detailed Study of Kenosha's countywide first responder communication infrastructure so as to assess current equipment, identify issues/problems and make recommendations for improvement including better communications interoperability both within Kenosha County and with our contiguous counties (Lake, McHenry, Racine and Walworth), and

**WHEREAS**, first responder agencies throughout Kenosha County are 100% in support of this study, and

**WHEREAS**, the cost of this grant is 100% funded by WI OJA, requiring no tax levy, and

**WHEREAS**, due to the technical requirements of this Study, the criticality of the Grant's outcome/results which will allow Kenosha County to compete for future communications infrastructure improvement grants and the knowledge/background of the chosen consultant, BioCATT, and

**WHEREAS**, the BioCATT principals that will be involved in conducting this study are extremely knowledgeable in communications interoperability, were submitted as sole source consultants in the grant application, and have been approved per the Grant application/award letter to conduct Kenosha County's communications interoperability study, Kenosha County will sole source the Communications Interoperability Planning Grant to BioCATT, subject to WI OJA approval as sole source, and

**WHEREAS**, the Kenosha County Emergency Management Budget will require a FY05 Budget Modification of \$46,549.00,

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approve that the FY05 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

**BE IT FURTHER RESOLVED**, that Administration be authorized to modify these Budget Expenditures for purposes of expending all of the grant dollars in accordance with Grant criteria.

Submitted by:

JUDICIARY & LAW COMMITTEE:	FINANCE COMMITTEE
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose
William Michael II	Anita Faraone
Terry Rose	Mark Modory

It was moved by Supervisor Carey-Mielke to adopt Resolution 82. Seconded by Supervisor Carbone. Roll call vote passed unanimously.

**RESOLUTION 83**

83. From Judiciary & Law and Finance Committees regarding HIDTA FY 2004 Grant Award.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$40,970 by the federal Office of National Drug Control Policy under the High Intensity Drug Trafficking Areas (HIDTA) initiative, which has been established to focus on disrupting and dismantling local, regional, and national-level drug and money laundering organizations, and

**WHEREAS**, there are 33 nationally recognized HIDTA regions including the Milwaukee HIDTA, of which, the Kenosha County Sheriff's Department is a representative, and

**WHEREAS**, the grant funds have been awarded for a second year to continue to provide overtime reimbursement, support equipment and training for the

Sheriff's Department Traffic Interdiction enforcement efforts to reduce organized drug distribution, drug related violent crime, and reduce demand for illegal drugs within the Milwaukee HIDTA region, and

**WHEREAS**, the funding will allow for the purchase of certain authorized equipment and reimburse for overtime incurred by Sheriff's Department enforcement and to reimburse other local law enforcement agencies participating in scheduled enforcement efforts, and

**WHEREAS**, it is expected that there will be continued funding to support subsequent year costs associated with the HIDTA as long as the Sheriff agrees to participate in the Milwaukee HIDTA enforcement program, and

**WHEREAS**, should the HIDTA funding cease, the Sheriff agrees to terminate the enforcement efforts and cease purchase of services/equipment related to the program unless another funding source is identified outside of tax levy dollars, and

**WHEREAS**, the grant program award 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 the Revenue and Expenditure line items modified within the Sheriff's Department Budget as per the attached budget modification form, which is incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that any unobligated HIDTA grant funds remaining at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the HIDTA grant requirements, and that the Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

JUDICIARY & LAW COMMITTEE:	FINANCE COMMITTEE
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose
William Michael II	Anita Faraone
Terry Rose	Mark Modory

It was moved by Supervisor Carey-Mielke to adopt Resolution 83. Seconded by Supervisor Carbone.  
Roll call vote passed unanimously.

**RESOLUTION 84**

84. From Judiciary & Law and Finance Committees regarding Kenosha County PreTrial Intensive Supervision Program VIII.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$72,871 for a Highway Safety Grant entitled, "Kenosha County Sheriff's Department Intensive Supervision Program VIII", for the grant period of January 1, 2005 through December 31, 2005, and

**WHEREAS**, these funds have been made available to the Kenosha County Sheriff's Department for its eighth year through the State of Wisconsin, Department of Transportation, Bureau of Transportation Safety in their effort to improve traffic safety in Wisconsin, and

**WHEREAS**, the project will be facilitated by the Wisconsin Correctional Service (WCS), and

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

**WHEREAS**, the total operating budget for the Intensive Sanctions program is funded by four sources: (1) State DOT grant award, (2) Client Fees collected by WCS from participants totalling \$32,804 (3) Sheriff's Dept. in-kind match of



\$26,915, and (4) Sheriff's Department hard match of \$49,000 authorized in 2005 budget, for a total operating budget of \$181,590, and

**NOW, THEREFORE BE IT RESOLVED,** that the Kenosha County Board of Supervisors accept the grant and approve the Revenue and Expenditure line item modifications as per the attached budget modification form, which are incorporated herein by reference.

