

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
January 11, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: Supervisor West.

Present. 27    Excused. 1

**CITIZEN COMMENTS**

Morey Smith, 10519 69<sup>th</sup> St., wanted to publicly thank County Executive Al Kehl, Supervisor Deschler, and everyone else who attended last Tuesdays meeting that the Mayor of Kenosha arranged with the neighbors who are opposed to the casino. At least 75 citizens had an opportunity to ask questions and hear answers regarding the casino. He asked the County Board to examine this proposal, and to continue to work with City Officials to remove or reduce the effect this 24/7, 364 days a year business will have on their neighborhood.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that he has been asked when discussion will begin on the Inter-Governmental Agreement. When the opinion from the firm the county hired to look over the IGA is received, copies will be made for all supervisors.

Chairman Elverman on the behalf of the County Clerk, stressed to the supervisors and the committee chairs to get mileage and per diem requests to the Clerk's office in a more timely manner. He also stated this year that anyone attending any seminars or meetings that require mileage or per diem they will have to be approved by the Committee Chairman or the Chairman of the County Board. We went slightly over the budget last year so this year we'll have to be careful.

**SUPERVISOR REPORTS**

Supervisor Wisnefski wanted to give the Kenosha County Highway Department a big pat on the back for the fantastic job they did keeping the roads in excellent shape during the snowstorms we had this past week.

Supervisor Carey-Mielke reported that the Extension Education offers a very valuable Youth Mentorship Program through the Youth and Family Educator. They are in short supply of mentors for the Youth Quest Program. There is a program available for presentation to community or business based organizations who could learn from an asset approach to healthy youth. If anyone is interested in volunteering their time to please contact John de Montmollin at the UW Extension.

County Executive Appointments

33. Nancy Principe to serve on the Kenosha County Brookside Board of Trustees.

Chairman Elverman referred County Executive Appointment 33 to the Human Service Committee.

34. Karen Lockwood to serve on the Kenosha County Specialized Transportation Committee.

Chairman Elverman referred County Executive Appointment 34 to the Human Service Committee.

35. Ronald Johnson to serve on the Kenosha County Library Committee.

Chairman Elverman referred County Executive Appointment 35 to the Finance Committee.

36. Ronald Markowski to serve on the Kenosha County Civil Service Commission.

Chairman Elverman referred County Executive Appointment 36 to the Human Service Committee.

37. Shawn Zwirgzdas to serve on the Kenosha County Long Term Care Council.

Chairman Elverman referred County Executive Appointment 37 to the Human Service Committee.

38. John Richards to serve on the Kenosha County Long Term Care Council.

Chairman Elverman referred County Executive Appointment 38 to the Human Service Committee.

39. Sandra Bisciglia to serve on the Kenosha County Human Services Board.

Chairman Elverman referred County Executive Appointment 39 to the Human Service Committee.

40. Margaret Gesner to serve on the Kenosha County Local Emergency Planning Commission.

Chairman Elverman referred County Executive Appointment 40 to the Judiciary & Law Committee

41. Theresa Gilliland to serve on the Kenosha County Specialized Transportation Commission.

Chairman Elverman referred County Executive Appointment 41 to the Human Service Committee.

42. Edo Maccari to serve on the Kenosha County Veterans Commission.

Chairman Elverman referred County Executive Appointment 42 to the Human Service Committee.

43. Earl Hawley to serve on the Kenosha County Long Term Care Council.

Chairman Elverman referred County Executive Appointment 43 to the Human Service Committee.

44. Mark Modory to serve on the Kenosha County Human Services Board.

Chairman Elverman referred County Executive Appointment 44 to the Human Service Committee.

#### **OLD BUSINESS**

Policy Resolution - second reading two required.

#### **POLICY RESOLUTION 2**

2. From the Administration & Legislative Committees regarding 2002/2003 Affirmative Action Plan and 2003/2004 Affirmative Action Plan.

**WHEREAS**, the County Board has previously authorized and directed the Division of Personnel Services to develop an Affirmative Action Plan for Kenosha County, and

**WHEREAS**, the Kenosha County Affirmative Action Plan required periodic updating, and

**WHEREAS**, the attached Affirmative Action Plan complies with all federal laws and regulations pertaining to such plans and is in conformity with the goals and guidelines of the Kenosha County Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED** that the attached revisions to the Affirmative Action Plans be and hereby are adopted by the Kenosha County Board of Supervisors and further, that said revisions of the Plans be incorporated into the Kenosha County Policy & Rules Manual in conformity with manual format.

Submitted by:

Administration Committee:

David Singer

Joseph Clark

Anita Faraone

Thomas Kerkman

Janice Marrelli

Legislative Committee:

Ronald Johnson

Richard Kessler

Joseph Clark

Christine Wipper

Mark Modory

It was moved by Supervisor Singer to adopt Policy Resolution 2. Seconded by Supervisor R. Johnson.

Motion carried.

#### **NEW BUSINESS**

Ordinance - one reading.

From the Land Use Committee:

#### **ORDINANCE 47**

47. Kyle Christensen, requesting rezoning from R-4 Urban Single-Family Residential District to C-1 Lowland Resource Conservancy District and From C-1 Lowland Resource conservancy District to R-4 Urban Single-Family Residential 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 #65-4-120-132-0645 located in the northwest quarter of Section 13, Township 1 North, Range 20 East, Town of Salem be changed from R-4 Urban Single-Family District to C-1 Lowland Resource Conservancy District and from C-1 Lowland Resource Conservancy District to R-4 Urban Single-Family Residential District.

**Kyle Christensen - (Owner)**

**Description:** Presented in Exhibit #1 attached.

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

Submitted by:

LAND USE COMMITTEE:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 47. Seconded by Supervisor Gorlinski.

Motion Carried.

#### **ORDINANCE 48**

48. Stephen R. Mills (Owner/Developer), requesting a floodplain boundary adjustment in the Town of Salem.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE KENOSHA COUNTY MUNICIPAL CODE, BEING THE KENOSHA COUNTY GENERAL ZONING AND SHORELAND/FLOODPLAIN ZONING ORDINANCE, WITH REFERENCE TO THE LARGE SCALE TOPOGRAPHIC MAPS, AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE STUDY

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:

**WHEREAS**, Stephen R. Mills, 4011 80<sup>th</sup> Street, Kenosha, WI 53142 has petitioned the Kenosha County Board of Supervisors for a floodplain boundary adjustment and amendment on part of Tax Parcel #65-4-120-142-0101 being part of the northwest quarter of Section 14, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, this property is located on the south side of 84<sup>th</sup> Street approximately 0.65 miles east of the intersection of State Trunk Highway "83"; and

**WHEREAS**, on December 8, 2004 the Land Use Committee of the Kenosha County Board of Supervisors held a public hearing on the request; and

**WHEREAS**, an analysis completed by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) of the engineering data provided indicates that the proposed floodplain boundary adjustment and amendment will not result in a change in flood elevation in excess of 0.01 foot as amended and set forth in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance and such change will comply with NR116 of the Wisconsin Administrative Code; and

**WHEREAS**, the proposal consists of filling a portion of the 100 year recurrence floodplain on Lots 11 and 12 and replacing the floodplain on Lots 17, and 18 of the Meadows of Mill Creek Subdivision. This floodplain boundary adjustment complies with the requirements of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance for establishing equal area and volume of filling; and

**WHEREAS**, the Kenosha County Land Use Committee recommended approval of the floodplain boundary adjustment and amendment;

**NOW THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors do hereby ordain that the floodplain boundary for the unnamed tributary to Hooker Lake delineated in the adopted Des Plaines Watershed Study and presented on the large scale topographic map for Section 14, of the Town of Salem, Township 1 North, Range 20 East, referred to in Appendix "C" of the Ordinance, as well as the Federal Emergency Management Agency (FEMA) be amended as proposed by the petitioner.

It was moved by Supervisor Smitz to adopt Ordinance 48. Seconded by Supervisor Molinaro.

Roll call vote.

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

Abstain: Supervisor Clark.

Ayes: 26. Abstain: 1

Motion carried.

#### **ORDINANCE 49**

49. Land Use Committee (Sponsor), Dennis and Diane Hasting (Owners), requesting rezoning from C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District to B-3 Highway Business District in the annexed shoreland area in the Village of Paddock Lake, 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 #40-4-120-102-0401 (formerly #65-4-120-102-0400 prior to annexation) be changed within the shoreland area according to State Statutes from C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District to B-3 Highway Business District. This rezoning is considered a zoning map amendment to reflect actual field conditions. It is further located in the shoreland area of land that was annexed into the Village of Paddock Lake. For informational purposes only, this property is located on the south side of State Trunk Highway "50" (75<sup>th</sup> Street) approximately ¼ mile west of the intersection of County Trunk Highway "F" (256<sup>th</sup> Avenue).

**Land Use Committee - (Sponsor)**

**Dennis and Diane Hasting - (Owners)**

**Description:** Presented in Exhibit #1 (attached).

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

Submitted by:

LAND USE COMMITTEE:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 49. Seconded by Supervisor Ekornaas.

Motion carried.

Resolution - one reading.

#### **RESOLUTION 78**

78. From the Land Use Committee Resolution regarding Final Condominium Plat of the Meadows of Mill Creek Condominiums in the Town of Salem.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on December 8, 2004 review as given to the Final Condominium Plat of the Meadows of Mill Creek Condominiums located on Tax Parcel #65-4-120-142-0101 in the southwest quarter of Section 11, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, this property is located immediately south of the proposed Meadows of Mill Creek Subdivision located on the south side of 84<sup>th</sup> Street approximately 0.65 miles east of the intersection of State Trunk Highway "83."

**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 Final Plat of Meadows of Mill Creek Condominiums subject to the conditions presented in (*Exhibit 1, on file in the Department of Planning and Development*) and the developers agreement being prepared by the Town and the developer. Said agreement will be signed by both parties prior to recording the final plat.

**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 the Meadows of Mill Creek Condominiums subject to the conditions as approved by the Land Use Committee.

It was moved by Supervisor Smitz to adopt Resolution 78. Seconded by Supervisor Marrelli.

Roll call vote.

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

Nays: Supervisors Grady, Kerkman, Gorlinski, Ekornass.

Abstain: Clark

Ayes: 22      Nays: 4      Abstain: 1

Motion carried.

#### **RESOLUTION 79**

79. From the Land Use Committee Resolution regarding Final Plat of the Meadows of Mill Creek Subdivision, located in the Town of Salem.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on December 8, 2004 review was given to the Final Plat of the Meadows of Mill Creek Subdivision located on Tax Parcel #65-4-120-113-1201 in the southwest quarter of Section 11, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, this property is located on the south side of 84<sup>th</sup> Street approximately 0.65 miles east of the intersection of State Trunk Highway "83"; 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 Meadows of Mill Creek Subdivision subject to the conditions presented in (*Exhibit 1, on file in the Department of Planning and Development*) and subject to the signing of 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 Meadows of Mill Creek Subdivision subject to the conditions as approved by the Land Use Committee.

It was moved by Supervisor Smitz to adopt Resolution 79. Seconded by Supervisor Molinaro.

Roll call vote.

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

Nays: Supervisors Grady, Kerkman, Gorlinski, Ekornass.

Abstain: Clark

Motion carried.

#### **COMMUNICATION**

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

Chairman Elverman referred Communication 12 to the Land Use Committee.

#### **CLAIMS**

18. Rosa Leta Genack - fell on Courthouse steps.

19. Stephanie Hughes - mailbox damage

20. Jacob Leigh Fanelli - injured in jail.

Chairman Elverman referred Claims 18-20 to Corporation Counsel.

It was moved by Supervisor Molinaro to Approve the December 7, 2004 minutes. Seconded by Supervisor Kessler.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:10 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**

**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, Gorlinski.

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 Estates 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 Orlowski - 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 Wisniewski.

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

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**February 1, 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, Huff, Wipper, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: Supervisors Modory, Carey-Mielke, Clark.

Present. 25 Excused. 3

Supervisor Clark arrived after roll call.

**CITIZEN COMMENTS**

Tiffany Garrison, 6923 111<sup>th</sup> Ct., thanked Supervisor Deschler for her efforts on making the voice of her constituents heard. She hopes that through their continued efforts and those of our elected officials they can reduce the negative impact of the casino and produce a development that will benefit the city and county and be successful of the tribe.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman announced that due to the upcoming election, the next meeting will be held on February 22<sup>nd</sup>. On the desks, Supervisor Gorlinski set out requests from the Hoy Audubon Society, he will talk about those during Supervisor Reports.

**SUPERVISOR REPORTS**

Supervisor Gorlinski stated that over the years the Pringle Nature Center has been reduced in income by the amount of money that is budgeted by the County. He has been asked to pass out two requests, one is for an Attorney, the other is for a Certified Accountant. If anyone knows of someone who fills the qualifications, please forward these requests.

Supervisor Gorlinski commended Supervisor Deschler for her involvement with her community. It's important for all who are in politics to have an open ear to the citizenry.

Supervisor Gorlinski stated that because of a tower that collapsed in the Town of Somers, he suggested to Planning and Development that when a Conditional Use Permit is issued, some additional items should be put on it. A certified engineer, at the cost of the owner of the antenna, do a structural integrity test on the antenna on an annual basis. This would also list the amount of people that are on the antenna so that after so many years you don't end up with more load on the antenna that it is qualified to carry.

Supervisor Deschler stated that she has provided all of the supervisors a copy of the letter she sent to the Menominee Indian Tribe. It is a compilation of requests and issues raised by her constituents. They have come before this board on several occasions with some of these issues and received no relief. Officials did take the time to publicly meet with them but no guarantees were made. Some of their concerns were written down to be taken under advisement and or possibly considered at a later date. Nothing has been done to address their concerns of a 223 acre development essentially located in their back yard which will operate 24 hours a day, 7 days a week, 365 days a year. The IGA is devoid of any direct benefit to the negative impact this development will have on those neighbors. Supervisor Deschler invited the negotiating teams as representatives of the county including County Executive Kehl and the Mayor to negotiate these issues in support of her constituents. Her constituents have legitimate concerns and requests that must be addressed.

Supervisor Noble reported that he attended his first Highway Conference meeting on January 25<sup>th</sup> & 26<sup>th</sup> along with Supervisor L. Johnson. Three counties led by Marathon County formally notified the State that they can no longer plow the state highways in 2006 at the current reimbursement rates. This issue will be reviewed by the Machinery Management Committee. David Thiel who is the Kenosha County Manager of Fiscal Services for the Public Works Department is a member of

that committee, so we will be kept informed on this issue. The keynote speaker at the conference was David Veith, Wisconsin DOT of Highway Operations, who spoke of proposed organizational changes and consolidation of administrative tasks, which are subject to the Governor's budget address on February 8<sup>th</sup>. Gregg Thompson, from WCA also spoke at the conference about the State's structural deficit of 1.6 billion dollars. In his opinion, if the property tax freeze goes through legislation, no area will be hit harder than the local transportation and highway and parks budgets. Also, the State Court System and Human Services should not be funded by local property tax. Those two items are on the April ballot as referendum questions.

Supervisor Smitz stated that the microphone used for citizen comments has not worked properly for a long time and it is difficult to hear the citizens when they speak. He also agreed with Supervisor Gorlinski's comments about the towers. In the Town of Wheatland there has to be engineering on the original tower and on any additional units added to it. It's a good safety precaution.

Supervisor Molinaro stated that the issue of the microphone used for citizen comments has been brought up at the Building and Grounds Committee meeting so hopefully something will be done soon.

Supervisor Molinaro stated that he has received calls regarding the tower in Somers that collapsed. The residents have legitimate concerns. The Land Use Committee, whether you like their approach or not, does take safety and the interest of Kenosha County as a whole into account with all of the decisions they make. He states that the tower's company owes Kenosha County some answers.

He also reported about the joint meeting with Building & Grounds and Judiciary & Law. In the 2005 budget there was 1.5 million dollars earmarked for improvements to the current 911 space in the Public Safety Building. Since expansion of the Safety Building does not appear to be feasible, there are a number of options to look into inclusive of the Kenosha County Center on Hwy 45 & 50. There is support amongst the Chief, Sheriff and Joint Services to look at that facility. This is a serious problem and we need to be prepared to spend money in the short term, in the long term and we need to be prepared to do this correctly and do it quickly.

#### **OLD BUSINESS**

Ordinance - second 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.

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

(7) County Trunk Highway "C", Trevor (C-481)

35 m.p.h. from M.ST.P. & S.S.M. railroad grade crossing, westerly for a distance of 0.35 of a mile.

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

Section 7.02 Speed Limits

(7) County Truck Highway "C" Trevor

35 M.P.H. from the Canadian National Railroad Crossing, westerly for a distance of 0.70 of a mile.

SUBMITTED BY:

Highway and Parks Committee

Douglas Noble

Richard Kessler

Fred Ekornaas

William Grady

Leonard Johnson

It was moved by Supervisor Noble to adopt Ordinance 50. Seconded by Supervisor Kessler.

Motion carried.

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

Section 7.02 Speed Limits

(13.2) County Trunk Highway "H", Town of Somers

- (a) 45 m.p.h. from its intersection with STH 142 north to a point 0.25 of a mile north of said intersection. (1/22/91)
- (b) 45 m.p.h. from a point 0.5 miles south of its intersection with County Trunk Highway "E" northerly to a point 0.5 miles north of its intersection with County Trunk Highway "E". (10/21/97)

(13.3) County Trunk Highway "H", Village of Pleasant Prairie, City of Kenosha and Town of Somers

- (a) 45 m.p.h. for all vehicles from its intersection with State Trunk Highway 50 northerly to its intersection with State Trunk Highway 158.

SUBMITTED BY:  
Highway and Parks Committee  
Douglas Noble  
Richard Kessler  
Fred Ekornaas  
William Grady  
Leonard Johnson

It was moved by Supervisor Noble to adopt Ordinance 51. Seconded by Supervisor Grady.

Motion carried.

Resolution - one reading

**RESOLUTION 62**

62. From Supervisor Terry Rose and Legislative Committee regarding a Resolution to Petition the State Legislature to Amend Section 19.84(2) of the Wisconsin Statutes.

**WHEREAS**, on March 5, 2004, the Wisconsin Attorney General issued an informal opinion restricting the ability of county board supervisors to make supervisor comments at county board meetings, (a copy of which opinion is attached), and

**WHEREAS**, the affect of that opinion unreasonably inhibits the ability of a county board supervisor to bring certain matters to the attention of the county board.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors recommends to the state legislature that section 19.84(2) be amended to read as follows:

(2) Every public notice of a meeting of a governmental body shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof. The public notice of a meeting of a governmental body may provide for a period of public comment, during which the body may receive information from members of the public. *This section shall not apply to "comments" made by members of a governmental body under an agenda item designated as comments by board, council, or committee members, appearing at the beginning of a meeting, where such comments are limited to general notices, committee reports, and other such minor matters not appearing on the agenda.*

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Kenosha County's State Legislators.

SUBMITTED BY:  
Supervisor Terry Rose  
Legislative Committee:  
Ronald Johnson  
Richard A. Kessler  
Christine Wipper

It was moved by Supervisor Rose to adopt Resolution 62. Seconded by Supervisor R. Johnson.  
Roll call vote passed unanimously. Supervisor Clark not present to vote.

**NEW BUSINESS**

Resolution - one reading.

**RESOLUTION 89**

89. From the Human Services Committee regarding Resolution to Approve the Appointment of Mary K. Mainland, M.D. to serve as the Kenosha County Medical Examiner and Public Health Lab Director.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-45, the County Executive has appointed Dr. Mary Mainland to serve as the Kenosha County Medical Examiner and Public Health Lab Director, and

**WHEREAS**, the Human Services 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,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approves the appointment of Dr. Mary Mainland to serve as the Kenosha County Medical Examiner and Public Health Lab Director beginning January 31, 2005. Dr. Mainland's salary shall be as shown in the attached exhibit, which is incorporated by reference. Dr. Mainland will be succeeding Ms. Lavin.

SUBMITTED BY:

Human Services Committee:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

It was moved by Supervisor O'Day to adopt Resolution 89. Seconded by Supervisor Grady.

Roll call vote unanimously. Supervisor Clark not present vote.

**RESOLUTION 90**

90. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Phyllis Rozinski to the Kenosha County Commission on Aging.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-30, the County Executive has appointed Phyllis Rozinski 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 Phyllis Rozinski to the Kenosha County Commission on Aging. Ms. Rozinski's appointment shall be effective immediately and continuing until the 31st day of December, 2007 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 succeeding herself.

SUBMITTED BY:

Human Services Committee:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

**RESOLUTION 91**

91. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Nancy Principe to the Brookside Board of Trustees.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-33, the County Executive has appointed Nancy Principe 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 Nancy Principe to the Brookside Board of Trustees. Ms. Principe's appointment shall be effective immediately and continuing until the 7th day of January, 2008 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Principe will serve without pay but will receive per diem as defined under Resolution 65 (1982-83) and will be succeeding herself.

SUBMITTED BY:

Human Services Committee:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

#### **RESOLUTION 92**

92. From the Human Services Committee regarding Resolution to Approve the Appointment of Supervisor Mark Wisnefski to the Kenosha County Board of Health.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-32, the County Executive has appointed Supervisor Mark Wisnefski 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 Supervisor Mark Wisnefski to the Kenosha County Board of Health. Supervisor Wisnefski's appointment shall be effective immediately and continuing until the 4th day of February, 2008 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Wisnefski will serve without pay and will be filling a vacant position.

SUBMITTED BY:

Human Services Committee:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

Supervisor Wisnefski abstained from voting on Resolution 92.

#### **RESOLUTION 93**

93. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Sandra Bisciglia to the Kenosha County Human Services Board.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-39, the County Executive has appointed Sandra Bisciglia 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 Sandra Bisciglia to the Kenosha County Human Services Board. Ms. Bisciglia's appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Bisciglia will serve without pay and will be succeeding herself.

SUBMITTED BY:

Human Services Committee:  
John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

**RESOLUTION 94**

94. From the Human Services Committee regarding Resolution to Approve the Appointment of Supervisor Mark Modory to the Kenosha County Human Services Board.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-44, the County Executive has appointed Supervisor Mark Modory 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 Supervisor Mark Modory to the Kenosha County Human Services Board. Supervisor Modory's appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Supervisor Modory will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83). He will be succeeding Eunice Boyer.

SUBMITTED BY:

Human Services Committee:  
John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

**RESOLUTION 95**

95. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of John Richards to the Kenosha County Long Term Care Council.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-38, the County Executive has appointed John Richards to serve on the Kenosha County Long Term Care Council; 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 Long Term Care Council 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 John Richards to the Kenosha County Long Term Care Council. Mr. Richards' appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Richards will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83) and will be succeeding himself.

SUBMITTED BY:

Human Services Committee:  
John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

**RESOLUTION 96**

96. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Earl Hawley to the Kenosha County Long Term Care Council.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-43, the County Executive has appointed Earl Hawley to serve on the Kenosha County Long Term Care Council; 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 Long Term Care Council 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 Long Term Care Council. Mr. Hawley's appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Hawley will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83) and will be succeeding himself.

SUBMITTED BY:

Human Services Committee:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

#### **RESOLUTION 97**

97. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Shawn Zwirgzdas to the Kenosha County Long Term Care Council.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-37, the County Executive has appointed Shawn Zwirgzdas to serve on the Kenosha County Long Term Care Council; 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 Long Term Care Council 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 Shawn Zwirgzdas to the Kenosha County Long Term Care Council. Ms. Zwirgzdas' appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Zwirgzdas will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83) and will be succeeding herself.

SUBMITTED BY:

Human Services Committee:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

#### **RESOLUTION 98**

98. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Carol Schaufel to the Kenosha County Specialized Transportation Commission.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-31 the County Executive has appointed Carol Schaufel to serve on the Kenosha County Specialized Transportation 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 Specialized Transportation 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 Carol Schaufel to the Kenosha County Specialized Transportation Commission. Ms. Schaufel's appointment shall be effective immediately and continuing until the 31st day of December, 2007 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 succeeding herself.

SUBMITTED BY:

Human Services Committee:  
John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

**RESOLUTION 99**

99. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Theresa Gilliland to the Kenosha County Specialized Transportation Commission.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-41, the County Executive has appointed Theresa Gilliland to serve on the Kenosha County Specialized Transportation 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 Specialized Transportation 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 Theresa Gilliland to the Kenosha County Specialized Transportation Commission. Ms. Gilliland's appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Gilliland will serve without pay and will be succeeding herself.

SUBMITTED BY:

Human Services Committee:  
John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

**RESOLUTION 100**

100. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Karen Lockwood to the Kenosha County Specialized Transportation Commission.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-34, the County Executive has appointed Karen Lockwood to serve on the Kenosha County Specialized Transportation 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 Specialized Transportation 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 Karen Lockwood to the Kenosha County Specialized Transportation Commission. Ms. Lockwood's appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Ms. Lockwood will serve without pay and will be succeeding herself.

SUBMITTED BY:

Human Services Committee:  
John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

**RESOLUTION 101**

101. From the Human Services Committee regarding Resolution to Approve the Re-Appointment of Edo Maccari to the Kenosha County Veterans Commission.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-42, the County Executive has appointed Edo Maccari 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 Edo Maccari to the Kenosha County Veterans Commission. Mr. Maccari's appointment shall be effective immediately and continuing until the 31st day of December, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Maccari 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:

John O'Day

William Grady

Ruth Delace Booth

Don Smitz

Gordon West

It was moved by Supervisor O'Day to adopt Resolutions 90 thru 101. Seconded by Supervisor Booth.

Motion carried.

#### **RESOLUTION 102**

102. From the Legislative Committee regarding Resolution Opposing ICF-MR Downsizing.

**WHEREAS**, the State of Wisconsin has amended Wisconsin Statutes Section 46.279 to require a court determination of "most integrated setting" to determine appropriate levels of placement for Developmentally Disabled people who are Protectively Placed by the Courts, and

**WHEREAS**, the intent of this statutory change is to encourage community placements of individuals and prohibit long term institutional placements unless the court determines that to be the most integrated setting for the person, and

**WHEREAS**, the concept of the most integrated community setting for individuals is clearly a desirable objective, and

**WHEREAS**, the State of Wisconsin and DHFS have allocated a sum certain amount of funding to counties to either pay the cost of continuing an individual's placement in an ICF-MR or creating a community placement for them and for all new Protective Placements in the future, and

**WHEREAS**, this shifting of responsibilities creates additional demands and costs upon counties, and

**WHEREAS**, the new statutory language in 46.279 makes "the most integrated setting" the dominant factor in a court's determination of a Protective Placement order, and

**WHEREAS**, this statutory change has the effect of potentially eliminating any budgetary constraint arguments counties may make under "County Shield" language in Wis. Stats. 55.06(9) and would require counties to pay the non-federal share of any placements of any ICF-MR court ordered placements, and

**WHEREAS**, there are no assurances that these state funds are sufficient to cover the cost of maintaining these people in either their current ICF-MR placement or a community placement, and

**WHEREAS**, if this state allocation proves to be insufficient to meet the needs of the people and the costs, it will create an additional unfunded mandate upon the counties.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors opposes this action unless there are assurances from the State of Wisconsin that they will cover all reasonable costs associated with the ICF-MR downsizing initiative and court ordered new or ongoing protective placements and requests that the Wisconsin Legislature in its next regular session take action to correct this potential cost shift and unfunded mandate by assuring complete funding.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to our state legislative delegation and the Wisconsin Counties Association.

SUBMITTED BY:

Legislative Committee:

Ronald Johnson  
Richard Kessler  
Joseph Clark  
Christine Wipper  
Mark Modory

It was moved by Supervisor R. Johnson to adopt Resolution 102. Seconded by Supervisor Kessler.  
Motion carried.

**RESOLUTION 103**

103. From the Legislative and Finance Committees regarding Resolution to Establish Policy on the Disposition of County Real Estate.

Chairman Elverman referred Resolution 103 to the Building & Grounds and Highway & Parks Committees.

**CLAIMS**

22. Deborah Dunlap Ruffolo - Hit head on Framed Directory in Court House Lobby.

23. James B. White - Lost property while in jail.

Chairman Elverman referred Claims 22 & 23 to Corporation Counsel.

It was moved by Supervisor O'Day to Approve the January 18<sup>th</sup> minutes. Seconded by Supervisor Gorlinski.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:36 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 22, 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, Huff, Wipper, Booth, Carbone, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisniewski, Carey Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Supervisors Modory, Marrelli.

Present. 26 Excused. 2

**CITIZEN COMMENTS**

Ken Polzin, Jr. 6826 54<sup>th</sup> Avenue, Kenosha, spoke regarding Supervisor Deschler's amendment to the IGA. Going back to the Paradise Key proposal, the neighborhood didn't make many objections because in that proposal there were options to the land south of 60<sup>th</sup> Street for a buffer. Only 80 acres of the Dairyland Land would go into trust, not the whole 223. So there was opportunity as the land got developed for the citizens to have some input. This time the whole 223 acres are in trust. The city now goes out to Highway MB, the city is behind in providing services out there. If you look at the public purpose portion of the IGA which the amendment applies to, it doesn't state how the five million dollars will be split. The worse effected areas are the ones closest to the casino and there isn't anything in the IGA to provide anything for this area.

Morey Smith 10519 69<sup>th</sup> Street, Kenosha, the organizer of the group called Concerned West Side Citizens, stated that in the updated IGA released this past week, the Menomonee Indian Tribe of Wisconsin committed to implement some changes at the proposed casino site. He is pleased with these changes and thanked Supervisor Deschler and Alderman Polzin for their support of their concerns. He believes that a trust fund is needed to assure that the values of their homes do not decrease to the level it would if the enhancements to the neighborhood this trust fund would provide wasn't possible. He asked the supervisors to support Supervisor Deschler's Resolution to amend the IGA.

Jon Cole, 5518 47<sup>th</sup> Avenue, Vice President of Local 72 through Chrysler, spoke in favor of the minimum wage increase and stated that the supervisor's decision will affect a lot of people who need this increase.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that there will be a joint meeting of the Finance and Legislative Committees on March 10<sup>th</sup> at 6:00 p.m. to discuss the Inter-Governmental Agreement. He urged all the County Supervisors to attend this meeting. If unable to attend, any questions requiring an in-depth response should be submitted to Corporation Counsel this week so they can be given to Perkins Coie, the firm hired advise the county on the IGA.

February 28<sup>th</sup> from 1-4 in Racine, the Southeastern District of the WCA will meet for their regular legislative meeting. Two of the big topics at that meeting will be the Taxpayers Bill of Rights and the Legislative Agenda for the year. Chairman Elverman urged supervisors to attend if possible.

**SUPERVISOR REPORTS**

Supervisor Gorlinski placed two articles on the desks one titled "Gambler Bets the Bank" and the other from the Wall Street Journal relative to Cities pondering mergers with Counties, it could be a prelude of things to come.

Supervisor R. Johnson spoke regarding a Memorandum from the Legislative Committee referring to impact fees. The Legislative Committee recommends that the Finance Department consider retaining a professional service to do a needs analysis for a future park and land enforcement facility project.

Supervisor Noble stated that he placed on the supervisors desks the 2005 adopted golf rates as they appear on the counties web site. They've held the line on regular golf rates. The only increases are on the season passes and the most cost effective is the Ten Play.

Supervisor L. Johnson stated that he attended a Lake Michigan water study as a representative to the Southeastern Wisconsin Planning Commission. The prediction is the population in the SEWPC area will double in the next 30 years. It could be a problem to supply water to all these people. He encouraged everyone to practice water conservation because although we have Lake Michigan near us, water is not unlimited.

Supervisor Grady stated he was concerned that the Perkins Coie report did not address a contract re-opener with the Menomonee Nation. He states he asked Corporation Counsel to ask Perkins and Coie what would be the best way to implement a contract re-opener.

#### **COUNTY EXECUTIVE APPOINTMENTS**

46. Scott Ferguson to serve on the Kenosha County Local Emergency Planning Committee.

Chairman Elverman referred County Executive Appointment 46 to the Judiciary and Law Committee.

47. Dr. Thomas Schlenker to serve on the Kenosha County Board of Health.

Chairman Elverman referred County Executive Appointment 47 to the Human Services Committee.

48. Frank Germinaro to serve on the Kenosha County Resource Center Board.

Chairman Elverman referred County Executive Appointment 48 to the Human Services Committee.

49. Sonji Carter to serve on the Kenosha County Local Emergency Planning Committee.

Chairman Elverman referred County Executive Appointment 49 to the Judiciary and Law Committee.

50. Dr. James Foster to serve on the Kenosha County Board of Health.

Chairman Elverman referred County Executive Appointment 50 to the Human Services Committee.

#### **OLD BUSINESS**

Ordinance - second reading two required

##### **ORDINANCE 42**

42. An Ordinance to Create Section 2.07(8) Pertaining to Supervisor Comments.

It was moved by Supervisor Rose to adopt Ordinance 42. Seconded by Supervisor R. Johnson.

It was moved by Supervisor Molinaro to refer Ordinance 42 back to the Legislative Committee. Seconded by Supervisor Kerkman.  
Motion carried.

#### **NEW BUSINESS**

Ordinance - one reading

##### **ORDINANCE 57**

57. From the Land Use Committee regarding Bryon P. and Susan A. Spinler (Owners), Kmiec & Noonan LLC (Buyers/Agents), 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 #65-4-120-104-0841 located in the southeast quarter of Section 10, 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 at 24919 84<sup>th</sup> Street which is on the south side of 84<sup>th</sup> Street approximately 144 feet east of the intersection of State Trunk Highway "83" (Antioch Road).

**Bryon P. and Susan A. Spinler - (Owners)**

**Kmiec & Noonan LLC - (Buyers/Agents)**

**Description:** 1955-F Lots 3, 4 & the west 39.5 feet of Lot 5 Block 5, 1<sup>st</sup> Eastern addition to Salem, Section 10 and 11, Town 1 North, Range 20 East.

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

Submitted by:

Land Use Committee:  
Donald Smitz  
Thomas Gorlinski  
Mark Molinaro  
Fred Ekornaas  
Janice Marrelli

#### **ORDINANCE 58**

58. From the Land Use Committee regarding Marian and Henryka Gora (Owners), Michael J. Flaherty (Buyer/Agent), 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 #66-4-120-212-1671 located in the northwest quarter of Section 21, 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 "AH" (276<sup>th</sup> Avenue at the Wisconsin Central Transportation Corp. Railroad crossing.

**Marian and Henryka Gora - (Owners)**

**Michael J. Flaherty - (Buyer/Agent)**

**Descriptions:** Part of Government Lot 4, in the northwest  $\frac{1}{4}$  of Section 21, Town 1 North, Range 20 East of the Fourth Principal Meridian, and being more particularly described as follows: Begin in the center line of the Burgess & Wilmot Road (now known as County Trunk Highway "AH") at a point which is 43.5 feet southwesterly, as measured at right angles, from the center line of the main track of the Wisconsin Central Railroad (Soo Line), the bearing of said track being north, 55°15' west and running thence south 9°45' west along and upon the center line of said road, 60.68 feet to a point in the center line of said road which is 98.5 feet southwesterly, as measured at right angles from the center line of the aforementioned main track and which point is the point of beginning of the parcel herein being described; thence continuing south 9°45' west along and upon the center line of the highway 100.00 feet to a point of angle in said highway; thence leaving the highway and running thence south 59°52' east 320.00 feet, more or less and to the water's edge of Camp Lake; thence running and following along and upon the water's edge of Camp Lake northerly and easterly, some 95.00 feet, more or less, to a point which is 98.5 feet southerly, as measured at right angles, from the center line of the main track of the aforementioned railroad; thence running north, 55°15' west and parallel with the center line of the main track of said railroad, about 428.00 feet, more or less, and to the point of beginning, lying and being in the Town of Salem, County of Kenosha and State of Wisconsin.

**In addition:** A strip of land 2 feet in width, comprising all that part of Government Lot 4 in Section 21, Town 1 North, Range 20 east of the Fourth Principal Meridian, bounded and described as follows: On the northeasterly and southwesterly sides by 2 lines running parallel with and respectively 96.5 feet and 98.5 feet distant southwesterly (measured at right angles) from the center line of the main track of the Wisconsin Central Railroad Company's railroad as the same is now located, maintained and operated over and across said Government Lot 4; on the westerly side of the easterly line of County Trunk Highway "AH", formerly known as Burgess & Wilmot Road; and on the easterly side by the following described line: Beginning at a point in a line running parallel with and 98.5 feet distant southwesterly (measured at right angles) from said main tract center line and 318 feet distance southeasterly (measured along the last described parallel line) from the center line of said County Trunk Highway "AH"; thence northeasterly to a point in a line running parallel with and 43.5 feet distant southwesterly (measured at right angles) from said main track center line and 384 feet distant southeasterly (measured along the last described parallel

line) from the center line of said County Trunk Highway "AH", lying and being in the Town of Salem, County of Kenosha and State of Wisconsin.

**Further adding:** Part of the south  $\frac{1}{2}$  of the northwest  $\frac{1}{4}$  of Section 21, Town 1 North, Range 20 East of the Fourth Principal Meridian described as follows: Beginning at a point located on the centerline of County Trunk Highway "AH" a distance of 30 feet southerly, as measured at right angles, from the Main Track centerline of the Wisconsin Central Ltd.; thence southeasterly and parallel to said Main Track centerline a distance of 400 feet; thence southwesterly a distance of 85 feet, more or less, to a point on the east line of the southwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 21, Town 1 North, Range 20 East, said point being 318 feet southeasterly of the centerline of County Trunk Highway "AH" and 98.5 feet normally distant southwesterly from said Main Track Centerline; thence northwesterly parallel with and 98.5 feet normally distant southwesterly from said Main Track centerline a distance of 318 feet to a point located on the centerline of said County Trunk Highway "AH"; thence northerly along last said centerline a distance of 85 feet, more or less, to the point of beginning, and lying and being in the Town of Salem, County of Kenosha and State of Wisconsin.

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

Submitted by:

Land Use Committee:

Donald Smitz

Thomas Gorlinski

Mark Molinaro

Fred Ekornaas

Janice Marrelli

#### **ORDINANCE 59**

59. From the Land Use Committee regarding JLB Holdings LLC, Michael D. Bannon (Counsel/Agent), requesting rezoning from A-1 Agricultural Preservation 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 Tax Parcel #45-4-221-251-0410 located in the northeast quarter of Section 25, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District (2 acres) to B-3 Highway Business District. For informational purposes only, this property is located on the west side of 120<sup>th</sup> Avenue (west frontage road of I-94) approximately 478 feet north of the intersection of County Trunk Highway "N" (38<sup>th</sup> Street).

**JLB Holdings LLC - (Owner)**

**Attorney Michael D. Bannon - (Counsel/Agent)**

**Descriptions:** Part of the northeast  $\frac{1}{4}$  of Section 25, Town 2 North, Range 21 East of the Fourth Principal Meridian, and more particularly described as follows: Beginning at a point on the east line of the northeast  $\frac{1}{4}$  of said section which is 32 rods north of the southeast corner of said  $\frac{1}{4}$  section; thence north along and upon the east line of said  $\frac{1}{4}$  section 16 rods; thence west and parallel with the south line of said  $\frac{1}{4}$  section 10 rods; thence south parallel with the east line of said  $\frac{1}{4}$  section 16 rods; thence east 10 rods to the point of beginning; and lying and being in the Town of Paris, County of Kenosha and State of Wisconsin.

**In addition:** Part of the northeast  $\frac{1}{4}$  of Section 25, Town 2 North, Range 21 East of the Fourth Principal Meridian, and more particularly described as follows: Beginning at a point on the east line of the northeast  $\frac{1}{4}$  of said section which point is 48 rods north of the southeast corner of said  $\frac{1}{4}$  section; thence north along and upon the east line of said  $\frac{1}{4}$  section 16 rods; thence west and parallel with the south line of said  $\frac{1}{4}$  section 10 rods; thence south and parallel with the east line of said  $\frac{1}{4}$  section 16 rods; thence east 10 rods to the point of beginning; lying and being in the Town of Paris, County of Kenosha, and State of Wisconsin.

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

Submitted by:

Land Use Committee:

Donald Smitz



Thomas Gorlinski  
Mark Molinaro  
Fred Ekornaas  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinances 57 - 59. Seconded by Supervisor Gorlinski.  
Motion carried.  
Resolution - one reading.

**RESOLUTION 104**

104. From Allan K. Kehl and Finance Committee regarding Appointment of Ronald Johnson to the Kenosha County Library Committee.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-35, the County Executive has appointed Ronald 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 Ronald Johnson to serve on the Kenosha County Library Committee. Mr. 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. Mr. Johnson will serve without pay as defined under Resolution 65 (1982-83). Mr. Johnson will be succeeding himself.

Submitted by:

Finance Committee:

Robert Carbone

Terry Rose

Mary Modory

Mark Wisnefski

Anita Faraone

It was moved by Supervisor Carbone to adopt Resolution 104. Seconded by Supervisor Rose.  
Motion carried.

**RESOLUTION 105**

105. From the Finance Committee regarding Resolution Accepting a Wisconsin Community Development Block Grant Emergency Assistance Program Grant Award.

**WHEREAS**, the Kenosha County Board of Supervisors adopted Resolution No. 38 on July 27, 2004, authorizing the preparation and filing of a Wisconsin Community Development Block Grant Emergency Assistance Program (CDBG-EAP) application 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 December 23, 2004, that the Wisconsin Department of Commerce (DOC) had approved the CDBG-EAP grant for Kenosha County; and

**WHEREAS**, Kenosha County will be providing funds for operating expenses, with the Wisconsin DOC reimbursing the County with 2004 CDBG-EAP funds as County funds are expended; 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 CDBG-EAP grant for Kenosha County in the amount of \$109,000 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with the Wisconsin Department of Commerce 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 CDBG-EAP 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 CDBG-EAP program:

240.76996.442325	2004 CDBG Revenue	\$109,000
240.76996.582130	Floodplain Acq/Relo/Demo	\$ 99,100
240.76996.529590	CDBG Administration	\$ 9,900

**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 principals; 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

Terry Rose

Mary Modory

Mark Wisnefski

Anita Faraone

It was moved by Supervisor Carbone to adopt Resolution 105. Seconded by Supervisor Faraone.

Roll Call vote passed unanimously.

#### **RESOLUTION 106**

106. From the Human Services and Finance Committees regarding Resolution to add Milwaukee Area Health Education Grants to the 2005 Division of Aging Services Budget.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received two grants from the Milwaukee Area Health Education Center totaling \$6,000 for 2005; and

**WHEREAS**, The Division of Aging will use these funds to work with Reuther High School on health careers information for students and to provide training opportunities for staff of local long term care agencies; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2005 budget of the Department of Human Services Division of Aging Services be modified as follows:

Expenditures and Revenues increase by \$6,000 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

Human Services Committee:

Ruth Delace Booth

William Grady

John O'Day

Don Smitz

Gordon West

Finance Committee

Robert Carbone

Anita Faraone

Mark Modory

Terry Rose

Mark Wisnefski

It was moved by Supervisor O'Day to adopt Resolution 106. Seconded by Supervisor Carbone.

Roll Call vote passed unanimously.