JUDICIARY & LAW COMMITTEE:	FINANCE COMMITTEE
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose
William Michael II	Anita Faraone
Terry Rose	Mark Modory

It was moved by Supervisor Carey-Mielke to adopt Resolution 84. Seconded by Supervisor Carbone.

Roll call vote passed unanimously.

**RESOLUTION 85**

85. From the Judiciary & Law and Finance Committees regarding Jail Literacy Project Funding.

**WHEREAS,** the Kenosha County Sheriff's Department has been awarded \$30,000 by the State of WI, Office of Justice Assistance for the 2<sup>nd</sup> year of the Jail Literacy Project. The project period will run January 1, 2005 through December 31, 2005, and

**WHEREAS,** the grant funds have been awarded to continue to provide primary literacy services to incarcerated individuals as well as support secondary education services, specifically, job search skills, in an effort to reduce the recidivist rate experienced with inmates of low income and poor education skills, and

**WHEREAS,** the funding will allow for the purchase of services through community support/educational organizations to provide classroom instruction, personal tutoring services for participating inmates and post release job search follow-up, and office supplies, and

**WHEREAS,** the required local match of \$3,333 will be met with in-kind costs provided by department staff supervision and Gateway Technical College staff hours through a contract for services currently funded by the Sheriff's Department Detention Division, and

**WHEREAS,** in order to continue this grant funded program in succeeding years, that any unobligated grant award funds remaining available at the end of the budget year shall be carried over in the succeeding budget year following approval by the State of WI, Office of Justice Assistance, and

**NOW, THEREFORE BE IT RESOLVED,** that the Kenosha County Board of Supervisors accept the grant and approve the Revenue and Expenditure line items modified within the Sheriff's Department 2005 Budget 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 revenues by \$30,000 and increases expenditures by \$30,000.

JUDICIARY & LAW COMMITTEE:	FINANCE COMMITTEE
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose
William Michael II	Anita Faraone
Terry Rose	Mark Modory

It was moved by Supervisor Carey-Mielke to adopt Resolution 85. Seconded by Supervisor Carbone.

Roll call vote passed unanimously.

**RESOLUTION 86**

86. From the Judiciary & Law and Finance Committees regarding Sheriff's Department Banking Services.

**WHEREAS**, to properly receive and disburse funds that are the responsibility of the Kenosha County Sheriff's Department, it is necessary to establish accounts with a duly recognized Commercial Bank, and

**WHEREAS**, Johnson Bank was selected to become the public depository for the Sheriff's Department's Administrative Services, Inmate, Special Deposit, Community Relations and Commissary Accounts, and

**WHEREAS**, Johnson Bank shall disburse said public Sheriff's Department funds from the above mentioned accounts upon proper and legal notification, and

**WHEREAS**, in order to maintain the current account signatories, Johnson Bank requires a resolution stating who is authorized as a signatory,

**NOW THEREFORE BE IT RESOLVED**, that Johnson Bank, qualified as a public depository under Ch. 34, Wis. Stats., is hereby designated as a depository in which the funds for the above mentioned accounts may from time to time be deposited,

**BE IT FURTHER RESOLVED**, that for the Administrative Services, Special Deposit and Community Relations accounts one signature or facsimile thereof is required by the Kenosha County Sheriff, Kenosha County Chief Deputy Sheriff, Kenosha County Sheriff's Department Fiscal Services Manager or the Kenosha County Sheriff's Departments Account Specialist, for and on behalf of this Department, to sign order checks for payment or withdrawal of money from said account and to issue instructions regarding the same, and to endorse for deposit, negotiations, collections or discount by any and all checks, drafts, notes, bills, certificates of deposit of other instruments or orders for the payment of money owned or held by this Department; that the endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation or signature of the person so endorsing; and that authorization of one of these individuals is required to make oral or written requests of the Bank for the transfer of funds or money between accounts maintained by this Department at the Bank or for the approval for closing these accounts,