#### **RESOLUTION 107**

107. From the Human Services and Finance Committees regarding Resolution to add the Hospital LINKS Grant to the 2005 Division of Aging Services Budget.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received a Hospital LINKS grant from the state totaling \$67,972 for 2005; and

**WHEREAS**, The Division of Aging will use these funds to work with local hospitals and hospitalized elders and their families to reduce re-admissions; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2005 budget of the Department of Human Services Division of Aging Services be modified as follows:

Expenditures and Revenues increase by \$67,972 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

Human Services Committee:	Finance Committee
Ruth Delace Booth	Robert Carbone
William Grady	Anita Faraone
John O'Day	Mark Modory
Don Smitz	Terry Rose
Gordon West	Mark Wisnefski

It was moved by Supervisor O'Day to adopt Resolution 107. Seconded by Supervisor Carbone.

Roll Call vote passed unanimously.

#### **RESOLUTION 108**

108. From the Human Services and Finance Committees regarding Resolution to add the new Elder Choice and Access Grant to the 2005 Division of Aging Services Budget.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received an Elder Choice and Access Grant from the Wisconsin Department of Health and Family Services in the amount of \$12,300 for 2005; and

**WHEREAS**, The Division of Aging will use these funds for Community Outreach; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2005 budget of the Department of Human Services Division of Aging Services be modified as follows:

Expenditures and Revenues increase by \$12,300 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

Human Services Committee:	Finance Committee
Ruth Delace Booth	Robert Carbone
William Grady	Anita Faraone
John O'Day	Mark Modory
Don Smitz	Terry Rose
Gordon West	Mark Wisnefski

It was moved by Supervisor O'Day to adopt Resolution 108. Seconded by Supervisor Carbone.

Roll Call vote passed unanimously.

#### **RESOLUTION 109**

109. From Judiciary & Law and Finance Committees regarding 04 Homeland Security Regional Emergency Response Team Grant.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$50,000 through the State of WI, Office of Justice Assistance, 2004 Homeland Security Funding program.

**WHEREAS**, the grant funds have been awarded to provide support equipment for the Kenosha County Hazardous Device Squad which is a nationally recognized regional response team, and

**WHEREAS**, the funding will allow for the purchase of personal protective equipment for the team members and explosive device detection and mitigation equipment for the HDS unit.

**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.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$50,000 and increases expenditures by \$50,000.

Submitted by:

Judiciary and Law Enforcement	Finance Committee
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose

Terry Rose

Anita Faraone

William Michel II

Mark Modory

It was moved by Supervisor Huff to adopt Resolution 109. Seconded by Supervisor Rose.

Roll Call vote passed unanimously.

**RESOLUTION 110**

110. From the Legislative Committee regarding Resolution in Support of Governor Doyle's Minimum Wage Proposal.

**WHEREAS**, Wisconsin's minimum wage has not been increased since 1997, and

**WHEREAS**, the Consumer Price Index has increased by 16% since 1997, and

**WHEREAS**, Governor Doyle's Minimum Wage Council has recommended a two step increase to \$6.50, and

**WHEREAS**, this increase has been supported by the Wisconsin Restaurant Association, the Wisconsin Grocers Association and the Wisconsin Manufacturers and Commerce.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors urges the State Legislature to support Governor Doyle's minimum wage increase proposal.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to our local State Representatives, Governor Doyle and the Wisconsin Counties Association.

Submitted by:

Legislative Committee:

Ronald Johnson

Richard Kessler

Christine Whipper

It was moved by R. Johnson to adopt Resolution 110. Seconded by Supervisor Kessler.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rose, Kessler, Huff, Whipper, Carbone, R. Johnson, Michel, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey Mielke, Noble.

Nays: Rossow, Faraone, O'Day, Clark, West, Kerkman, Gorlinski, Smitz, Ekornaas, Booth.

Ayes. 16 Nays. 10

Motion carried.

**RESOLUTION 111**

111. From Supervisor Deschler regarding Amendment to Proposed Intergovernmental Agreement between the Menominee Indian Tribe of Wisconsin, the Menominee Kenosha Gaming Authority, the City of Kenosha and the County of Kenosha.

Chairman Elverman referred Resolution 111 to the Legislative and Finance Committees.

**RESOLUTION 112**

112. From Supervisor Rose regarding Establishment of Advisory CAP on 2006 General Purpose Levy Including Debt Reduction.

Chairman Elverman referred Resolution 112 to the Finance Committee.

**COMMUNICATIONS**

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

Chairman Elverman referred Communication 16 to the Land Use Committee.

**CLAIMS**

24. Ray Olszewski - Mail box damage.

25. Ronald Runkel, Jr. - Mail box damage.

26. Leonard Grisk - Mail box damage.

27. Michael Foss - Mail box damage

Chairman Elverman referred Claims 24 thru 27 to Corporation Counsel.

It was moved by Supervisor Rose to Approve the February 1<sup>st</sup> minutes. Seconded by Supervisor Clark .

Motion carried.

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

Motion carried.

Meeting adjourned at 8:00 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 15, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Supervisor West.

Present. 27 Excused. 1

**CITIZEN COMMENTS**

Irv Larsen 1247 Sheridan Rd., complimented the Highway and Parks Committee and the Board on the golf situation which seems to be doing much better. He also complimented the County Executive and the Board on the budget, they held the line nicely on taxes. He is concerned about the re-evaluation of property which is a silent killer. He would like the Legislative Committee to approach the law makers in Madison about finding an alternative way of funding other than property taxes. He stated that the Board did a very good job in negotiating the casino and is confident that the Board will make an agreement which is in the best interest of the county.

Dr. Jim Moore, 9218 74<sup>th</sup> Pl., stated on November 2<sup>nd</sup>, 30,428 constituents went to the polls and voiced their opposition to the proposed casino. He thanked the Board for giving everyone the opportunity to vote on an issue that has gargantuan implications for our community. It's now March 15<sup>th</sup> 2005 and this is still a bad idea for our community.

Dennis Troha, 1709 32<sup>nd</sup> Ave., introduced the former chair and vice-chair and the new chair and vice-chair of the Menomonee Indian Tribe, to show that the unity of the tribe is here supporting the casino project. He thanked the Board for their consideration of the Inter-Governmental Agreement.

Bob Danbeck, 7626 27<sup>th</sup> Ave., stated that at last months meeting a \$25 increase was approved for passes on the golf courses. He found 3 golf courses in Kenosha County which was at or below the increase that was passed for residents. He hoped that the increases will be reconsidered and repeal at least part of it.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman thanked all the supervisors that attended the joint meeting last Thursday of the Legislative and Finance committees. He stated that a thank you was received from Fred Patrie for the card and gift that was sent to a church in remembrance of his father who passed away recently. Chairman Elverman commented that recent events have reminded us all for the need to provide safe public space for our employees, judges and citizens. He would like the Judiciary and Law Committee to review our current procedures and make recommendations to the County Board for any improvements that can be done. He would like the committee to include input from the Judges, Sheriff's Department, District Attorney, the Chair of the Building and Grounds Committee and Ben Schliesman, Director of Emergency Government.

**SUPERVISOR REPORTS**

Supervisor Singer reported that he attended the NACo Conference in Washington D.C. He attended a number of breakout sessions, such as how to handle radio interviews, how to influence congress without leaving home, the future of Social Security, pensions and retirement savings and the consequences for counties. He presented to the board a video on what NACo is all about.

Supervisor R. Johnson stated he also attended NACo. The meetings he attended pertained to cleaning up the ozone, mercury in the lakes, and smart growth.

**NEW BUSINESS**

Ordinance - one reading

**ORDINANCE 60**

60. From Land Use Committee regarding Wilmot Union High School District, requesting rezoning from A-2 General Agricultural District to C-1 Lowland Resource Conservancy District in the Town of Randall. In addition, the school district is requesting rezoning from C-1 Lowland Resource Conservancy District to I-1 Institutional District, R-4 Urban Single-Family Residential District to I-1 Institutional District and from R-4 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 #60-4-119-254-0200 located in the southeast quarter of Section 25, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District to C-1 Lowland Resource Conservancy District. In addition, Tax Parcel #67-4-120-303-1301 located in the southwest quarter of Section 30, Township 1 North, Range 20 East, Town of Salem be changed from C-1 Lowland Resource Conservancy District to I-1 Institutional District, R-4 Urban Single-Family Residential District to I-1 Institutional District and from R-4 Urban Single-Family Residential District to C-1 Lowland Resource Conservancy District. For informational purposes only, this property abuts Wilmot High School and is generally located on the north side of County Trunk Highway "C" and west of the existing high school complex.

**Wilmot Union High School District - (Owner)**

**Description:** Presented in Exhibit 1 (attached) with legal descriptions on file in the Department of Planning and Development.

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

Submitted by:

Land Use Committee:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 60. Seconded by Supervisor Gorlinski.

Motion carried.

**ORDINANCE 61**

61. From Land Use Committee regarding I-94 Partners (Owners)/Kenosha Holdings LLC (Buyer)/George Pratikakis (Agent) requesting rezoning from A-1 Agricultural Preservation District to B-4 Planned Business District in 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 #35-4-121-121-0172 located in the northeast quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District to B-4 Planned Business District. For informational purposes only, this property is located on the northeast corner of the intersection of 125<sup>th</sup> Avenue and 77<sup>th</sup> Street.

**I-94 Partners - (Owners)**

**Kenosha Holdings LLC - (Buyer)**

**George Pratikakis - (Agent)**

**Description:** Part of the northeast  $\frac{1}{4}$  of Section 12, Town 1 North, Range 21 East of the Fourth Principal Meridian, being more particularly described as follows: Commencing at the northwest corner of said  $\frac{1}{4}$  section; thence north 88°55'00" east along the north line of said  $\frac{1}{4}$  section a distance of 1234.50 feet; thence south 01°05'00" east 378.00 feet; thence south 88°55'00" west 130.00 feet; said point being the point of beginning; thence south 01°05'00" east 655.88 feet to the north line of 77<sup>th</sup> Street; thence south 87°58'00" west along the north line of

77<sup>th</sup> Street a distance of 248.67 feet; thence north 46°33'30" west along 77<sup>th</sup> Street a distance of 63.11 feet to the east line of 125<sup>th</sup> Avenue; thence north 02°05'00" west along the east line of 125<sup>th</sup> Avenue a distance of 615.75 feet; thence north 88°55'00" east 293.63 feet to the point of beginning, 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:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

#### **ORDINANCE 62**

62. From Land Use Committee regarding Robert and Julia A. Pringle, Jr. (Owners)/Lon Wienke (Agent), requesting rezoning from A-2 General Agricultural 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 Tax Parcel #35-4-121-253-0310 located in the southwest quarter of Section 25, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District to R-1 Rural Residential District. For informational purposes only, this property is located on the northeast corner of the intersection of County Trunk Highway "U" (136<sup>th</sup> Avenue) and (116<sup>th</sup> Street.)

**Robert and Julia A. Pringle, Jr. - (Owners)**

**Lon Wienke - (Agent)**

**Description:** That part of the southwest  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of Section 25, Township 1 North, Range 21 East, Town of Bristol, Kenosha County, State of Wisconsin, described as follows: Beginning at the southwest corner of said southwest  $\frac{1}{4}$  of Section 25; thence north 02°09'51" west, along the west line of said southwest  $\frac{1}{4}$ , 1034.00 feet; thence north 87°50'09" east, 500.54 feet; thence south 02°09'51" east, parallel to said west line of southwest  $\frac{1}{4}$ , 1044.38 feet to the south line of said southwest  $\frac{1}{4}$ ; thence south 89°01'27" west, along said south line, 500.65 feet to the point of beginning.

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

Submitted by:

Land Use Committee:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinances 61 and 62. Seconded by Supervisor Molinaro.

Motion carried.

#### **ORDINANCE 63**

63. From Land Use Committee regarding Carl Bryzek Farms LLC, requesting rezoning from A-2 General Agricultural District to B-3 Highway Business District in the Village of Paddock Lake.

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 #40-4-120-111-0101 located in the northeast quarter of Section 11, Township 1 North, Range 20 East, Village of Paddock Lake be changed from A-2 General Agricultural District to B-3 Highway Business District pursuant to state statutes regarding annexed shoreland area lands. For informational purposes only, this property is located on the south side of State Trunk Highway "50" at the intersection of 236<sup>th</sup> Avenue.

**Carl Bryzek Farms LLC - (Owner)**



**Description:** Presented in Exhibit 1

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

Submitted by:

Land Use Committee:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

#### **ORDINANCE 64**

64. From Land Use Committee regarding Hawkins Farms, Inc., requesting rezoning from A-2 General Agricultural District to 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 #35-4-121-311-0101 located in the northeast quarter of Section 31, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District to C-1 Lowland Resource Conservancy District to reflect actual field conditions. For informational purposes only, this property is located on the east side of 208<sup>th</sup> Avenue approximately 415 feet south of the southeast corner of the intersection of County Trunk Highway "V" (116<sup>th</sup> Street and 208<sup>th</sup> Avenue).

**Hawkins Farms, Inc. - (Owner)**

**Description:** Presented in Exhibit 1

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

Submitted by:

Land Use Committee:

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 63 and 64. Seconded by Supervisor Ekornaas.

Motion carried, Supervisor Molinaro abstained from voting on Ordinance 63.

Resolution - one reading

#### **RESOLUTION 114**

114. From Finance and Legislative Committees a Resolution in Support of an Intergovernmental Agreement Pertaining to the Application by the Menominee Indian Tribe of Wisconsin to the Bureau of Indian Affairs to Place Approximately 223 Acres of Land Located at the Site of the Dairyland Greyhound Race Track in the City and County of Kenosha, Wisconsin into Trust for the Menominee Indian Tribe of Wisconsin for the Purpose of Conducting Class III and Class II Gaming and, Furthermore, a Resolution in Support of an Intergovernmental Agreement by and between the Menominee Indian Tribe of Wisconsin, the Menominee Gaming Authority and the County of Kenosha, Wisconsin Pertaining to the Imposition of a Tribal Sales Tax to assist in Funding Certain Kenosha County Highway Projects, and Furthermore, a Resolution in Support of an Intergovernmental Revenue Sharing Agreement by and Between the City and County of Kenosha.

**WHEREAS**, the Menominee Indian Tribe of Wisconsin has applied to the Federal Bureau of Indian Affairs to have approximately 223 Acres of Land located at the Site of the Dairyland Greyhound Race Track in the City and County of Kenosha, Wisconsin [Attached Exhibit 1] placed into Trust for the Menominee Indian Tribe of Wisconsin for the Purpose of Conducting Class II and Class III Gaming, and whereas, the Tribe and the Authority have sought the County's support for placing this land into trust, and

**WHEREAS**, the Tribe is authorized to conduct Gaming in the State of Wisconsin under the terms of the Wisconsin Gaming Compact of 1992, as amended; and,

**WHEREAS**, the Tribe, through the Authority, may only conduct Gaming at the Kenosha Facility if it is placed into Federal Trust through application and approval by the Federal Bureau of Indian Affairs (the B.I.A.); and,

**WHEREAS**, a 1998 City-wide referendum in Kenosha, Wisconsin, approved Class III Indian Gaming in the City of Kenosha by a margin of fifty-seven (57%) percent to forty-three (43%) percent; and,

**WHEREAS**, a November, 2004, County-wide referendum in Kenosha County Wisconsin, approved Class III Indian Gaming in the City of Kenosha by a margin of fifty-six (56%) percent to forty-four (44%) percent; and,

**WHEREAS**, as part of the application process, the impact [including loss of tax revenues as well as financial contributions in support of local government] of the establishment of such a gaming operation on the surrounding community must be addressed along with efforts to address such impacts, and

**WHEREAS**, the Menominee Indian Tribe of Wisconsin, the Menominee Indian Gaming Authority, which was created by the Tribe for the purpose of operating such gaming operation, and the City and County of Kenosha have negotiated and proposed the attached Intergovernmental Agreement [Exhibit 2] that supports placing the above described lands into trust for the Menominee Indian Tribe for the purposes stated and in accordance with the development proposed by the Tribe on June 15, 2004 and which further addresses the impact of such a gaming operation and development on the surrounding community including any loss in tax revenues due to such lands being placed into trust as well as financial support for local government operations as authorized by Federal law and which agreement would further state the rights and obligations of the parties to the agreement, and

**WHEREAS**, the Support Payments are offered by the Tribe and Authority in recognition of the demand for the complete range of municipal services, the new improvements to the infrastructure necessitated by the expanded activity in the vicinity of the Kenosha Facility, the accelerated maintenance and depreciation of community-wide infrastructure from such expanded activity, the mitigation of the cost of economic, social and other impacts arising out of gaming activities and the revenues lost from the loss of taxable development on the Kenosha Facility; and,

**WHEREAS**, several public hearings have been held on this matter, and

**WHEREAS**, the attached Exhibit 3 represents a proposed Intergovernmental Agreement by and between the County of Kenosha and the Tribe and Authority relative to the imposition of a Tribal Sales Tax on certain sales on Indian trust lands that would otherwise be exempt from the State and County sales tax; and whereas revenues received by the County pursuant to this agreement would be utilized by the County to fund certain highway projects that would benefit both the Tribe and County, and

**WHEREAS**, the attached Intergovernmental Agreement [Exhibit 4] represents an agreement by and between the City and County of Kenosha for the purpose of sharing revenues paid by the Tribe and Authority to the City and County pursuant to their Intergovernmental Agreement with the City and the County.

**NOW THEREFORE BE IT RESOLVED**, that the Kenosha County Board approves of the execution of the Intergovernmental Agreement between the Menominee Indian Tribe of Wisconsin, the Menominee Indian Gaming Authority and the City and County of Kenosha, [Exhibit 2], and further that it supports the application of the Menominee Indian Tribe of Wisconsin to place approximately 223 Acres of Land Located at the Site of the Dairyland Greyhound Race Track in the City and County of Kenosha, Wisconsin into Trust for the Menominee Indian Tribe of Wisconsin for the Purpose of Conducting Class III and Class II Gaming, and

**BE IT FURTHER RESOLVED** that the Kenosha County Board approves of the execution of the Intergovernmental Tribal Tax Agreement between the Tribe, Authority and Kenosha County, [Exhibit 3], and

**BE IT FURTHER RESOLVED** that the Kenosha County Board approves of the execution of the Intergovernmental Revenue Sharing Agreement [Exhibit 4] between the City and County of Kenosha, and

**BE IT FURTHER RESOLVED** that the County Clerk is directed to send a certified copy of this Resolution to the Bureau of Indian Affairs, Tribe and Authority and the Governor of the State of Wisconsin.

It was moved by Supervisor Carbone to adopt Resolution 114. Seconded by Supervisor R. Johnson.

It was moved by Supervisor Noble to amend Resolution 114 to strike the language "a train station providing service to the greater Chicago area". Seconded by Supervisor Kerkman.

Roll call.

Ayes: Supervisors Noble, Kerkman.

Nays: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Molinaro, Wisnefski, Carey-Mielke, Clark, Gorlinski, Smits, Ekornaas.

Ayes. 2. Nays. 25.

Motion failed.

Roll call vote on Resolution 114.

Ayes: Supervisors Elverman, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, Smits, Ekornaas.

Nays: Supervisors Grady, Rossow, Deschler, Kerkman, Gorlinski.

Ayes: 22. Nays. 5

Motion carried.

#### **RESOLUTION 115**

115. From Administration, Human Services and Finance Committees regarding Non-Represented Position Placement.

**WHEREAS**, The Kenosha County Board of Supervisors established the Non-Represented Pay Plan in the 2005 budget resolution; and

**WHEREAS**, it has been deemed necessary to reorganize the management structure of the Brookside Care Center to include the position of MDS Coordinator in the Non-Represented Employee Pay Plan and the 2005 budget and eliminate one (1) RN Supervisor in the 2005 budget;

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors amends the Non-Represented Employee Pay Plan to place the position of MDS Coordinator in salary range F of the plan and amends the 2005 budget to include the MDS Coordinator and remove one (1) RN Supervisor.

Submitted by:

ADMINISTRATION COMMITTEE:	HUMAN SERVICES COMMITTEE:	FINANCE COMMITTEE:
David Singer	John O'Day	Robert Carbone
Joseph Clark	William Grady	Mark Wisnefski
Anita Faraone	Ruth Delace Booth	Terry Rose
Janice Marrelli	Don Smits	Anita Faraone
Thomas Kerkman	Gordon West	Mark Modory

It was moved by Supervisor Clark to adopt Resolution 115. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

#### **RESOLUTION 116**

116. From Administration, Human Services and Finance Committees regarding Non-Represented Position Placement.

**WHEREAS**, The Kenosha County Board of Supervisors established the Non-Represented Pay Plan in the 2005 budget resolution; and

**WHEREAS**, it has been deemed necessary to reorganize the management structure of the Medical Examiner's Office to include the position of Chief Investigator in the Non-Represented Employee Pay Plan and the 2005 budget and eliminate the position of Chief Deputy Medical Examiner from the Non-Represented Employee Pay Plan and the 2005 budget;

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors amends the Non-Represented Employee Pay Plan to place the position of Chief Investigator in salary range E of the plan and remove the Chief Deputy Medical Examiner from range F of the plan and amends the 2005 budget to include the Chief Investigator and remove the Chief Deputy Medical Examiner.

Submitted by:

ADMINISTRATION COMMITTEE:	HUMAN SERVICES COMMITTEE:	FINANCE COMMITTEE:
David Singer	John O'Day	Robert Carbone
Joseph Clark	William Grady	Terry Rose
Anita Faraone	Ruth Delace Booth	Anita Faraone
Janice Marrelli	Don Smitz	Mark Modory
Thomas Kerkman	Gordon West	

It was moved by Supervisor Clark to adopt Resolution 116. Seconded by Supervisor Carbone.

Roll call vote.

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

Nays: Supervisor Wisnefski.

Ayes. 26. Nays. 1

Motion carried.

#### **RESOLUTION 117**

117. From Finance and Administration Committees regarding a Resolution to increase SIR Deposit with WMMIC to cover Worker's Compensation.

**WHEREAS**, Kenosha County joined as a full member of the Wisconsin Municipal Mutual Insurance Company (WMMIC) in 1991 when the County Board passed Resolution No. 128 authorizing \$1,335,148 in General Obligation Promissory Notes, beginning a long term relationship with other municipal members of WMMIC for mutual protection by liability insurance in the amount of \$5 million for its officers, agents and employees; and

**WHEREAS**, Kenosha County has continuously been protected under this policy from all kinds of claims and lawsuits, and since January of 1992 annually paid a premium for such insurance, and quarterly paid an amount to create (See Resolution 158 passed 2/4/1992) or restore the SIR (Self Insured Retention) as necessary, all according to annual budgets passed by the Kenosha County Board of Supervisors; and

**WHEREAS**, the cost of such insurance is substantially offset by the dividends given to Kenosha County by WMMIC, based upon the success of WMMIC; and

**WHEREAS**, Kenosha County has also protected itself for many years with an insurance policy for Excess Worker's Compensation Insurance to pay for catastrophic worker's compensation claims over \$250,000 with various different companies; and approximately 2 years ago switched such coverage to WMMIC to take advantage of group savings it passes on to its Members; and is now able to utilize WMMIC's efficient claims administration for worker's compensation on a cost effective basis; and

**WHEREAS**, The amount of the SIR deposit with WMMIC will increase in an amount to cover monthly Kenosha County worker's compensation claims paid by WMMIC, which will essentially be the same amount of money that that Kenosha County would issue directly by checks to cover worker's compensation medical bills and other benefits under the law; and

**WHEREAS**, Kenosha County has sufficient funds budgeted in the 2005 Budget and this resolution will not require any additional funds and will not require any Budget transfer;

**NOW THEREFORE BE IT RESOLVED**, That the County Board of Supervisors does authorize the increase of the amount deposited in the Self Insured Retention (SIR) trust fund at the Wisconsin Municipal Mutual Insurance Company (WMMIC), and designate it as an official depository of Kenosha County, in the additional amount necessary to cover administration of worker's compensation claims for Kenosha County, which increased amount will be determined by an actuary based upon claims experience, that is now estimated to be an increased deposit of approximately \$125,000; and this resolution does not increase the levy or amend the 2005 Kenosha County Budget, as adopted.

Submitted by:

FINANCE COMMITTEE:	ADMINISTRATION COMMITTEE:
Robert Carbone	David Singer
Mark Wisnefski	Joseph Clark
Terry Rose	Janice Marrelli

Anita Faraone  
Mark Modory

Anita Faraone  
Thomas Kerkman

It was moved by Supervisor Carbone to adopt Resolution 117. Seconded by Supervisor Faraone.  
Motion carried.

#### **RESOLUTION 118**

118. From Judiciary & Law and Finance Committees regarding BOTS- Traffic Enforcement Grant.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$25,000 from the WI Bureau of Transportation Safety to establish mobilized enforcement efforts between December 1, 2004 and Sept. 30, 2005 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 speeding and alcohol/drug impaired drivers 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 \$25,000 and increases expenditures by \$25,000.

Submitted by:

JUDICIARY AND LAW:

James Huff  
Brenda Carey-Mielke  
Susan Deschler  
Terry Rose  
William Michel

FINANCE COMMITTEE:

Robert Carbone  
Mark Wisnefski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Huff to adopt Resolution 118. Seconded by Supervisor Carbone.  
Roll call vote passed unanimously.

#### **RESOLUTION 119**

119. From Judiciary & Law Enforcement Committee Resolution to Approve the Appointment of Margaret Gesner to Serve as a Member of the Local Emergency Planning Committee.

**WHEREAS**, pursuant to County Executive Appointment #2004/05-40, the County Executive has appointed Margaret Gesner to serve as a member of the Local Emergency Planning Committee, and;

**WHEREAS**, the Judiciary & Law Enforcement Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve on this 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 approve the appointment of Margaret Gesner to serve as a member of the Local Emergency Planning Committee immediately upon passage of this resolution and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE:

James Huff  
Susan Deschler  
Brenda Carey-Mielke  
Terry Rose  
William Michel, II

#### **RESOLUTION 120**

120. From Judiciary & Law Enforcement Committee Resolution to Approve the Appointment of Scott Ferguson to Serve as a Member of the Local Emergency Planning Committee.

**WHEREAS**, pursuant to County Executive Appointment #2004/05-46, the County Executive has appointed Scott Ferguson to serve as a member of the Local Emergency Planning Committee, and;

**WHEREAS**, the Judiciary & Law Enforcement Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve on this 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 approve the appointment of Scott Ferguson to serve as a member of the Local Emergency Planning Committee immediately upon passage of this resolution and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

JUDICIARY & LAW ENFORCEMENT COMMITTEE:

James Huff

Susan Deschler

Brenda Carey-Mielke

Terry Rose

William Michel, II

#### **RESOLUTION 121**

121. From Judiciary & Law Enforcement Committee Resolution to Approve the Appointment of Sonji Carter to Serve as a Member of the Local Emergency Planning Committee.

**WHEREAS**, pursuant to County Executive Appointment #2004/05-49, the County Executive has appointed Sonji Carter to serve as a member of the Local Emergency Planning Committee, and;

**WHEREAS**, the Judiciary & Law Enforcement Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve on this 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 approve the appointment of Sonji Carter to serve as a member of the Local Emergency Planning Committee immediately upon passage of this resolution and continuing until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors.

JUDICIARY & LAW ENFORCEMENT COMMITTEE:

James Huff

Susan Deschler

Brenda Carey-Mielke

Terry Rose

William Michel, II

It was moved by Supervisor Huff to adopt Resolutions 119, 120 and 121. Seconded by Supervisor Deschler.  
Motion carried.

#### **RESOLUTION 122**

122. From Judiciary & Law Enforcement regarding Probationary Cabaret License - Tarbender's Bar and Grill.

**WHEREAS**, the application of Debra Downing for a probationary cabaret license for Tarbender's Bar and Grill, 9109-38<sup>th</sup> Street, Kenosha, Wisconsin, in the Town of Somers, was made during the month of January, was turned over to this office on January 17<sup>th</sup>, 2005, 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 Debra Downing for Tarbender's Bar and Grill.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE:

James Huff

Brenda Carey-Mielke

Susan Deschler

William Michel, II

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 122. Seconded by Supervisor Rose.

Motion carried.

**RESOLUTION 123**

123. From Judiciary & Law Enforcement regarding Cabaret License - Finish Line Bar.

Resolution was submitted by Judiciary & Law Enforcement without approval.

No action taken.

**COMMUNICATIONS**

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

Chairman Elverman referred Communication 17 to the Land Use Committee

**CLAIMS**

29. Sheila Lambert - Fell in restroom at the Kenosha County Job Center. Chairman Elverman referred claim 29 to Corporation Counsel.

It was moved by Supervisor Singer to Approve the March 1<sup>st</sup> minutes. Seconded by Supervisor Clark.

Motion carried.

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

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**

**April 12<sup>th</sup>, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, Gorlinski, Smits, Ekornaas.

Excused: Supervisors Deschler, West, Kerkman.

Present. 25 Excused. 3

There were no Citizen Comments

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman announced there are four vacancies on the Gateway Board, two from Racine County and two from Kenosha County. The Chairmen from Walworth, Racine and Kenosha County Boards will interview candidates tomorrow.

Chairman Elverman requested, although not mandatory, that the chairmen of the County Board Committees meet before the April 19<sup>th</sup> meeting for an informal meeting in his office. He also stated the NACo steering committees are looking for members. Interested county officials can complete the form and have it returned to the WCA office by May 20<sup>th</sup>.

**SUPERVISOR REPORTS**

Supervisor Huff stated that the Judiciary & Law and Land Use Committees have provided a hazardous mitigation plan to each of the supervisors. He asked that the supervisors bring the plan to the next meeting.

Supervisor Carbone stated the Finance Department placed two reports on the supervisors desks. Any questions can be directed to Dave Geersten or Al Swartz. County Executive Appointments

51. William Lehman to serve on the Kenosha County Long Term Care Council.

52. Gordon West to serve on the Kenosha County Housing Authority.

Chairman Elverman referred County Executive Appointments 51 & 52 to Human Services.

**OLD BUSINESS**

Ordinance - second reading two required

**ORDINANCE 42**

42. From Terry Rose and the Legislative Committee an Ordinance to Create Section 2.07(8) Pertaining to Supervisor Comments.

Notwithstanding any provision to the contrary, the Kenosha County board of Supervisors does hereby ordain that section 2.07(8) of the Municipal Code of Kenosha County be, and hereby is, created to read as follows:

(8) Supervisor Reports, Announcements, and Referrals.

After "Citizen Comments" at County Board meetings an item shall appear on the agenda entitled: "Supervisor Reports, Announcements and Referrals." This item is intended to allow for committee reports by committee chairpersons, routine announcements, and matters that a Supervisor would like referred to a committee or department. These reports, announcements and referrals need not be agendized with any specificity.

(9) Supervisor Comments.

Comments by Supervisors regarding matters on the agenda shall be made only at the time that the matter is moved and seconded. Any and all other comments on matters not on the agenda shall be specifically agendized under an agenda item titled "Supervisor Comments" and appearing on the County Board agenda prior to "Approval of Minutes" with the subject matter of such comments specifically noticed in compliance with the Wisconsin Open Meeting Law.

It was moved by Supervisor Rose to adopt Ordinance 42. Seconded by Supervisor R. Johnson.



It was moved by Supervisor Molinaro to strike the sentence "These individual Supervisor Comments shall be limited to five minutes." Seconded by Supervisor Clark.

Roll call vote on amendment.

Ayes: Supervisors Elverman, Grady, Huff, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Molinaro, Carey-Mielke, Clark, Noble, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Rossow, Rose, Kessler, Wipper, L. Johnson, Wisnefski.

Ayes: 19. Nays: 6.

Motion carried.

Roll call vote on Ordinance 42 as amended.

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

Nays: Supervisors L. Johnson, Gorlinski, Ekornaas.

Ayes: 22. Nays: 3

Motion carried.

NEW BUSINESS

Ordinance - first reading two required

**ORDINANCE 65**

65. From the Legislative Committee an Ordinance to amend Chapter 9 of the Municipal Code of Kenosha County Entitled Public Peace and good Order.

Resolution - first reading two required.

**RESOLUTION 131**

131. From Judiciary & Law and Land Use Committees regarding Kenosha County Hazard Mitigation Plan.

Resolution - one reading.

**RESOLUTION 124**

124. From the Finance Committee Resolution relating to the County of Kenosha participation in the Wisconsin Community Block Grant program.

Chairman Elverman pulled Resolution 124 from the agenda.

**RESOLUTION 125**

125. From the Human Services Committee Resolution to approve the appointment of Frank Germinaro to the Kenosha County Resource Center Board.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-48, the County Executive has appointed Frank Germinaro to serve on the Kenosha County Resource Center 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 Resource Center 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 Frank Germinaro to the Kenosha County Resource Center Board. Mr. Germinaro's appointment shall be effective immediately and continuing until the 31st day of May, 2007 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Mr. Germinaro will serve without pay but will receive mileage reimbursement as defined under Resolution 65 (1982-83) and will be filling a vacant position.

SUBMITTED BY:

Human Services Committee:

John O'Day

Donald Smitz

William Grady

Ruth Booth

It was moved by Supervisor O'Day to adopt Resolution 125. Seconded by Supervisor Grady.

Motion carried.

**RESOLUTION 126**

126. From the Human Service Committee Resolution to approve the re-appointment of Dr. James Foster to the Kenosha County Board of Heath.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-50, the County Executive has appointed Dr. James Foster 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 Dr. James Foster to the Kenosha County Board of Health. Dr. Foster's appointment shall be effective immediately and continuing until the 4th day of February, 2009 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Dr. Foster will serve without pay and will be succeeding himself.

SUBMITTED BY:

Human Services Committee:

John O'Day

Donald Smitz

William Grady

Ruth Booth

#### **RESOLUTION 127**

127. From the Human Service Committee Resolution to approve the re-appointment of Dr. Thomas Schlenker to the Kenosha County Board of Health.

**WHEREAS**, pursuant to County Executive Appointment 20004/05-47, the County Executive has appointed Dr. Thomas Schlenker 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 Dr. Thomas Schlenker to the Kenosha County Board of Health. Dr. Schlenker's appointment shall be effective immediately and continuing until the 4th day of February, 2009 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Dr. Schlenker will serve without pay and will be succeeding himself.

SUBMITTED BY:

Human Services Committee:

John O'Day

Donald Smitz

William Grady

Ruth Booth

It was moved by Supervisor O'Day to adopt Resolutions 126 and 127. Seconded by Supervisor Booth. Motion carried.

#### **RESOLUTION 128**

128. From the Judiciary & Law Enforcement Committee regarding Cabaret License - Kickstand Tavern.

**WHEREAS**, the application of Greg Frost for a probationary cabaret license for The Kickstand Tavern, 9622 Camp Lake Road, Camp Lake, Wisconsin, in the Town of Salem, was made during the month of June, 2004, was turned over to this office on June 11th, 2004, and

**WHEREAS**, the establishment known as the Kickstand Tavern was granted a Probationary Cabaret License per County Board Resolution on August 17th, 2004, and

**WHEREAS**, the establishment known as the Kickstand Tavern 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 Greg Frost, for the Kickstand Tavern.

SUBMITTED BY:

Judiciary & Law Committee:

James Huff

Brenda Carey-Mielke

William Michel

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 128. Seconded by Supervisor Carey-Mielke.  
Motion carried.

**RESOLUTION 129**

129. From the Judiciary & Law Enforcement Committee regarding Cabaret License - Michael's Pub.

**WHEREAS**, the application of Marie Jonas for a probationary cabaret license for Michael's Pub, 12417 Antioch Road, Trevor, Wisconsin, in the Town of Salem, was made during the month of July, 2004, was turned over to this office on July 6th, 2004, and

**WHEREAS**, the establishment known as the Michael's Pub was granted a Probationary Cabaret License per County Board Resolution on October 19th, 2004, and

**WHEREAS**, the establishment known as the Michael's Pub was found to be in conformity with County Ordinance # 8.02 governing its 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 Marie Jonas, for Michael's Pub.

SUBMITTED BY:

Judiciary & Law Committee:

James Huff

Brenda Carey-Mielke

William Michel

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 129. Seconded by Supervisor Michel.  
Motion Carried.

**RESOLUTION 130**

130. From the Judiciary & Law Enforcement Committee regarding Cabaret License - 75<sup>th</sup> Street Inn.

**WHEREAS**, the application of Marybeth Morey for a probationary cabaret license for the 75<sup>th</sup> Street Inn, 26229 75<sup>th</sup> Street, Salem, Wisconsin, in the Town of Salem, was made during the month of September, 2004, was turned over to this office on September 28th, 2004, 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, and

**NOW, THEREFORE BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Marybeth Morey, for the 75<sup>th</sup> Street Inn.

SUBMITTED BY:

Judiciary & Law Committee:

James Huff

Brenda Carey-Mielke

William Michel

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 130. Seconded by Supervisor Rose.

Motion Carried.

#### CLAIMS

30. Tracey Marie Lowe - Mail box damage.

Chairman Elverman referred claim 30 to Corporation Counsel.

It was moved by Supervisor Smitz to Approve the March 15<sup>th</sup> minutes. Seconded by Supervisor Clark.

Motion carried.

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

Meeting adjourned at 8:51 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 19, 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, Huff, Wippen, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer Deschler, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, Kerkman, Smits, Ekornaas.

Excused: Supervisor L. Johnson, Gorlinski, West.

Present: 23. Excused: 3.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman reported on a meeting he had with the County Clerk and a voting software specialist. They were looking at ways to upgrade the speaking and voting system in the county board chambers. He will set up a presentation for the full county board. Last week Dennis Schultz, the present chairman of the Gateway Board was re-appointed to the Gateway Board.

At this time the Gateway Board put on a presentation on their present activities.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Modory reported on Assembly Bill 225 which was co-signed by Representative Kerkman. This bill will automatically place all our jails in protective services in Wisconsin Retirement System. This isn't in the best interest of the taxpayers of Kenosha County. The minimum this could cost local taxpayers the first year is \$150,000, in the long run it could be up to \$600,000 annually in increased property taxes. He asked anyone interested in controlling local property taxes should send an e-mail to Representative Kerkman and ask her to take her name off it.

Supervisor Ekornaas reported on a meeting he attended which was hosted by Bristol School District #1, Paris School District and Westosha Central High School. The purpose of the meeting was for the schools to discuss with developers the impact of the developments now in the pipe line. Some developers were unable to answer how the developments will impact the schools, some estimated .42 - .46 students per unit, others said there will be hardly any kids in their whole development. They want to pave Bristol in vinyl and walk away with their pockets lined and leave the people of Bristol with a mess to clean up. This isn't just a school problem, it's everybody's problem.

Supervisor O'Day stated that on the supervisors desks there is the annual report for both the Library and Health Department. There is a wealth of information in these reports, so take the time to look them over. We have a top quality Health Department and Library system.

Supervisor Carbone stated Resolution 112 which is on the agenda does not have recommendation from the Finance Committee. He also reported there will be two initiatives coming to the board, one on the non-lapsing reserve policy from Brookside, the other one deals with tax levy cap.

Supervisor Molinaro reported that on Friday, April 22, we will receive responses to our request for proposals on the 52<sup>nd</sup> Street property formerly the home of Human Services building for a potential sale. He also urged the board to be patient on the potential development of a 911 and Sheriff's sub station out at Hwys 45 and 50. He asked that everyone hold their decisions until we hear all the details.

**OLD BUSINESS**

Ordinance - second reading two required.

**ORDINANCE 65**

65. From the Legislative Committee an Ordinance to amend 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 9.938.983 of the Municipal Code of Kenosha County be, and hereby repealed.

The Kenosha County Board of Does hereby further ordain that the following sections be, and hereby are created to read as follows:

9.134.66 RESTRICTIONS ON SALE OR GIFT OF CIGARETTES OR TOBACCO PRODUCTS.

The provisions of Wisconsin Statute section 134.66 and subsequent amendments are adopted except that the penalty upon conviction is a forfeiture of \$50.

9.254.92 PURCHASE OR POSSESSION OF CIGARETTES OR TOBACCO PRODUCTS BY PERSONS UNDER 18 PROHIBITED.

The provisions of Wisconsin Statute section 254.92 and the definitions within Wisconsin Statute section 254.911 and any subsequent amendments to either are adopted except that the penalty upon conviction is a forfeiture of \$50.

Submitted by:

LEGISLATIVE COMMITTEE

Ronald Johnson

Richard Kessler

Joseph Clark

Christine Wipper

Mark Modory

It was moved by Supervisor R. Johnson to adopt Ordinance 65. Seconded by Supervisor Kessler.

Motion carried.

Resolutions - second reading.

#### **RESOLUTION 112**

112. From Supervisor Terry Rose regarding Establishment of Advisory CAP on 2006 General Purpose Levy Including Debt Reduction.

**WHEREAS**, the County Board has supported an increase in the general purpose County Levy for the average homeowner in Kenosha County at or below the rate of inflation, and

**WHEREAS**, the County Board adopted an advisory limit on the increase for the total 2005 County General purpose operating levy of 3% on resolution 3, and

**WHEREAS**, the general public has demanded real estate tax relief, and commercial and industrial

**WHEREAS**, High Real Estate Taxes will deter real estate/development in Kenosha County.

**NOW, THEREFORE, BE IT RESOLVED**, that the County Board does hereby support an operating levy limit increase of 2.5 for 2006 for the Kenosha County General Purpose Levy, to include debt reduction for debt service scheduled to be paid in 2006.

It was moved by Supervisor Rose to adopt Resolution 112. Seconded by Supervisor Kessler.

It was moved by Supervisor Clark to refer Resolution 112 back to the Finance Committee. Seconded by Supervisor Faraone.

Roll call.

Ayes: Supervisors Elverman, Kessler, Huff, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, Singer, Molinaro, Clark, Noble, Smitz.

Nays: Supervisors Grady, Rossow, Rose, Wipper, O'Day, Deschler, Wisnefski, Kerkam, Ekornaas.

Ayes: 15. Nays: 9

Motion carried.

#### **RESOLUTION 124**

124. From Finance Committee Relating to the Kenosha participation in the Wisconsin Community Block Grant Program.

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce; and

**WHEREAS**, after public meeting and due consideration, the Finance Committee has recommended that an application be submitted to the State of Wisconsin for the following project: Tri-County Business Partnerships.

**WHEREAS**, it is necessary for the Racine County Board, to approve the preparation and filing of an application for the County to receive funds from the program; and

**WHEREAS**, the Kenosha County Board 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 does approve and authorize the preparation and filing of an application for the above-named project; and the Kenosha County Executive is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Finance Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

ADOPTED on this 19 day of April, 2005

Submitted by:

Finance Committee

Robert Carbone

Mark Wisnefski

Anita Faraone

Terry Rose

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 124. Seconded by Supervisor Wisnefski.

Motion carried.