**BE IT FURTHER RESOLVED**, that for the Commissary and Inmate's accounts one signature or facsimile thereof is required by the Kenosha County Sheriff, Kenosha County Chief Deputy Sheriff, or the Kenosha County Detention System's Coordinator, for and on behalf of this Department, to sign order checks for payment or withdrawal of money from said account and to issue instructions regarding the same, and to endorse for deposit, negotiations, collections or discount by any and all checks, drafts, notes, bills, certificates of deposit of other instruments or orders for the payment of money owned or held by this Department; that the endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation or signature of the person so endorsing; and that authorization of one of these individuals is required to make oral or written requests of the Bank for the transfer of funds or money between accounts maintained by this Department at the Bank or for the approval for closing these accounts.

JUDICIARY & LAW COMMITTEE:	FINANCE COMMITTEE
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose
William Michael II	Anita Faraone
Terry Rose	Mark Modory

It was moved by Supervisor Carey-Mielke to adopt Resolution 86. Seconded by Supervisor Carbone.  
Motion carried.

#### **RESOLUTION 87**

87. From the Land Use Committee Final Plat of Woodhaven Meadows Subdivision, Jim Walters (Developer) located in the Town of Somers.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on November 17, 2004 review was given to the Final Plat of Woodhaven Meadows Subdivision located on Tax Parcel #65-4-120-134-0100 and part of Tax Parcel #65-4-120-241-0100 in the southeast quarter of Section 13, and the northeast quarter of Section 24, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, these parcels are located on the north side of the intersection of County Trunk Highway "C" and 98<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 Salem recommended approval of Woodhaven Meadows 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 Southeast 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 Woodhaven Meadows Subdivision subject to the conditions as approved by the Land Use Committee.

SUBMITTED BY:

Land Use:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Resolution 87. Seconded by Supervisor Marrelli.

Motion carried

#### **RESOLUTION 88**

88. From the Legislative Committee a resolution to place Referenda Questions on the April Ballot.

It was moved by Supervisor R. Johnson to adopt Resolution 88. Seconded by Supervisor Kessler.

Roll call vote passed unanimously.

**WHEREAS**, county government acts in partnership with state government in Wisconsin to provide programs and services to the citizenry, and

**WHEREAS**, state government requires county government to provide programs and services that are not always funded by the state government, and

**WHEREAS**, the major funding source for county government is the county property tax, and

**WHEREAS**, some mandated programs and services are not funded or fully funded by the state, causing the county property taxpayer to supplement funding with property tax dollars, and

**WHEREAS**, the public has an increased concern over how property tax dollars are being expended, and

**WHEREAS**, two statewide commissions (Kettl and Sheehy) suggested that the circuit court system and human services should not be funded by the property tax, and

**WHEREAS**, Chapter 59.52(25) of the State Statutes states, "*the board may conduct a countywide referendum for advisory purposes or for the purpose of ratifying or validating a resolution adopted or ordinance enacted by the board contingent upon approval in the referendum*", and

**WHEREAS**, the following advisory referenda questions are an effective way to determine how the citizenry believes the court system and human services should be funded:

Should the State of Wisconsin, not the county taxpayer, pay or the cost of the state mandated court system in Kenosha County?

Should the State of Wisconsin, not the county taxpayer, pay for the cost of state mandated human services in Kenosha County?

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors will place the above mentioned questions on the April ballot as advisory referenda questions.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Wisconsin Counties Association.

**COMMUNICATION**

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

14. From Jean A. Morgan, City Clerk-Treasurer regarding Annexation of 0.641 acres of land in the Town of Somers.

15. From Jean A. Morgan, City Clerk-Treasurer regarding Annexation of 0.413 acres of Land in the Town of Somers.

Chairman Elverman referred Communications 13-15 to the Land Use Committee.

**CLAIMS**

20a. Leonard Grisk - Mailbox damage.

21. Amy Orłowski - Car damaged by snowplow.

Chairman Elverman referred Claims 20a-21 to Corporation Counsel.

It was moved by Supervisor Noble to Approve the January 11<sup>th</sup> minutes. Seconded by Supervisor Wisnefski.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:09 P.M.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Edna R. Highland

County Clerk