#### **RESOLUTION 131**

131. From Judiciary & Law and Land Use Committees regarding Kenosha County Hazard Mitigation Plan.

**WHEREAS**, Kenosha County Division of Emergency Management executed an agreement with the Southeastern Wisconsin Regional Planning Commission dated January 2003, to provide assistance with the development of a countywide all-hazard mitigation plan leading to recommendations for reducing natural hazards and selected man-made and technical hazards potentially impacting Kenosha County, and

**WHEREAS**, such plan has been completed under a cooperative effort of the Kenosha County Division of Emergency Management and the Southeastern Wisconsin Regional Planning Commission under the guidance of the Kenosha County Hazard Mitigation Plan Task Force, and

**WHEREAS**, Kenosha County believes that the plan is a valuable guide to the means for reducing the impact of natural and technological hazards that could potentially impact Kenosha County, and that the adoption of such plan by the Kenosha County Board of Supervisors and municipal local Boards, will assure a common understanding by the local governments concerned and enable these local governments to program the plan implementation work, and

**WHEREAS**, the preparation and adoption of the hazard mitigation plan is a requirement for maintaining eligibility for certain hazard mitigation and disaster grant programs funded by the Federal Emergency Management Agency and administered by the State of Wisconsin Department of Military Affairs, Division of Emergency Management, and

**WHEREAS**, this resolution requires no budget modification.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors hereby adopts the Kenosha County All-Hazard Mitigation Plan as set forth in SEWRPC Community Assistance Planning Report No. 278, Kenosha County Hazard Mitigation Plan, dated November 2004, and

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors directs the Kenosha County Division of Emergency Management to take the necessary steps to provide copies of the Kenosha County hazard mitigation plan to all of the general-purpose local units of government in the County for consideration and adoption, and

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors directs the County Clerk to transmit a certified copy of this resolution to the Southeastern Wisconsin Regional Planning Commission.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff  
Brenda Carey-Mielke  
William Michel II  
Terry Rose

LAND USE COMMITTEE

Don Smitz  
Tom Gorlinski  
Fred Ekornaas  
Mark Molinaro  
Janice Marrelli

It was moved by Supervisor Huff to adopt Resolution 131. Seconded by Supervisor Smitz.

Motion carried.

NEW BUSINESS

Ordinances - one reading.

**ORDINANCE 66**

66. From Land Use Committee regarding Charles E. Schroeder (Owner), Randy's Landscaping, Inc., Randall R. Zerzanek, President (Buyer/Agent), requesting rezoning from M-2 Heavy Manufacturing District to B-5 Wholesale Trade and Warehousing 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 #80-4-222-162- 0050 located in the northwest quarter of Section 16, Township 2 North, Range 22 East, Town of Somers be changed from M-2 Heavy Manufacturing District to B-5 Wholesale Trade and Warehousing District. For informational purposes only, this property is located on the northwest corner of the intersection of 80<sup>th</sup> Avenue and 12<sup>th</sup> Place.

**Charles E. Schroeder - (Owner)**

**Randy's Landscaping, Inc., Randall R. Zerzanek - (Buyer/Agent)**

**Description:** Part of the northeast quarter of the northwest quarter of Section 16, Township 2 North, Range 22 East. Commence in the west right-of-way of the Chicago, Milwaukee and St. Paul Railroad, 325.42 feet south of the north line of the Section, 99.495 feet, west of the north and south  $\frac{1}{4}$  section line; west 198 feet, south 103.58 feet, east 99 feet, south 11.02 feet, east 99 feet to the said right-of-way, north 114.6 feet to the point of commencement.

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

Submitted by:

LAND USE COMMITTEE

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

It was moved by Supervisor Smitz to adopt Ordinance 66. Seconded by Supervisor Marrelli.

Motion carried.

**ORDINANCE 67**

67. From Land Use Committee regarding Wilmot Union High School District, requesting rezoning from A-2 General Agricultural District to I-1 Institutional 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 Parcel #60-4-119-254-0200 located in the southeast quarter of Section 25, Township 1 North, Range 19 East, Town of Randall be changed from A-2 General Agricultural District to I-1 Institutional District. For informational purposes only, this property abuts Wilmot High School and is generally located on the north side of County Trunk Highway "C" and west of the existing high school complex.

**Wilmot Union High School District - (Owner)**

**Description:** Presented in Exhibit 1 (attached) with legal descriptions on file in the Department of Planning and Development.

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

Submitted by:



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

Resolution - one reading.

It was moved by Supervisor Smitz to adopt Ordinance 67. Seconded by Supervisor Molinaro.  
Motion carried.

**RESOLUTION 132**

132. From Administration Committee regarding Approval of the Re-Appointment of Ronald Markowski to serve on the Civil Service Commission.

**WHEREAS**, pursuant to County Executive Appointment #2004/05-36, the County Executive has appointed Ronald Markowski 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 Ronald Markowski to serve on the Civil Service Commission immediately upon passage of this resolution and continuing until the 31<sup>st</sup> day of December 2009 or until a successor is appointed and confirmed by the County Board of Supervisors. Mr. Markowski will serve without pay but will receive per diem as defined under Resolution 65. Mr. Markowski will be succeeding himself.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer  
Joseph Clark  
Anita Faraone  
Janice Marrelli  
Thomas Kerkman

It was moved by Supervisor Singer to adopt Resolution 132. Seconded by Supervisor Faraone.  
Motion carried.

**RESOLUTION 133**

133. From Administration and Finance Committees regarding Approval of 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, 2006, 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

David Singer  
Joseph Clark  
Anita Faraone  
Thomas Kerkman  
Janice Marrelli

FINANCE COMMITTEE

Robert Carbone  
Mark Wisniewski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Singer to adopt Resolution 133. Seconded by Supervisor Carbone.  
Motion carried.

**RESOLUTION 134**

134. From Extension Education and Finance Committees regarding UW Extension 2005 Budget Modification to Create the Grant Employment Position of Program Assistant for Kenosha County UW-Extension.

**WHEREAS**, Kenosha County has received funding from University of Wisconsin Extension for program support, and

**WHEREAS**, the grant-funded position of Program Assistant 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 2005 Kenosha County UW-Extension budget be modified, at no cost to the county as follows:

Revenue increases by \$10,000 and the expenditures increase by \$10,000 as indicated in the attached budget modifications, which are incorporated into this resolution by reference.

Submitted by:

EXTENSION EDUCATION COMMITTEE	FINANCE COMMITTEE
Brenda Carey-Mielke	Robert Carbone
Thomas Gorlinski	Mark Wisnefski
David Singer	Terry Rose
Judith Rossow	Anita Faraone
William Michael II	Mark Modory

It was moved by Supervisor Singer to adopt Resolution 134. Seconded by Supervisor Carbone.

Roll call vote.

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

Abstain: Supervisor Booth

Ayes: 24. Abstain: 1.

Motion carried.

**RESOLUTION 135**

135. From Finance Committee regarding the Re-Appointment of Supervisor Gordon West to serve on the Kenosha County Housing Authority.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-52, the County Executive has appointed Supervisor Gordon West to serve on the Kenosha County Housing Authority, 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 Housing Authority 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 Supervisor Gordon West to serve on the Kenosha County Housing Authority. Supervisor West's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 30<sup>th</sup> day of April, 2010, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Supervisor West will serve without pay as defined under Resolution 65 (1982-83). Supervisor West will be succeeding himself.

Submitted by:

FINANCE COMMITTEE  
Robert Carbone  
Mark Wisnefski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 135. Seconded by Supervisor Rose.

Motion carried.

**RESOLUTION 136**

136. From Finance Committee regarding Accepting a 2003 Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Competitive (PDM-C) Grant Award.

**WHEREAS**, on September 3, 2003, the Kenosha County Executive authorized the preparation and filing of a Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Competitive (PDM-C) application 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 March 10, 2005, that FEMA had approved the 2003 PDM-C grant for Kenosha County; and

**WHEREAS**, Kenosha County will be providing funds for operating expenses, with FEMA through the Wisconsin Division of Emergency Management (WEM) reimbursing the County with 2003 PDM-C funds as County funds are expended; 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 2003 PDM-C grant for Kenosha County in the amount of \$297,300 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with FEMA and 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 2003 PDM-C 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 2003 PDM-C program:

240.76997.443860	2003 PDM-C Revenue	\$297,300
240.76997.582130	Floodplain Acq/Relo/Demo	\$297,300

**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 principals; 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

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 136. Seconded by Supervisor Faraone.

Roll call vote.

Motion carried unanimously.

**RESOLUTION 137**

137. From Finance Committee regarding 2005 Carryover and Annual Closeout Resolution.

**WHEREAS**, these 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,

**NOW, THEREFORE BE IT RESOLVED**, that these funds be carried over from 2004 to 2005, and that the 2005 budget be adjusted as shown in the attached fiscal notes which are incorporated by reference,

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

**BE IT FURTHER RESOLVED,** that the \$1 million Health Insurance Fund Contingency be maintained at that amount, and that the Health Insurance Deficit be funded by the funds affected by the deficit.

**BE IT FURTHER RESOLVED,** that the cash deficit within the Golf fund be funded by a transfer from the Highway fund, and that funds necessary to purchase capital outlay budgeted within Golf in 2004 be transferred from the Highway fund.

**BE IT FURTHER RESOLVED,** that funds necessary to cover the deficits within the Aging fund and the Health Division fund be transferred from the Human Services fund.

**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.

**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.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 137. Seconded by Supervisor Wisniewski.

Roll call vote.

Motion carried unanimously.

#### **RESOLUTION 138**

138. From Human Services and Finance Committees regarding Modifying the 2004 Budget for the Office of the Medical Examiner.

**WHEREAS,** the Office of the Medical Examiner required administrative oversight during the planning and reorganization of its operations during 2004, and

**WHEREAS,** the management staff within the Division of Health provided this administrative oversight to the Office of the Medical Examiner, and unobligated budgetary funds are available within the Division of Health to transfer to the Office of the Medical Examiner, and

**WHEREAS,** the total 2004 year-end costs on the Medical Examiner's Office are projected to exceed budget by \$60,246 requiring additional Levy support in that amount from Fund 100, and

**WHEREAS,** the Department of Human Services is projecting net 2004 Levy under spending department-wide primarily due to lower than budgeted costs of court-ordered placements in the Division of Children & Family Services, and

**NOW, THEREFORE LET IT BE RESOLVED,** that the County Board does hereby approve the transfer of \$39,664 from the Division of Health to the Office of the Medical Examiner, and an operating transfer of \$60,246 from the Human Services Fund resulting from a surplus in placement costs in the Division of Children and Family Services, which is attached and incorporated into this resolution by reference.

Submitted by:

HUMAN SERVICES COMMITTEE

John O'Day

William Grady

Ruth Delace Booth

Donald Smitz

Gordon West

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Mark Modory

Terry Rose

Anita Faraone

It was moved by Supervisor O'Day to adopt Resolution 138. Seconded by Supervisor Carbone.

Roll call vote.  
Motion carried unanimously.

**RESOLUTION 139**

139. From Judiciary & Law and Finance Committees regarding Law Enforcement Justice Assistance Grant (JAG).

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$39,500.00 for a Law Enforcement Justice Assistance Grant (JAG), for the period July 1<sup>st</sup>, 2005 through June 30<sup>th</sup>, 2007, and

**WHEREAS**, these funds have been made available to the Kenosha County Sheriff's Department through the U.S. Department of Justice, Bureau of Justice Assistance, and

**WHEREAS**, these funds will be used to purchase additional 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 hard 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.

Note: This resolution requires No funds from the general fund. It increases revenues by \$39,500.00 and increases expenditures by \$39,500.00

Submitted by:

JUDICIARY & LAW ENFORCEMENT

James Huff

Brenda Carey-Mielke

Susan Deschler

Terry Rose

William Michel II

FINANCE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Huff to adopt Resolution 139. Seconded by Supervisor Carbone.

Roll call vote.

Motion carried unanimously.

**RESOLUTION 140**

140. From Judiciary & Law and Finance Committees regarding Operative Position Transfer to District Attorney's Budget.

**WHEREAS**, the Operative position acquired through the Sheriff's Department's Drug Task Force grant is currently listed under the Sheriff's Department authorized personnel strength, and

**WHEREAS**, it has been determined that the appropriate division for overseeing the Operative position would be better served and utilized under the control of the District Attorney's office, and

**WHEREAS**, the Operative 1.0 FTE and related personnel costs and supporting revenue budget in the Sheriff's Department be transferred to the District Attorney's budget, in effect, decreasing the Sheriff's total authorized FTE's from 310.5 to 309.5 and increasing the District Attorney's total department FTE's from 15 to 16 FTE's, and

**WHEREAS**, the movement of this position will have no affect on the continuation of the funding through the WI OJA office under the Edward Byrne Memorial grant program.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the Drug Task Force recommendation to move the Operative position to the District Attorney's Office personnel list.

Note: This resolution requires NO increase in funded FTE's. It decreases the FTE count for the Sheriff's Department and increases the FTE count for the District Attorney's office.

Submitted by:

Judiciary & Law Enforcement Committee

James Huff

Brenda Carey-Mielke

Susan Deschler

Terry Rose

William Michel II

Finance Committee

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Huff to adopt Resolution 140. Seconded by Supervisor Carbone.

Roll call vote.

Motion carried unanimously.

#### **RESOLUTION 141**

141. From Judiciary & Law and Finance Committees regarding Kenosha County TRaCs Program Grant.

**WHEREAS**, Kenosha County Division of Emergency Management has been awarded training grants totaling \$34,300 in FY05 from the State of Wisconsin Division of Emergency Management (WEM) to conduct Community Emergency Response Team (CERT) training for citizens, government employees and first responders, and

**WHEREAS**, CERT training will help train and educate citizens and first responders in emergency preparedness/response, and

**WHEREAS**, the cost of these training grants are 100% funded by WEM, requiring no tax levy.

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

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

FINANCE COMMITTEE

Robert Carbone

Brenda Carey-Mielke

Susan Deschler

William Michel II

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 141. Seconded by Supervisor Carbone.

Roll call vote.

Motion carried unanimously.

#### **RESOLUTION 142**

142. From Judiciary & Law and Finance Committees regarding Training Grants for Citizens and First Responders.

**WHEREAS**, Kenosha County Division of Emergency Management has been awarded training grants totaling \$34,300 in FY05 from the State of Wisconsin Division of Emergency Management (WEM) to conduct Community Emergency Response Team (CERT) training for citizens, government employees and first responders, and

**WHEREAS**, CERT training will help train and educate citizens and first responders in emergency preparedness/response, and

**WHEREAS**, the cost of these training grants are 100% funded by WEM, requiring no tax levy.

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

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Terry Rose

Brenda Carey-Mielke

William Michel II

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory



It was moved by Supervisor R. Johnson to adopt Resolution 143. Seconded by Supervisor Carbone.

Roll call vote.

Motion carried unanimously.

#### COMMUNICATIONS

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

Chairman Elverman referred Communication 18 to the Land Use Committee.

It was moved by Supervisor Wipper to Approve the April 12th minutes. Motion was seconded.

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

Motion carried.

Meeting adjourned at 9:46 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**

**May 3, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, R. Johnson, Michel, O'Day, Singer, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, Kerkman, Smitz, Ekornaas, L. Johnson, Gorlinski, West.

Excused: Supervisors Deschler, Faraone.

Present: 26. Excused: 2.

There were no citizen comments.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that applications for seasonal maintenance positions for the parks division was placed on everyone's desk.. Also, the Field of Dreams looking for volunteers and a brochure concerning this was placed on everyone's desk.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Molinaro gave an up-date on the 52<sup>nd</sup> Street property. The County has received three bids that have been reviewed by Fred Patrie and his staff. Recommendation has been made to the County Executive. The recommendation will be before the Building & Grounds Committee at their next meeting.

Supervisor Carey-Mielke stated that the Field of Dreams is on it's way again and they need volunteers.

Supervisor West thanked everyone for thinking of him during his illness. He feels real good about the baseball park at Old Settlers Park in Paddock Lake.

**NEW BUSINESS**

**RESOLUTION 1**

1. From Highway & Parks Committee regarding Agreement for Lakeland Little League.

**WHEREAS**, Kenosha County owns the property commonly known as Old Settlers Park in Paddock Lake, Wisconsin and

**WHEREAS**, Lakeland Little League has been a user of the ball field at this park for many years, and

**WHEREAS**, Lakeland Little League has recently performed upgraded to this facility and has a plan for future amenities to accommodate the needs of their expanding little league program, and,

**WHEREAS**, Lakeland Little League and Kenosha County are desirous of setting forth the terms and conditions of this arrangement in a written agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors in recognition of the value provided to a Kenosha County facility by Lakeland Little League hereby authorizes that the terms of the Agreement attached to this Resolution be accepted and the Agreement executed by the appropriate parties.

Submitted by:

HIGHWAY & PARKS COMMITTEE

Doug Noble

Leonard Johnson

Richard Kessler

William Grady

Fred Ekornaas

It was moved by Supervisor Noble to adopt Resolution 1. Seconded by Supervisor Kessler.

Roll Call vote requested.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, R. Johnson, Michel, O'Day, Singer, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, Smitz, Ekornaas, L. Johnson, Gorlinski, West.

Nays: Supervisor Kerkman.  
Ayes. 25. Nays. 1.  
Motion carried.

**RESOLUTION 2**

2. From Human Services regarding the Re-Appointment of William Lehman to Kenosha County Long Term Council.

**WHEREAS**, pursuant to County Executive Appointment 2004/05-51, the County Executive has appointed William Lehman to serve on the Kenosha County Long Term Care Council, 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 Long Term Care Council 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 William Lehman to the Kenosha County Long Term Care Council. Mr. Lehman's appointment shall be effective

It was moved by Supervisor O'Day to adopt Resolution 2. Seconded by Supervisor Grady.  
Motion carried.

It was moved by Supervisor Wisnefski to approve the April 19<sup>th</sup>, 2005 minutes. Seconded by Supervisor Kessler.

It was moved by Supervisor Wisnefski to adjourn. Seconded by Supervisor Smitz.  
Meeting adjourned at 8:00 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**

**May 17, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Supervisor Faraone.

Present: 27. Excused: 1.

There were no citizen comments.

A Certificate of Appreciation presented to Bose Elementary School by County Executive, Allan K. Kehl and Supervisor Mark Molinaro for their continued effort in the fight against hunger. For the past three years, Bose Elementary School has been involved in a food collection campaign to benefit the Shalom Center, a local food bank in Kenosha.

County Executive, Allan Kehl presented his State of the County Address.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that he attended baseball games at Old Settlers Park this past Saturday. Lakeland Little League had done extensive work on the ball field and it is really a beautiful thing to see.

Chairman Elverman stated that we have received a grant from the Veteran's Administration for \$13,000.00 for the Kenosha County Veterans.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Carbone stated that Bernie Vash, Corporation Counsel, was elected Chairman of the Board of Directors for Wisconsin Municipal Mutual Insurance Company (WMMIC).

Supervisor Huff stated that the memo from Ben Schliesman to the supervisors regarding a Countywide Terrorism Exercise on May 25, 2005. Call Emergency Management to attend and view the exercise either at UW-Parkside or the County EOC. This exercise is not open to the public.

**NEW BUSINESS**

Ordinances - one reading.

**ORDINANCE 1**

1. From Land Use Committee regarding Thomas W. and Judith D. Kerkman requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District and R-1 Rural Residential 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 Tax Parcel #30-4-220-032-0205 located in the northwest quarter of Section 3, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (44.63 acres) and R-1 Rural Residential District (8.98 acres) excluding lands currently zoned C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the south side of 1<sup>st</sup> Street approximately ¼ mile east of the intersection of 264<sup>th</sup> Avenue.

**Thomas W. and Judith A. Kerkman - (Owners)**

**Descriptions: A-2 General Agricultural District:** Being a part of the northeast ¼ and the southeast ¼ of the northwest ¼ of Section 3, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Town of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the northeast corner of said northwest ¼ section; thence south 02°03'05" east along the east line of said northwest ¼ section 687.10 feet to

the place of beginning of this description; thence continue south 02°03'05" east along said east line 1721.70 feet; thence south 88°56'10" west 999.79 feet; thence north 02°03'05" west 2398.00 feet to a point on the north line of said northwest ¼ section; thence north 88°19'02" east along said north line 333.66 feet; thence south 02°03'05" east 687.10 feet; thence north 88°19'02" east 666.00 feet to the place of beginning. Containing 44.65 acres of land more or less. Subject to rights of the public over the north 33 feet thereof for road purposes (County Line Road a.k.a. 1<sup>st</sup> Street).

**R-1 Rural Residential District:** Being a part of the northeast ¼ of the northwest ¼ of Section 3, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Town of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Begin at the northeast corner of said northwest ¼ section; thence south 02°03'05" east along the east line of said northwest ¼ section 687.10 feet; thence south 88°19'02" west 666.00 feet; thence north 02°03'05" west 687.10 feet to a point on the north line of said northwest ¼ section; thence north 88°19'02" east along said north line 666.00 feet to the place of beginning. Containing 10.50 acres of land more less. Subject to rights of the public over the north 33 feet thereof for road purposes (County Line Road a.k.a. 1<sup>st</sup> Street). This rezoning excludes lands currently zoned C-1 Lowland Resource Conservancy District.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorklinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 1. Seconded by Supervisor Gorklinski.

Supervisor Kerkman abstained from voting.

Motion carried.

## **ORDINANCE 2**

2. From Land Use Committee regarding Joan Leszczynski and Kevin D. Peterson (Owners), John E. Hotvedt (Agent), requesting rezoning from A-2 General Agricultural District to R-1 Rural Residential District and R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy 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 Tax Parcel #30-4-220-032-0205 located in the northwest quarter of Section 3, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (44.63 acres) and R-1 Rural Residential District (8.98 acres) excluding lands currently zoned C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the south side of 1<sup>st</sup> Street approximately ¼ mile east of the intersection of 264<sup>th</sup> Avenue.

**Thomas W. and Judith A. Kerkman - (Owners)**

**Descriptions: A-2 General Agricultural District:** Being a part of the northeast ¼ and the southeast ¼ of the northwest ¼ of Section 3, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Town of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the northeast corner of said northwest ¼ section; thence south 02°03'05" east along the east line of said northwest ¼ section 687.10 feet to the place of beginning of this description; thence continue south 02°03'05" east along said east line 1721.70 feet; thence south 88°56'10" west 999.79 feet; thence north 02°03'05" west 2398.00 feet to a point on the north line of said northwest ¼ section; thence north 88°19'02" east along said north line 333.66 feet; thence south 02°03'05" east 687.10 feet; thence north 88°19'02" east

666.00 feet to the place of beginning. Containing 44.65 acres of land more or less. Subject to rights of the public over the north 33 feet thereof for road purposes (County Line Road a.k.a. 1<sup>st</sup> Street).

**R-1 Rural Residential District:** Being a part of the northeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 3, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Town of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Begin at the northeast corner of said northwest  $\frac{1}{4}$  section; thence south 02°03'05" east along the east line of said northwest  $\frac{1}{4}$  section 687.10 feet; thence south 88°19'02" west 666.00 feet; thence north 02°03'05" west 687.10 feet to a point on the north line of said northwest  $\frac{1}{4}$  section; thence north 88°19'02" east along said north line 666.00 feet to the place of beginning. Containing 10.50 acres of land more less. Subject to rights of the public over the north 33 feet thereof for road purposes (County Line Road a.k.a. 1<sup>st</sup> Street). This rezoning excludes lands currently zoned C-1 Lowland Resource Conservancy District. This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 2. Seconded by Supervisor Molinaro.

Motion carried.

Resolutions - one reading.

### **RESOLUTION 3**

3. From Building & Grounds and Finance Committee regarding Authorizing the Disposition of Real Property.

**WHEREAS**, Kenosha County has acquired tax deed to parcels #95-4-119-112-4150 in the Town of Wheatland, County of Kenosha, State of Wisconsin, and

**WHEREAS**, the Town of Wheatland has expressed an interest in acquiring title to this property, which property will be used and combined with park land, and

**WHEREAS**, said Town of Wheatland has agreed to waive any special assessments which may be due and owing on said property, and

**WHEREAS**, Sections 59.07(1)(c) and 75.69(2) of the Wisconsin Statutes permits the transfer of these properties to a municipality.

**NOW THEREFORE BE IT RESOLVED** that Kenosha County execute a quit claim deed on the above parcel to the Town of Wheatland and on the condition that said Town of Wheatland waive any and all special assessments that are due and owing on said parcel to be utilized as park land.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Mark Wisnefski

Anita Faraone

Mark Modory

It was moved by Supervisor Molinaro to adopt Resolution 3. Seconded by Supervisor Carbone.

It was moved by Supervisor Gorlinski to call the question. Seconded by Supervisor L. Johnson.

Roll call vote to call the question.

Motion carried unanimously.

Roll call vote on Resolution 3.

Motion carried unanimously.

### **RESOLUTION 4**

4. From Finance Committee regarding the Transfer of County Tax Deeded Property to the Town of Wheatland.

**WHEREAS**, Kenosha County has acquired tax deed to parcels #95-4-119-112-4150 in the Town of Wheatland, County of Kenosha, State of Wisconsin, and

**WHEREAS**, the Town of Wheatland has expressed an interest in acquiring title to this property, which property will be used and combined with park land, and

**WHEREAS**, said Town of Wheatland has agreed to waive any special assessments which may be due and owing on said property, and

**WHEREAS**, Sections 59.07(1)(c) and 75.69(2) of the Wisconsin Statutes permits the transfer of these properties to a municipality.

**NOW THEREFORE BE IT RESOLVED** that Kenosha County execute a quit claim deed on the above parcel to the Town of Wheatland and on the condition that said Town of Wheatland waive any and all special assessments that are due and owing on said parcel to be utilized as park land.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Mark Wisniewski

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 4. Seconded by Supervisor Rose.

Motion carried.

#### **RESOLUTION 5**

5. From Finance Committee regarding Supporting Memoranda of Understanding between the County of Kenosha and any Municipalities requesting a resource sharing relationship for use of the Statewide Voter Registration System.

**WHEREAS**, Congress passed the Help America Vote Act of 2002 (HAVA) to create a more uniform voter registration and voting system in the United States; and

**WHEREAS**, the Wisconsin State Elections Board (SEB) is charged with implementing a Statewide Voter Registration System (SVRS) that Complies with HAVA; and

**WHEREAS**, local units of government understand their obligations and commitments as mandated by HAVA and state statutes to administer, implement and maintain local voter registration information within a centralized SVRS; and

**WHEREAS**, The State Legislature has enacted legislation which allows local units of government to share technology and resource with the County or other municipalities to maintain the local voter registration information within the centralized SVRS.

**NOW THEREFORE BE IT RESOLVED**, the County of Kenosha directs the County Clerk, upon the request of a municipality, to enter into a Memorandum of Understanding with that municipality that will comply with the requirements of HAVA and provide a more efficient and cost effective implementation of SVRS through the Sharing of technology and resources.

**FURTHER, BE IT RESOLVED**, the County of Kenosha directs the County Clerk to follow the technology, security, maintenance, support, and process guidelines developed by the State Elections Board relating to use of the Statewide Voter Registration System (SVRS).

**FURTHER, BE IT RESOLVED**, That a copy of these Resolutions and Memorandums of Understanding be sent to the State Elections Board.

Submitted by:

Finance Committee:

Robert Carbone

Terry Rose

Mark Wisniewski

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 5. Seconded by Supervisor Wisniewski.

Motion carried.

**RESOLUTION 6**

6. From Finance Committee regarding Amending 2005 Budget to allow Broadband connection for Kenosha County to BioCATT Broadband fiber network.

**WHEREAS**, in the 2005 Kenosha County Budget, funds were budgeted for the BioCATT Broadband project to promote economic development throughout Kenosha County, and

**WHEREAS**, the route for the Broadband project from BioCATT to the County Center is almost complete, and

**WHEREAS**, the County of Kenosha acquired 4 strands of fiber as part of the Broadband project, and

**WHEREAS**, to fully utilize the strands of fiber from the County Center to BioCATT, Kenosha County needs to complete the connection from BioCATT to the Civic Center Campus, and

**WHEREAS**, additional bandwidth will be needed in the near future for these buildings and connecting these strands of fiber to our Civic Center Campus would allow us to increase the bandwidth capabilities between the Campus and our Brookside Care Center, Detention Center, and the County Center as well as any other buildings we connect in the future to the Broadband network, and

**WHEREAS**, this connectivity would allow us server consolidation options and future elimination of current leased T1s as well as avoid purchasing additional leased T1 in the future, and

**WHEREAS**, the project will require funds from the General Fund Reserves,

**NOW THEREFORE BE IT RESOLVED**, that the County Board hereby authorize \$159,855 to be appropriated for the purposes of completing this connection to the Broadband 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:

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Terry Rose

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 6. Seconded by Supervisor Modory.

2/3 vote required.

Supervisor Michael was out of the room.

Motion carried unanimously.

**RESOLUTION 7**

7. From Highway & Parks and Finance Committees regarding Authorization to file and Receive Grant Funds from Federal Transit Administration and /or Wisconsin Department of Transportation in Support of Commuter Rail Project.

**WHEREAS**, pursuant to the attached cooperative partnership agreement (Exhibit "A") Kenosha County has joined with the Wisconsin Department of Transportation (WISDOT), the Southeastern Regional Planning Commission (SEWRPC) and the Cities of Racine, Milwaukee and Kenosha and the Counties of Racine and Milwaukee in an effort to complete two previous studies and to conduct advanced planning and other activities regarding extension of commuter rail service from Kenosha to Milwaukee, and

**WHEREAS**, Kenosha County will also participate in the planning activities relative to the environmental impact statement and project development for the Kenosha-Racine-Milwaukee Commuter rail Study, more commonly referred to as the KRM Study, and

**WHEREAS**, the Federal Transit Administration (FTA) has encumbered \$3,200,000 to conduct the environmental impact statement and project development process, and

**WHEREAS**, the WISDOT has budgeted \$400,000 as one half of local funds required as match for the conduct of the environmental impact statement and projected development process, and

**WHEREAS**, PURSUANT TO THE ATTACHED Exhibit "B" the participating local units of government referenced in this Resolution have been pledged with cash or "in kind" to provide in equal shares the remaining \$400,000 local match for

the conduct of the environmental impact statement and project development process, and

**WHEREAS**, the State has indicated that it is unable to award the budgeted state funds to any party other than a local unit of government that is pre-qualified to be a recipient of FTA funds, and

**WHEREAS**, Kenosha County meets both qualifications to file for and receive the \$400,000 state funds, which will along with all other project funds be distributed to SEWRPC so that they may act as the agent for all government entities involved in this project and seek proposals for the heretofore mentioned studies, advanced planning and other activities, and

**WHEREAS**, under separate action, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) in it's Resolution No 2004-12 dated August 26, 2004 formally agreed to file for and accept the previously referenced FTA funds and act as secretary for the environmental impact statement and project development process.

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board supports the attached Cooperative Partnership Agreement and the Kenosha County Executive is hereby authorized to file for and receive the referenced \$400,000 in state funds and to execute the attached Exhibit "C" Grant Agreement.

**BE IT FURTHER RESOLVED**, that Kenosha County Executive is hereby authorized to execute the necessary documents to provide the referenced grant to SEWRPC in order to act as Kenosha County's agent and secretary for the environmental impact statement and project development process.

**BE IT FURTHER RESOLVED**, that Kenosha County conditions this resolution upon obtaining all necessary assurances from the remaining cities and counties involved in this project as to the extent of their contribution toward the matching funds mentioned herein and their pro rata share of any liability.

**BE IT FURTHER RESOLVED**, that the Kenosha County 2005 Budget is hereby amended as follows: Increase revenue by \$400,000 to receive Wisconsin Department of Transportation Commuter Rail Grant Revenue, to be recorded in account number 36100.446010 on the County general ledger. Increase expenditures by \$400,000 in account number 36100.521900 to record pass through of WisDot funds to SEWRPC on the County general ledger.

**BE IT FURTHER RESOLVED**, that this budget authority shall be for the sole purpose of the project herein approved, and that the budget authority herein authorized be carried over to future years until such time that the project is completed or terminated.

Passed and adopted by the Kenosha County Board of Supervisors, the 17th day of May, 2005.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Nark Modory

Mark Wisnefski

HIGHWAY AND PARKS COMMITTEE

Douglas Noble

Richard Kessler

William Grady

Fred Ekornaas

Leonard Johnson

It was moved by Supervisor Noble to adopt Resolution 7. Seconded by Supervisor Carbone.

2/3 vote required.

Supervisors Carbone and Michael were out of the room.

Motion carried unanimously.

#### **RESOLUTION 8**

8. From Human Services and Finance Committees and Brookside Board of Trustees regarding Approval of Brookside Care Center Fiscal Management Policy Statement - Non-Lapsing Policy.

**WHEREAS**, The County Board approved the General Fund Balance Reserve Policy Resolution #42 on August 17, 2004 which set the level of General Fund Reserves, and

**WHEREAS**, The County Golf Courses and Brookside Care Center are accounted for in Enterprise Funds, and

**WHEREAS**, Resolution 125 "A Resolution Establishing Policy & Intent of the County Board as Relates to the Dedication of Revenues from the Golf Course Operations for the payment of Principle and Interest on General Obligation Golf



Course Refunding Bonds" approved January 16 1996, provides for the non-lapsing of Golf Course funds, and

**WHEREAS**, About 84% (per the 2003 audit) of the Brookside revenues are derived from charges and fees paid from those who use the services of the nursing home and should be maintained to support the expenditures of the nursing home, and

**WHEREAS**, The Brookside Trustees, Human Services Committee and Finance Committee have completed a substantial review and recommend the Brookside Care Center Fiscal Management Policy Statement - Non-Lapsing Policy.

**NOW, THEREFORE LET IT BE RESOLVED**, that the Kenosha County Board of Supervisors does hereby adopt the Brookside Care Center Fiscal Management Policy Statement - Non-Lapsing Reserve Policy which is attached herein and Incorporated by reference, and that the effective date of this policy coincide with the date of the enactment of this resolution.

Submitted by:

HUMAN SERVICES COMMITTEE

John O'Day  
William Grady  
Ruth Delace Booth  
Don Smitz  
Gordon West

FINANCE COMMITTEE

Robert Carbone  
Mark Wisnefski  
Terry Rose  
Mark Modory

BROOKSIDE BOARD OF TRUSTEES

Robert W. Pitts, Chairperson  
Eunice Boyer  
Robert Carbone

Lou DeMarco  
Nancy L. Principe  
Gordon West

It was moved by Supervisor O'Day to adopt Resolution 8. Seconded by Supervisor Carbone.

Motion carried.

#### **RESOLUTION 9**

9. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for Barb and John's Hangar in the Town of Somers.

**WHEREAS**, the application of John Severs for a probationary cabaret license for Barb and John's Hangar, 3820-88th Avenue, Kenosha, Wisconsin, in the Town of Somers, was made during the month of March, 2005, was turned over to this office on March 29th, 2005, 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, and

**NOW, THEREFORE, BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to John Severs, for Barb and John's Hangar.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

James Huff  
Susan Deschler  
Brenda Carey-Mielke  
William Michel  
Terry Rose

It was moved by Supervisor Huff to adopt Resolution 9. Seconded by Supervisor Carbone.

Motion carried.

#### **RESOLUTION 10**

10. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for "1146" in the Town of Somers.

**WHEREAS**, the application of Richard Pierangeli for a probationary cabaret license for "1146" tavern, 1146 Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of March, 2005, was turned over to this office on March 31st, 2005, 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, and

**NOW, THEREFORE, BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Richard Pierangeli, for the "1146" tavern.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

James Huff

Susan Deschler

Brenda Carey-Mielke

William Michel

Terry Rose

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

Motion carried.

#### **RESOLUTION 11**

11. From Judiciary & Law Enforcement Finance Committees regarding 2005 SEADOG Multi-Jurisdiction Drug Task Force Grant.

**WHEREAS**, the Kenosha County Sheriff's Department had been awarded a continuation grant for the Sheriff's Drug Task Force through the WI Office of Justice Assistance; Byrne Drug Enforcement Task Force funding program in the amount of \$137,035 for the 2005 calendar year, and

**WHEREAS**, in 2005 the State of WI OJA offered increased funding to jurisdictions that combined forces into multi-jurisdictional task forces, and

**WHEREAS**, Kenosha County along with Dodge, Jeffereson, Racine and Walworth counties have established a multi-jurisdictional task force entitled South East Area Drug Operations Group (SEADOG) in order to garner additional funds offered through the Byrne program, and

**WHEREAS**, as a result of the joint effort Kenosha County's share of the award proceeds exceeds what had already been appropriated for our Task Force in the 2005 budget by \$15,498, and

**WHEREAS**, the Sheriff wishes to apply the additional funding to support the confidential funds costs in investigations, and

**WHEREAS**, this grant award will not require any additional tax levy dollars.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the SEADOG Drug Task Force grant adjustment as detailed in the attached budget modification form, which is incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that any unobligated 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 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.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$15,498 and increases expenditures by \$15,498.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

Susan Deschler

Terry Rose

William Michel II

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Huff to adopt Resolution 11. Seconded by Supervisor Carbone.

2/3 vote required.  
Motion carried unanimously.

**RESOLUTION 12**

12. From Judiciary & Law and Finance Committees regarding Homeland Security Law Enforcement Terrorism Prevention Program Grant.

**WHEREAS**, Kenosha County Division of Emergency Management is being offered a Homeland Security Law Enforcement Terrorism Prevention Program Grant Totaling \$88,582, and

**WHEREAS**, the cost of this grant is 100% funded by Wisconsin Office of Justice Assistance (OJA), requiring no tax levy, and

**WHEREAS**, this grant will be used to partner with the Office of Justice Assistance and other state agencies in a pilot project to develop a website which will be a single point of access to justice information stored on incompatible computer systems operated by local law enforcement, prosecutors, courts, corrections and other justice-related organizations, and

**WHEREAS**, the Kenosha County Sheriff's Department and the Kenosha City Police Department as well as prosecutors, courts, corrections, and other justice-related organizations will benefit by this application by having timely access to complete criminal justice information that is currently unavailable from the myriad of systems in place, and

**WHEREAS**, since 1981, Kenosha City/County Joint Services has been charged with the responsibility of maintaining law enforcement records, Kenosha County Emergency Management will sole source this grant to Kenosha City/County Joint Services, and

**WHEREAS**, since 1988, ComSys, Inc., has been under contract with Kenosha City/County Joint Services to develop and support the computer application for maintaining law enforcement records, Kenosha City/County Joint Services will in turn sole source the development of the website to ComSys, Inc., and

**WHEREAS**, the development of this website includes a need for a graphic designer, and the graphic designing firm of Tall Guy Productions has technological familiarity with the software application system being used, Kenosha City/County Joint Services will sole source the designing of the website to Tall Guy Productions, and

**WHEREAS**, the relationship between the County of Kenosha and Kenosha City/County Joint Services and Kenosha City/County Joint Services and ComSys, Inc., and Kenosha City/County Joint Services and Tall Guy Productions has been recognized and approved as sole source relationships in the Grant application/award letters and supplemental e-mails, and

**WHEREAS**, the Kenosha County Emergency Management Budget will require a FY05 Budget Modification of \$88,582,

**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

James Huff

Brenda Carey-Mielke

Susan Deschler

William Michel II

William Michael

FINANCE COMMITTEE

Robert Carbone

Mark Wisniefski

Terry Rose

Mark Modory

It was moved by Supervisor Huff to adopt Resolution 12. Seconded by Supervisor Carbone.

2/3 vote required.  
Motion carried unanimously.

**RESOLUTION 13**

13. From Judiciary & Law and Finance Committees regarding HIDTA FY 2005 Grant Award

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded a third round of funding of \$40,970 by the federal Office of National Drug

Control Policy under the High Intensity Drug Trafficking Areas (HIDTA) initiative for the calendar year 2005, and

**WHEREAS**, the funding will allow for the purchase of certain authorized equipment to establish a Canine Unit and reimburse for HIDTA enforcement overtime incurred by Sheriff's Department, 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

**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 2005 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.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$40,970 and increases expenditures by \$40,970.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE	FINANCE COMMITTEE
James Huff	Robert Carbone
Brenda Carey-Mielke	Mark Wisnefski
Susan Deschler	Terry Rose
Terry Rose	Mark Modory
William Michel II	

It was moved by Supervisor Huff to adopt Resolution 13. Seconded by Supervisor Carbone.

2/3 vote required.

Motion carried unanimously.

COMMUNICATIONS.

1. From George E. Melcher, Director of Planning & Development regarding future rezonings.

Chairman Elverman referred Communication 1 to Land Use Committee.

CLAIMS.

1. Linery L. Foster - lost clothes as a huber inmate.

2. Toor Petroleum - spill fill containment device damaged from snow plow.

Chairman Elverman referred Claims 1 & 2 to Corporation Counsel.

It was moved by Supervisor Booth to approve the May 3rd 2005 minutes.

Seconded by Supervisor Modory.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:45 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**

**June 7, 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, Huff, Wipperfurth, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaa.

Excused: None

Present: 28. Excused: 0.

There were no citizen comments.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that the WCA is currently looking for applicants for the WCA'S second vice-president position. July 8th is the deadline for applying.

Chairman Elverman stated that at the June 21<sup>st</sup> meeting we will be having a demonstration of our new score board and voting procedure. The meeting will start at 7:00 P.M.

Chairman Elverman announced that the WCA Fall Conference will be held in Milwaukee, September 18th thru the 20th. Please let the clerk know if you plan to attend.

Chairman Elverman announced that the County Board Christmas Party will be December 20th. He promises good live entertainment.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Carbone stated that the Finance Committee will be meeting this Thursday to discuss two resolutions that will be coming to the County Board. One is to Establish Kenosha Financial Policy Management Statement - Annual County Budget Advisory Levy Objective. And the second resolution is for 2006 Kenosha County Budget- Advisory Objective.

Supervisor Huff asked that his chair be fixed.

Supervisor Molinaro announced that a city-wide festival, Saturday, June 18th celebrating Kenosha. This is sponsored by Kenosha Rotary and the City of Kenosha to celebrate the international communities. There is a great line-up of shows. Everything is free and it is in conjunction with Rotaries 100<sup>th</sup> Anniversary.

Supervisor Kerkman announced that this Saturday, June 18th is the Kenosha County Dairy Breakfast in the Town of Paris. Take 142 to 116th Avenue and then go south.

Supervisor Marrelli stated that if anyone calls the Shalom Center tomorrow they will still be able to purchase tickets for the Artists for Shalom Event on Friday at Carthage College. Just take the truck route. This event raises money for the Shalom Center and they are looking for a permanent shelter.

**NEW BUSINESS**

**CLAIMS**

3. Verizon - cable damaged while setting sign post.

Chairman Elverman referred Claim 3 to Corporation Counsel.

It was moved by Supervisor Carbone to approve the May 17th 2005 minutes.

Seconded by Supervisor Rose.

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

Meeting adjourned at 7:40 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**

**June 21, 2005**

The **Regular Meeting** was called to order by Chairman Elverman at 7:00 p.m., in the County Board Room located in the Administration Building. A demonstration of a new score board and voting procedure took place. Roll call was taken.

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

Excused: Grady.

Present: 27. Excused: 1.

There were no citizen comments.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that County Directories were placed on everyone's desk.

Chairman Elverman thanked Judiciary & Law Committee and the Sheriff's Department for all the work done on Country Thunder.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Huff stated that the Judiciary & Law Committee would like to remove Resolution 18 from tonight's agenda. The committee was polled and voted unanimously to remove Resolution 18.

Supervisor Noble reported from the Highway & Parks Committee that the Junior Golf Outing will be Thursday at 11:00 a.m. at \$60.00 per golfer. This will benefit the Junior Golf Program.

Supervisor Singer reported that Personnel has a tentative labor contract with the Sheriff's Deputies.

**NEW BUSINESS**

Ordinances - one reading.

**ORDINANCE 3**

3. From Land Use Committee regarding Keith A. and Monica L. Plucker, requesting rezoning from M-1 Limited Manufacturing District to B-5 Wholesale Trade and Warehousing District from M-1 Limited Manufacturing District to R-2 Suburban Single-Family 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 Tax Parcels #30-4-220-312-0410 and #30-4-220-312-0420, both located in the northwest quarter of Section 31, Township 2 North, Range 20 East, Town of Brighton be changed from M-1 Limited Manufacturing District to B-5 Wholesale Trade and Warehousing District and R-2 Suburban Single-Family Residential District respectively. For informational purposes only, these parcels are located on the north side of County Trunk Highway "NN" (52<sup>nd</sup> Street) approximately 215 feet east of the intersection of 308<sup>th</sup> Avenue.

**Keith A. and Monica L. Plucker - (Owners)**

**Description:** **B-5 Wholesale Trade and Warehousing District:** Parcel B, Certified Survey Map #616, 1979 Volume 1021, Page 248.

**R-2 Suburban Single-Family Residential District:** Parcel C, Certified Survey Map #616, 1979 Volume 1021, Page 458.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 3. Seconded by Supervisor Ekornaas.  
Motion carried.

#### **ORDINANCE 4**

4. From Land Use Committee regarding Eleonore and Vincent P. Skowronski, 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 part of Tax Parcel #30-4-220-333-0301 located in the southwest quarter of Section 33, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, this property is located on the south side of County Trunk Highway "NN" (52<sup>nd</sup> Street) approximately ½ mile east of the intersection of County Trunk Highway "B" (288<sup>th</sup> Avenue).

**Eleonore and Vincent P. Skowronski - (Owners)**

**Description:** That part of the northwest quarter and the southwest quarter of the southwest quarter of Section 33, Township 1 North, Range 20 East of the Fourth Principal Meridian, Town of Brighton, Kenosha County, Wisconsin, described as follows: Commencing at the northwest corner of the southwest quarter of said Section 33; thence north 88°09'34" east, grid bearing from north, Wisconsin Coordinate System, South Zone, along the north line of said southwest quarter 1172.83 feet; thence south 01°35'33" east parallel with the east line of said southwest quarter 1365.00 feet; thence south 88°09'34" west parallel with the north line of said southwest quarter 319.00 feet; thence north 01°35'33" west parallel with the east line of said southwest quarter 1365.00 feet to the north line of said southwest quarter; thence north 88°09'34" east along the north line of said southwest quarter 319.00 feet to the point of beginning. The parcel contains 10.00 acres, more or less.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 4. Seconded by Supervisor Marrelli.  
Motion carried.

#### **ORDINANCE 5**

5. From Land Use Committee regarding Crossway Community Church (Owner), Tom Werth (Agent), requesting rezoning from A-2 General Agricultural District to I-1 Institutional 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 #35-4-121-111-0119 located in the northeast quarter of Section 11, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District to I-1 Institutional District. For informational purposes only, this property is located on the south side of State Trunk Highway "50" (75<sup>th</sup> Street) approximately ¼ mile east of the intersection of 144<sup>th</sup> Avenue.

**Crossway Community Church - (Owner)**

**Tom Werth - (Agent)**

**Description:** Commencing at the northeast corner of said northeast ¼ section; thence south 89°16'35" west along the north line of said northeast ¼ section 660.88 feet to a point on the east line of the west ½ of the east ½ of said northeast ¼ section; thence south 02°24'38" east along said east line 179.90



feet to a point on the southerly line of State Trunk Highway "50" and the point of beginning of the land to be described; thence continuing south 02°25'38" east along said east line 2475.77 feet to a point on the south line of said northeast ¼ section; thence south 89°18'17" west along said south line 333.09 feet; thence north 02°22'47" west 49.50 feet; thence south 89°18'17" west 330.00 feet to a point on the west line of the west ½ of the east ½ of said northeast ¼ section; thence north 02°22'47" west along said west line 2411.50 feet to a point on the southerly right of way line of State Trunk Highway "50"; thence north 89°40'38" east along said southerly line 543.23 feet; thence north 80°28'34" east along said southerly line 118.79 feet to the place of beginning. Containing 37.0069 acres (includes Tax Parcel #35-4-119-111-0115 currently zoned I-1 Institutional District.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 5. Seconded by Supervisor Ekornaas.

Motion carried.

#### ORDINANCE 6

6. From Land Use Committee regarding Bernard and Robert Frederick (Owners), Jack Pease and Robert Epping (Buyers/Agents), requesting rezoning from A-1 Agricultural Preservation District to M-2 Heavy Manufacturing 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 #45-4-221-241-0100 located in the northeast quarter of Section 24, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District to M-2 Heavy Manufacturing District. For informational purposes only, this property is located on the west side of 120<sup>th</sup> Avenue (West Frontage Road of I-94) approximately a ¼ mile north of the intersection of State Trunk Highway "142" (Burlington Road).

**Bernard and Robert Frederick - (Owners)**

**Jack Pease and Robert Epping - (Buyers/Agents)**

**Description:** Being part of the northeast ¼ of the northeast ¼ Section 24, Town 2 North, Range 21 East, Town of Paris, Kenosha County, Wisconsin. Commencing at the southeast corner of the northeast ¼ of Section 22-2-21 along the east line of the northeast ¼ Section 24-2-21 bearing south 01°45'22" east a distance of 2631.79 to the northeast corner of the northeast ¼ Section 24-2-21 thence north 89°32'48" east a distance of 33 feet to the point of beginning; thence north 89°32'48" east a distance of 653.03' to a point; thence north 01°45'22" west, a distance of 333.61' to a point; thence south 89°32'48" west a distance of 653.03 to a point; thence south 01°45'22" east a distance of 333.61' to the point of beginning. Parcel contains 5.0 acres.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 6. Seconded by Supervisor Marrelli.

Roll call vote requested.

Ayes: Supervisors Elverman, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Wisnefski, Carey-Mielke, Clark, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisor Noble.

Abstain: Supervisor Molinaro.

Motion carried.

#### **ORDINANCE 7**

7. From Land Use Committee regarding Olga Wysz et al. (Owners)/Woodrow Edgell (Agent), requesting rezoning from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing 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 #95-4-119-014-0101 located in the southeast quarter of Section 1, Township 1 North, Range 19 East, Town of Wheatland be changed from A-2 General Agricultural District to B-5 Wholesale Trade and Warehousing District. For informational purposes only, this property is located on the north side of State Trunk Highway "50" at the intersection of 319<sup>th</sup> Avenue.

**Olga Wysz et al. - (Owners)**

**Woodrow Edgell - (Agent)**

**Description:** All that part of the southeast  $\frac{1}{4}$  of Section 1, Township 1 North, Range 19 East, in the Town of Wheatland, County of Kenosha and State of Wisconsin, more particularly described as follows: Commence at a point on the north line of State Trunk Highway "50-83," where said north line intersects the north and south  $\frac{1}{4}$  section line of said Section 1; go thence north along the north and south  $\frac{1}{4}$  section line of said Section 1 to the center of said section; go thence east on the east and west  $\frac{1}{4}$  section line of said Section 1 to the westerly line of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad; go thence southeasterly along the westerly line of said right-of-way to its intersection with the northerly line of said State Trunk Highways 50-83; go thence westerly along the northerly line of said State Trunk Highways 50-83 to the place of beginning. Subject, however, to an easement to Wisconsin Southern Gas Company, Inc. recorded January 23, 1964, in Volume 659 of Records, at Page 552 in the Office of the Register of Deeds for Kenosha County, Wisconsin. Excepting therefrom that part of the north one-half of the southeast  $\frac{1}{4}$  of Section 1, Township 1 North, Range 19 East described as follows: Begin in the west line of said southeast  $\frac{1}{4}$  at a point 186.42 feet, south 02°00'35" east of the northwest corner of said southeast  $\frac{1}{4}$ ; then south 72°44'49" east, 299.38 feet, then south 83°47'13" east 595.75 feet, then south 81°48'42" east, 568.90 feet to the southwesterly property line of the Soo Line Railroad; then south 42°50'45" east, 174.30 feet along the southwesterly property line of said Railroad to a point in the owner's south property line; then westerly along said property line to a point in the west line of said southeast  $\frac{1}{4}$ ; then north 02°00'35" west, 55.53 feet to the point of beginning.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 7. Seconded by Supervisor Molinaro.

Motion carried.

Resolutions - one reading.

**RESOLUTION 14**

14. From Finance Committee regarding Establishing Kenosha County Financial Policy Management Statement - Annual County Budget Advisory Levy Objective.

**WHEREAS**, the County Board referred resolution 112 to the Finance Committee for further policy development, with direction to report back to the Board in June, and

**WHEREAS**, in accord with this direction from the County Board, the Finance Committee has developed policy relative to the establishment of an annual levy objective.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors does hereby adopt the *Kenosha County Financial Policy Management Statement - Annual County Budget Advisory Levy Objective* which is attached herein and incorporated by reference.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Anita Faraone

Mark Wisnefski

Mark Modory

Terry Rose

It was moved by Supervisor Carbone to adopt Resolution 14. Seconded by Supervisor Rose.

Roll call vote requested.

Motion carried unanimously.

**RESOLUTION 15**

15. From Finance Committee regarding 2006 Kenosha County Budget - Advisory Levy Objective.

**BE IT RESOLVED**, that the Kenosha County Board of Supervisors does hereby advise that the 2006 Kenosha County general purpose property tax levy shall increase in an amount of 2.5%, but not to exceed 3%, over the 2005 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

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 15. Seconded by Supervisor Rose.

Roll call vote requested.

Motion carried unanimously.

**RESOLUTION 16**

16. From the Finance Committee regarding Resolution to amend the Park and Open Space Development Plan and use Waste Management Donation.

**WHEREAS**, in Calendar Year 1999, Kenosha County formally amended its Park and Open Space Plan as set forth by the Southeast Wisconsin Regional Planning Commission more commonly referred to as (SEWRPC), and

**WHEREAS**, the plan as amended included the existing open space referred to as the "Meyer Material Pit", and

**WHEREAS**, the plan as amended enabled the County to qualify in 2000 for grant funds from the Wisconsin Department of Natural Resources (DNR), and

**WHEREAS**, Kenosha County utilized bonding, proceeds of the sale of real estate, and DNR grant funds to acquire the previously referenced property in 2003, and

**WHEREAS**, in Calendar Year 2002 Kenosha County retained the professional park planning services of the firm of Schreiber/Andersen to assist in the planning of the development of the previously referenced property, now more commonly referred to as the "West End Park", and

**WHEREAS**, during the course of planning the development of the West End Park, development in existing parks has been reviewed and recommended by the planning consultant and the user groups of the parks system,

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors does hereby approve of the systematic development of the County Park System; and

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors does hereby support amending the capital expenditure within Fund 420 (Parkland Development Fund) earmarked for general park development to be used to implement improvements including maintenance equipment for new and existing parks not only for the "West End Park"; and

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors does hereby authorize the Kenosha County Executive to prepare and execute documents as may be required to revise and implement the park development plan to include the attached budget modification incorporated herein by reference.

Submitted by:

FINANCE COMMITTEE	HIGHWAY & PARKS COMMITTEE	BUILDING & GROUNDS COMMITTEE
Robert Carbone	Douglas Noble	Gordon West
Anita Faraone	Richard Kessler	Douglas Noble
Terry Rose	Fred Ekornaas	Judith Rossow
Mark Modory	William Grady	Leonard Johnson

It was moved by Supervisor Carbone to adopt Resolution 16. Seconded by Supervisor Noble.

2/3 vote required.

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

Nays: None

Ayes. 26. Nays. 0

Motion carried.

#### **RESOLUTION 17**

17. From the Finance Committee regarding Initial Resolution Authorizing the Borrowing of Not to Exceed \$20,000,000; Providing for the Issuance and Sale of General Obligation Securities therefore; 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.

**BE IT RESOLVED** by the Board of Supervisors of Kenosha County, Wisconsin (the "Issuer") that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation promissory notes (the "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, (collectively, the "Projects"), and general obligation bonds or promissory notes (collectively with the Notes, the "Securities") in an amount not to exceed \$56,300,000 for the purpose of paying the cost of refunding the Notes, any outstanding obligations of the Issuer or any interim financing undertaken to pay the cost of the Projects; and there shall be levied on all the taxable property of the Issuer a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities or such shorter period required by law.

Submitted by:

Robert Carbone  
Mark Wisnefski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 17. Seconded by Supervisor Rose.  
3/4 vote required.  
Motion carried unanimously.

**RESOLUTION 18**

18. From Judiciary & Law Committee regarding a Resolution allowing Joint Services Chairman to Extend Term or Appointment.

Removed from agenda.

**RESOLUTION 19**

19. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License - Knocker's Pub and Grill.

**WHEREAS**, the application of Leanne McCarty for a probationary cabaret license for Knocker's Pub and Grill, 32800 Geneva Road Wheatland, Wisconsin, in the Town of Wheatland, was made during the month of April, 2005, was turned over to this office on April 4th, 2005, 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, and

**NOW, THEREFORE BE IT RESOLVED**, that because this is the initial application by the license holder, a probationary license be granted to Leanne McCarty, for Knocker's Pub and Grill.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

Susan Deschler

William Michel, II

Terry Rose

It was moved by Supervisor Huff to adopt Resolution 19. Seconded by Supervisor Carey-Mielke.  
Motion carried.

**RESOLUTION 20**

20. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License - Shadow Hill Ranch.

**WHEREAS**, the application of Richard Baak for a probationary cabaret license for the Shadow Hill Ranch, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, was made during the month of May 2005, and was turned over to this office on May 13th, 2005 and

**WHEREAS**, the Kenosha Sheriff's Department has maintained a list of all reported incidents at this property, formerly known as the Finish Line Bar, and

**WHEREAS**, a number of certain violent incidents at the establishment and camp grounds of Country Thunder 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 will employ numerous Deputies and other Law Enforcement Personnel and place them on the grounds during Country Thunder in order to help reduce the number of incidents that have occurred in the past.

**NOW, THEREFORE BE IT RESOLVED**, that the request for a probationary cabaret license be granted pending the anticipated issuance of a Class B liquor license to Richard Baak on June 30<sup>th</sup>, 2005 for the Shadow Hill Ranch.

**BE IT FURTHER RESOLVED**, that the probationary cabaret license for the Shadow Hill Ranch will be withdrawn unless a Class B retail license is obtained and presented to the County Clerk's Office for the cabaret license.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff  
Brenda Carey-Mielke  
Susan Deschler  
William Michel, II  
Terry Rose

It was moved by Supervisor Huff to adopt Resolution 20. Seconded by Supervisor Rose.

Roll call vote requested.

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

Nays: Supervisor Gorlinski.  
Motion carried.

#### **RESOLUTION 21**

21. From Judiciary & Law Enforcement Committee regarding Activity Control License - Geneva Jam Inc./County Thunder 2005.

**WHEREAS**, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application of Geneva Jam, Inc. for an Activity Control License for Country Thunder, Randall Wisconsin, in the Town of Randall, made during the month of May, 2005 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 2005 be granted to Geneva Jam for the dates of July 20, 2005 through July 24, 2005.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

James Huff  
Brenda Carey-Mielke  
Susan Deschler  
William Michel, II  
Terry Rose

It was moved by Supervisor Huff to adopt Resolution 21. Seconded by Supervisor Rose.

Roll call vote requested.

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

Nays: Supervisor Gorlinski, Singer, Molinaro.  
Ayes. 24. Nays. 3.

Motion carried.

COMMUNICATION.

2. Regarding George E. Melcher, Director of Planning & Development regarding future rezonings.

Chairman Elverman referred Communication 2 to Land Use Committee.

It was moved by Supervisor Carey-Mielke to approve the June 7th 2005 minutes. Seconded by supervisor Faraone.

Motion carried.

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

Meeting adjourned at 9:30 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**

**July 5, 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, Huff, Wippen, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Clark, West, Gorlinski, Smits, Ekornaas.

Excused: Supervisors Modory, O'Day, Carey-Mielke, Noble, Kerkman.

Present: 23. Excused: 5.

Chairman Elverman asked for a moment of silence for former County Board Supervisor Irv Larsen.

There were no citizen comments.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that in eleven years he has never seen where the last two of three meetings have had nothing on the agenda. He is asking the heads of our staff to try to get things back to the County Board as soon as possible. The budget time is now for all the departments including the County Board Budget. There is an increase of \$28,668 in the Medical Insurance. He is going to ask a couple committees to look at the budget. The Administrative Committee could possibly look into having single coverage that would save \$9,000.00 per supervisor. He would like to have the Legislative Committee look at per diems. He personally does not see a need for \$100.00 per day for everything a supervisor attends. If we are looking at every other department and saying they have to come in at 2 1/2 or 3% there is no way the County Board Budget can do that without some adjustments. The biggest expenditures are of course the wages that he feels they earn and the next is health insurance and he feels a reduction needs to be looked into.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Smits wanted to know what happens to the claims that are on the agendas?

Bernnie Vash, First Assistant, Corporation Counsel stated that some end up as law suits, some are denied. For specific questions just call him.

**NEW BUSINESS**

**CLAIMS.**

4. Raymond Glaser - car damage from county tractor cutting grass.
5. Shari Kowik - car damage from county tractor cutting grass.

Chairman Elverman referred Claims 4 & 5 to Corporation Counsel.

It was moved by Supervisor Clark to approve the June 21st 2005 minutes as amended. Seconded by Supervisor Rose.  
Motion carried.

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

Motion carried.

Meeting adjourned at 7:47 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 19, 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, Molinaro, Wisniewski, Clark, West, Gorlinski, Ekornaas.

Excused: Supervisors Huff, Deschler, Carey-Mielke, Noble, Kerkman, Smits.

Present: 22. Excused: 6.

**CITIZEN COMMENTS**

Doria Evans, 1512 60th Street, Kenosha. She stated that the Homeless Shelter needs to be built in Kenosha because there is no place for our homeless families.

Jean Sanchez-Bell, 7311 10th Avenue, Kenosha. She asked that Resolution 28 regarding a Homeless Shelter please be referred to Human Services Committee.

Mary Kay Schleiter, 31232 75th Street, Salem. She stated that the resolution has served its purpose by getting the community talking about this urgent matter.

Jim Shadduck, 524 72nd Street, Kenosha. Pastor of St. Mary's Lutheran Church. He asked that the County Board not restrict the funds that have been pledged to this project.

Kathleen Nuzzo, 4912 Washington Road, Kenosha. Associate Pastor of First United Methodist Church. First United Methodist Church has hosted the INNS program for thirteen years on Friday nights and it is time for us to move forward and find a permanent home for our homeless.

Debra Johnson, 524 74th Street, Kenosha. She appreciates Terry Rose's work on Resolution 28 concerning a \$250,000 grant for a homeless shelter but we should not just let one neighborhood carry the burden. The Sheridan location will attract many more volunteers. It just looks like a more genteel place to be.

Brad Winstock, 8844 34th Avenue, Kenosha. Having all of the programs including a homeless shelter housed under one roof is ideal for operation of the Shalom Center. Without the cooperation of both County and City officials nothing will happen.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that the WCA is looking for steering committee members and they are: County Organization of Personnel, Environment and Land Use, Health & Human Services, Judicial & Public Safety, Taxation and Finance, Transportation & Public Works and Agriculture. The steering committees would serve a one year term beginning in October. August 19th is the deadline to apply. Also, the WCA is looking for three members for their Board of Directors that would also be serving a one year term. These appointees would be compensated for their service. The WCA Board meets approximately eight (8) times a year. Deadline is also Friday, August 19, 2005.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor West spoke about the free concerts at Anderson Arts Center. Tuesday, July 26TH 7-9 p.m. Music by Michael LaMacchia. Twilight jazz Series.

Supervisor O'Day asked if Resolution 28 could be taken out of order and acted upon it now. There were no objections.

**RESOLUTION 28**

28. From Supervisor Terry Rose regarding a \$250,000 Grant for a Homeless Shelter in the City of Kenosha.

Chairman Elverman referred Resolution 28 to Human Services Committee.

**COUNTY EXECUTIVE APPOINTMENT**

1. Ms. Mary Lichter to serve as Director of the Kenosha County Division of Parks and Golf.

Chairman Elverman stated that the normal procedure would be to refer County Executive Appointment to Administrative and Highway & Parks Committees. Due to both committees already acting on the Appointment and Resolution he asked Supervisor Kessler Vice-Chairman of Highway & Parks Committee to move Appointment 1. Appointment 1 also became Resolution 29 (Resolution 29 was not on the agenda).

It was moved by Supervisor Kessler to approve the appointment of Ms. Mary Lichter to serve as Director of the Kenosha County Division of Parks and Golf. Seconded by Supervisor Faraone.

Roll call vote.

Motion carried unanimously.

#### **NEW BUSINESS**

Ordinances - one reading.

#### **ORDINANCE 8**

8. From Land Use Committee regarding Richard W. and Marie A. Terry, Peter J. and Diane M. Terry, requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District and R-2 Suburban Single-Family 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 #30-4-220-271-0306 and Tax Parcel #30-4-220-271-0310 located in the northeast quarter of Section 27, Township 2 North, Range 20 East, Town of Brighton be changed as follows, part of Tax Parcel #30-4-220-271-0306 from A-1 Agricultural Preservation District to A-2 General Agricultural District and R-2 Suburban Single-Family Residential District. In addition, Tax Parcel #30-4-220-271-0310 be changed from A-2 General Agricultural District to R-2 Suburban Single-Family Residential District. For informational purposes only, these properties are located on the west side of State Trunk Highway "75" approximately ¼ mile south of the intersection of County Trunk Highway "JB" (31<sup>st</sup> Street).

**Richard W. and Marie A. Terry - (Owners)**

**#30-4-220-271-0306**

**Peter J. and Diane M. Terry - (Owners)**

**#30-4-220-271-0310**

**Descriptions: A-1 Agricultural Preservation District to A-2 General Agricultural District:**

Part of the southeast ¼ of the northeast ¼ of Section 27, Town 2 North, Range 20 East, Township of Brighton, Kenosha County, Wisconsin described as follows: Commence at the north ¼ corner of said Section 27; thence south 01°50'09" east along the west line of said ¼ section, 1326.54 feet to the point of beginning; thence north 88°36'40" east along the north line of the southeast ¼ of said ¼ section 1265.66 feet; thence south 02°12'38" east along the west right-of-way line of State Trunk Highway "75," 344.50 feet; thence south 88°36'40" west 1267.91 feet; thence north 01°50'09" west along the west line of said ¼ section, 344.48 feet to the point of beginning.

**A-1 Agricultural Preservation District and A-2 General Agricultural District to R-2 Suburban Single-Family Residential District:**

Part of the southeast ¼ of the northeast ¼ of Section 27, Township 2 North, Range 20 East, Township of Brighton, Kenosha County, Wisconsin, Described as follows: Commence at the north ¼ corner of said Section 27; thence north 88°33'44" east along the north line of said ¼ section, 1316.97 feet; thence south 02°12'38" east along the centerline of State Trunk Highway "75," 2000.00 feet; thence south 87°47'22" West 60.00 feet to a point on the west right-of-way line of said State Trunk Highway "75" and the point of beginning; thence south 02°12'38" east 110.00 feet; thence south 87°47'22" west, 267.00 feet; thence north 01°12'38" west, 150.00 feet; thence north 87°47'22" east 267.00 feet; thence south 02°12'38" east, 40.00 feet along said right-of-way to the point of beginning. Containing 40,050 square feet of land.

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

Submitted by:

LAND USE COMMITTEE

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

It was moved by Supervisor Ekornaas to adopt Ordinance 8. Seconded by Supervisor Marrelli.  
Motion carried.

#### **ORDINANCE 9**

9. From Land Use Committee regarding Bristol Estates Inc., c/o Lehman's Manufactured Homes, Inc. (Owner), Red Wing Land Company (Buyer), requesting rezoning from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to R-4 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 Parcels #35-4-121-181-0100 and #35-4-121-181-0200 located in the northeast quarter of Section 18, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to R-4 Urban Single-Family Residential District and C-1 Lowland Resource Conservancy District.

**Bristol Estates, Inc. - (Owner)**

**Red Wing Land Company - (Buyer)**

**Descriptions:** A PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWN 1 NORTH, RANGE 21 EAST, TOWN OF BRISTOL, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE SOUTH 02°28'06" EAST ALONG THE CENTER LINE OF U.S. HIGHWAY 45 A DISTANCE OF 914.02 FEET TO A POINT; THENCE SOUTH 74°09'28" WEST 394.39 FEET; THENCE SOUTH 87°54'28" WEST 353.10 FEET TO A POINT; THENCE NORTH 80°35'32" WEST 623.70 FEET TO A POINT; THENCE NORTH 56°20'32" WEST 365.64 FEET TO A POINT; THENCE SOUTH 60°54'28" WEST 81.54 FEET TO A POINT; THENCE NORTH 17°22'42" WEST 766.07 FEET TO THE NORTH LINE OF SAID SECTION 18; THENCE NORTH 88°52'18" EAST ALONG SAID NORTH LINE 1913.00 FEET TO THE POINT OF BEGINNING.

#### **LEGAL DESCRIPTION OF THE R-4 PROPERTY**

A PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWN 1 NORTH, RANGE 21 EAST, TOWN OF BRISTOL, KENOSHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE SOUTH 02°28'06" EAST ALONG THE EAST LINE OF SAID SECTION 914.02 FEET TO A POINT; THENCE SOUTH 74°09'28" WEST 43.29 FEET TO A POINT; THENCE NORTH 00°39'32" WEST 46.03 FEET TO A POINT; THENCE NORTH 13°40'16" WEST 40.06 FEET TO A POINT; THENCE NORTH 20°37'37" WEST 32.49 FEET TO A POINT; THENCE NORTH 02°14'20" WEST 68.26 FEET TO A POINT; THENCE NORTH 06°34'33" EAST 60.94 FEET TO A POINT; THENCE NORTH 34°58'10" WEST 23.22 FEET TO A POINT; THENCE NORTH 89°31'14" WEST 21.28 FEET TO A POINT; THENCE SOUTH 62°33'50" WEST 36.48 FEET TO A POINT; THENCE SOUTH 68°04'07" WEST 63.64 FEET TO A POINT; THENCE SOUTH 79°12'45" WEST 45.75 FEET TO A POINT; THENCE SOUTH 60°40'25" WEST 31.17 FEET TO A POINT; THENCE SOUTH 38°46'04" WEST 47.11 FEET TO A POINT; THENCE SOUTH 09°46'18" WEST 46.59 FEET TO A POINT; THENCE SOUTH 03°06'18" WEST 73.69 FEET TO A POINT; THENCE SOUTH 19°08'34" WEST 44.41 FEET TO A POINT; THENCE SOUTH 43°14'53" WEST 37.19 FEET TO A POINT; THENCE NORTH 83°49'21" EAST 21.30 FEET TO A POINT; THENCE NORTH 63°23'17" EAST 23.49 FEET TO A POINT; THENCE NORTH 28°51'29" EAST 38.27 FEET TO A POINT; THENCE NORTH 03°19'22" EAST 35.36 FEET TO A POINT; THENCE NORTH 14°42'49" EAST 52.03 FEET TO A POINT; THENCE NORTH 27°03'58" EAST 22.83 FEET TO A POINT; THENCE NORTH 60°06'38" EAST 11.62 FEET TO A POINT; THENCE NORTH 22°06'21" EAST 15.52 FEET TO A POINT; THENCE NORTH 74°07'38" EAST 17.51 FEET TO A POINT; THENCE SOUTH 22°31'30" EAST 24.09 FEET TO A POINT; THENCE SOUTH 48°28'03" EAST 29.94 FEET TO A POINT; THENCE SOUTH 62°51'34" EAST 19.74 FEET TO A POINT; THENCE SOUTH 02°07'02" EAST 28.88 FEET TO A POINT; THENCE SOUTH 52°59'14" WEST 26.09 FEET TO A POINT; THENCE SOUTH 26°58'14" WEST 25.95 FEET TO A POINT; THENCE SOUTH 33°08'08" WEST

39.63 FEET TO A POINT; THENCE SOUTH 18°17'22" WEST 28.36 FEET TO A POINT; THENCE SOUTH 82°25'24" WEST 43.68 FEET TO A POINT; THENCE SOUTH 65°09'11" WEST 55.62 FEET TO A POINT; THENCE NORTH 78°56'12" WEST 28.36 FEET TO A POINT; THENCE SOUTH 73°11'26" WEST 32.10 FEET TO A POINT; THENCE SOUTH 78°36'49" WEST 23.52 FEET TO A POINT; THENCE SOUTH 87°18'00" WEST 45.40 FEET TO A POINT; THENCE SOUTH 86°19'44" WEST 50.04 FEET TO A POINT; THENCE NORTH 89°11'20" WEST 30.29 FEET TO A POINT; THENCE SOUTH 86°11'49" WEST 54.88 FEET TO A POINT; THENCE SOUTH 87°06'33" WEST 42.95 FEET TO A POINT; THENCE NORTH 81°58'11" WEST 15.81 FEET TO A POINT; THENCE NORTH 85°35'23" WEST 20.81 FEET TO A POINT; THENCE NORTH 84°09'28" WEST 27.91 FEET TO A POINT; THENCE NORTH 82°19'40" WEST 19.96 FEET TO A POINT; THENCE NORTH 77°49'29" WEST 25.24 FEET TO A POINT; THENCE SOUTH 83°09'55" WEST 9.06 FEET TO A POINT; THENCE NORTH 81°35'46" WEST 34.71 FEET TO A POINT; THENCE NORTH 77°22'38" WEST 37.48 FEET TO A POINT; THENCE NORTH 82°29'51" WEST 27.37 FEET TO A POINT; THENCE NORTH 82°31'31" WEST 12.81 FEET TO A POINT; THENCE NORTH 79°38'20" WEST 37.79 FEET TO A POINT; THENCE NORTH 77°55'31" WEST 40.03 FEET TO A POINT; THENCE NORTH 87°45'32" WEST 29.37 FEET TO A POINT; THENCE NORTH 80°50'43" WEST 43.34 FEET TO A POINT; THENCE NORTH 83°06'23" WEST 100.60 FEET TO A POINT; THENCE NORTH 77°38'48" WEST 50.35 FEET TO A POINT; THENCE NORTH 87°57'23" WEST 76.97 FEET TO A POINT; THENCE NORTH 76°20'14" WEST 66.60 FEET TO A POINT; THENCE NORTH 84°40'34" WEST 21.09 FEET TO A POINT; THENCE NORTH 28°31'31" WEST 38.48 FEET TO A POINT; THENCE NORTH 09°02'49" EAST 16.78 FEET TO A POINT; THENCE NORTH 54°06'10" WEST 32.39 FEET TO A POINT; THENCE NORTH 51°09'30" WEST 91.72 FEET TO A POINT; THENCE NORTH 47°20'42" WEST 97.98 FEET TO A POINT; THENCE NORTH 46°08'03" WEST 75.56 FEET TO A POINT; THENCE NORTH 63°36'20" WEST 63.13 FEET TO A POINT; THENCE NORTH 67°48'25" WEST 50.82 FEET TO A POINT; THENCE NORTH 55°41'12" WEST 51.11 FEET TO A POINT; THENCE NORTH 29°31'40" WEST 66.76 FEET TO A POINT; THENCE NORTH 20°11'37" WEST 53.74 FEET TO A POINT; THENCE NORTH 13°44'47" WEST 102.17 FEET TO A POINT; THENCE NORTH 17°13'32" WEST 83.85 FEET TO A POINT; THENCE NORTH 42°50'12" WEST 28.85 FEET TO A POINT; THENCE NORTH 70°44'05" WEST 15.62 FEET TO A POINT; THENCE SOUTH 28°53'55" WEST 18.84 FEET TO A POINT; THENCE SOUTH 39°29'22" WEST 17.15 FEET TO A POINT; THENCE SOUTH 29°05'58" EAST 21.24 FEET TO A POINT; THENCE SOUTH 80°00'00" WEST 14.87 FEET TO A POINT; THENCE NORTH 17°22'42" WEST 293.55 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 18; THENCE NORTH 88°52'18" EAST 1913.00 FEET TO THE POINT OF BEGINNING. AREA CONTAINS 1,518,477.00 SQUARE FEET OR 34.8594 ACRES OF LAND.

**Note: C-1 Lowland Conservancy District Lands presented in Exhibit 1 (attached).**

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 9. Seconded by Supervisor Marrelli.

Motion carried.

#### **ORDINANCE 10**

10. From Land Use Committee regarding Land Use Committee (Sponsor), Joan Leszczynski and Kevin D. Peterson (Owners), requesting rezoning from R-1 Rural Residential 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 #35-4-121-321-0005 located in the northeast quarter of Section 32, Township 1 North, Range 21 East, Town of Bristol be changed from R-1 Rural Residential District to A-2 General Agricultural District. For informational purposes only, this property is located on the south side of

County Trunk Highway "V" (116<sup>th</sup> Street) approximately 360 feet east of the intersection of 187<sup>th</sup> Avenue.

**Land Use Committee - (Sponsor)**

**Joan Leszczynski and Kevin D. Peterson - (Owners)**

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

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 10. Seconded by Supervisor Marrelli.

Motion carried.

#### **ORDINANCE 11**

11. From Land Use Committee regarding Eugene and Arlene Badtke and Dennis and Sue Remus (Owners), requesting rezoning from A-1 Agricultural Preservation District to R-1 Rural Residential District and From A-1 Agricultural Preservation District to A-2 General Agricultural 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 #45-4-221-132-0111 (Badtke) and #45-4-221-132-0200 (Remus), all located in the northwest quarter of Section 13, Township 2 North, Range 21 East, Town of Paris be changed as follows: part of Tax Parcel #45-4-221-132-0111 from A-1 Agricultural Preservation District to R-1 Rural Residential District; part of Tax Parcels #45-4-221-132-0111 and #45-4-221-132-0200 from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, these properties are located on the south side of County Trunk Highway "E" (12<sup>th</sup> Street) approximately 265 feet east of the intersection of County Trunk Highway "MB" (136<sup>th</sup> Avenue).

**Eugene and Arlene Badtke - (Owners)**

**#45-4-221-132-0111**

**Dennis and Sue Remus - (Owners)**

**#45-4-221-132-0200**

#### **Descriptions: A-1 Agricultural Preservation to R-1 Rural Residential District:**

Parcel 1: Part of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 13, Township 2 North, Range 21 East of the Fourth Principal Meridian, in the Township of Paris, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the northwest corner of said northwest  $\frac{1}{4}$  section; thence south 01°38'44" east along the west line of said northwest  $\frac{1}{4}$  section 475.00 feet to the place of beginning of this description; thence north 89°24'43" east 652.51 feet; thence south 01°38'44" east 351.77 feet; thence south 89°26'03" west 652.52 feet to a point on the west line of said northwest  $\frac{1}{4}$  section; thence north 01°38'44" west along said west line 351.51 feet to the place of beginning. Containing 5.27 acres of land more or less. Subject to rights of the public over the west 33 feet thereof for highway purposes (County Trunk Highway "MB").

#### **A-1 Agricultural Preservation District to A-2 General Agricultural District:**

Part of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 13, Township 2 North, Range 21 East of the Fourth Principal Meridian, in the Township of Paris, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the northwest corner of said northwest  $\frac{1}{4}$  section; thence north 89°24'43" east long the north line of said northwest  $\frac{1}{4}$  section 265.00 feet to the place of beginning of this description; thence continue north 89°24'43" east 300.00 feet; thence south 00°35'17" east 260.00 feet; thence north 89°24'43" east 210.00 feet; thence north 00°35'17" west 260.00 feet to a point on the north line of said northwest  $\frac{1}{4}$  section; thence north 89°24'43" east

along said north line 182.99 feet; thence south 01°38'44" east 826.89 feet; thence south 89°26'03" west 305.48 feet; thence north 01°38'44" west 351.77 feet; thence south 89°24'43" west 387.51 feet; thence north 01°38'44" west 475.00 feet to the place of beginning. Containing 7.86 acres of land more or less. Subject to the rights of the public over the north 33 feet thereof for road purposes (12<sup>th</sup> Street).

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 11. Seconded by Supervisor Marrelli.

Motion carried.

#### **ORDINANCE 12**

12. From Land Use Committee regarding Robert A. and George E. Holst, Trevor St. Graded School and George G. Gekas (Owners), requesting rezoning from A-2 General Agricultural District to I-1 Institutional 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 #67-4-120-331-0120 (Holst) and part of Tax Parcels #67-4-120-331-0102 (Trevor St. Graded School) and #67-4-120-342-0103 (Gekas) located in the northeast quarter of Section 33 and the northwest quarter of Section 34, Township 1 North, Range 20 East, Town of Salem be changed from A-2 General Agricultural District to I-1 Institutional District. For informational purposes only, these properties are located on the south side of County Trunk Highway "C" (116<sup>th</sup> Street) approximately 0.4 miles west of the intersection of County Trunk Highway "JF" (259<sup>th</sup> Avenue).

**Robert A. and George E. Holst - (Owners)**

**#67-4-120-331-0120**

**Trevor St. Graded School - (Owner)**

**#67-4-120-331-0102**

**George G. Gekas - (Owner)**

**#67-4-120-342-0103**

**Descriptions: A-2 General Agricultural District to I-1 Institutional District:**

A part of the northeast quarter (NE  $\frac{1}{4}$ ) of the northeast quarter (NE  $\frac{1}{4}$ ) and the southeast quarter (SE  $\frac{1}{4}$ ) of the northeast quarter (NE  $\frac{1}{4}$ ) of Section Thirty-Three (33), Township One (1) North, Range Twenty (20) East, Town of Salem, Kenosha County, Wisconsin containing 255,308 square feet (5.861 acres) of land and being described by: Commencing at the northeast corner of said Section 33; thence south 88°40'10" west 264.00 feet along the north line of the northeast  $\frac{1}{4}$  of said Section 33; thence south 01°35'34" east (recorded as south 00°12'00" east) 83.00 feet to a point on the south right-of-way line of County Trunk Highway "C" and the point of beginning; thence south 01°35'34" east (recorded as south 00°12'00" east) 1261.78 feet; thence south 88°41'50" west (recorded as north 89°58'00" west) 202.95 feet; thence north 01°32'18" west 1261.68 feet (recorded as north 00°08'40" west 1263.00 feet) to a point on the south right-of-way line of County Trunk Highway "C"; thence north 88°40'10" East (recorded as South 89°58'00" east) 201.75 feet along the south right-of-way line of County Trunk Highway "C" to the point of beginning; being subject to any and all easements and restrictions of record.

In addition: A part of the northeast quarter (NE  $\frac{1}{4}$ ) of the northeast quarter (NE  $\frac{1}{4}$ ) and the southeast quarter (SE  $\frac{1}{4}$ ) of the northeast quarter (NE  $\frac{1}{4}$ ) of Section Thirty-Three (33), Township One (1) North, Range Twenty (20) East, Town of Salem, Kenosha County, Wisconsin containing 171,557 square feet (3.938

acres) of land and being described by: Commencing at the northeast corner of said Section 33; thence south 01°35'34" east 695.00 feet along the east line of the NE ¼ of said Section 33 to the point of beginning; thence continue south 01°35'34" east 649.91 feet (recorded as south 00°12' east 651.00 feet); thence south 88°41'50" west (recorded as north 89°58'00" west) 264.00 feet; thence north 01°35'34" west 649.78 feet; thence north 88°40'10" east (recorded as south 89°58'00" east) 264.00 feet to the point of beginning; being subject to any and all easements and restrictions of record.

Also: A part of the northwest quarter (NW ¼) of the northwest quarter (NW ¼) of Section Thirty-Four (34), Township One (1) North, Range Twenty (20) East, Town of Salem, Kenosha County, Wisconsin containing 6.721 acres of land and being described by: Commencing at the northwest Corner of said Section 34; thence south 01°35'34" east 450.05 feet along the west line of the northwest ¼ of said Section 34 to the point of beginning; thence continue south 01°35'34" east 807.43 feet along said west line; thence north 88°13'30" east 363.00 feet; thence north 01°35'34" west on a line parallel with the west line of the northwest ¼ of said Section 34, 805.57 feet; thence south 88°31'06" west on a line parallel with the north line of the northwest ¼ of said Section 34, 363.00 feet to the point of beginning, being subject to any and all easements and restrictions of record.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 12. Seconded by Supervisor Marrelli.

Motion carried.

### **ORDINANCE 13**

13. From Land Use Committee regarding PSG Associates Limited Liability Partnership, Joseph F. Madrigano (Agent), requesting 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 part of Tax Parcel #80-4-222-034-0100 located in the southeast quarter of Section 3, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the west side of 56<sup>th</sup> Avenue, approximately 1/3 mile north of the intersection of County Trunk Highway "A."

**PSG Associates Limited Liability Partnership - (Owner)**

**Joseph F. Madrigano - (Agent)**

**Description:** Part of the southeast quarter of Section 3, 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 northeast corner of the southeast quarter of said Section 3; thence south 01°53'29" east along the east line of said quarter section 624.40 feet to the point of beginning; thence continue south 01°53'29" east along said east line 155.00 feet; thence south 89°16'05" west 315.00 feet; thence north 01°53'29" west parallel to the east line of said quarter section 155.00 feet; thence north 89°16'05" east 315.00 feet to said east line and the point of beginning; subject to a public road over and across the easterly 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 COMMITTEE  
Donald Smitz  
Thomas J. Gorlinski  
Mark Molinaro, Jr.  
Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 13. Seconded by Supervisor Marrelli.  
Motion carried.  
Resolutions - one reading.

**RESOLUTION 22**

22. From Finance Committee regarding Authorizing Kenosha County Participation in the Community Development Block Grant-Public Facilities Planning Grant Program.

**WHEREAS**, Federal monies are available under the Community Development Block Grant-Public Facilities (CDBG-PF) Planning Grant program, administered by the State of Wisconsin, Department of Commerce, Bureau of Community Finance, for the purpose of community planning; and

**WHEREAS**, after public meeting 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-PF Planning Grant application in an amount not to exceed \$22,500. The grant would be used to create a plan to provide transmission and trunk facilities for high-speed Internet and data service offerings to business and industry in western Kenosha County and eastern Walworth County.

**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 preparation and filing of an application for the above-named project; and the County Executive is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Southeastern Wisconsin Regional Planning Commission to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Note: This resolution uses \$0 from the General Fund.

Submitted by:

FINANCE COMMITTEE  
Robert Carbone  
Terry Rose  
Mark Wisnefski  
Mark Modory  
Anita Faraone

It was moved by Supervisor Carbone to adopt Resolution 22. Seconded by Supervisor Wisnefski.  
Motion carried.

**RESOLUTION 23**

23. From Finance Committee regarding Authorizing Sale and Transfer of County Tax Deeded Property to the Village of Pleasant Prairie.

**WHEREAS**, Kenosha County has acquired tax deed & title to parcel #93-4-123-194-1100, in the Village of Pleasant Prairie, County of Kenosha, State of Wisconsin, and

**WHEREAS**, the Village of Pleasant Prairie has expressed an interest in acquiring title to this property, which will be used for storm water management purposes, and

**WHEREAS**, the Village of Pleasant Prairie has title to the property abutting this parcel which is being used for storm water management purposes, and

**WHEREAS**, said Village of Pleasant Prairie has agreed to waive any special assessments which may be due and owing on said property, and



**WHEREAS**, sections 59.07(1)(c) and 75.69(2) of the Wisconsin Statutes permits the sale of properties to a municipality.

**NOW THEREFORE BE IT RESOLVED** that Kenosha County execute a quit claim deed on the above parcel to the Village of Pleasant Prairie for One Dollar (\$1.00) and other good and valuable consideration and on the condition that said Village of Pleasant Prairie waive any and all special assessments that are due and owing on said parcel to be utilized for storm water management.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Mark Wisniewski

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 23. Seconded by Supervisor Rose.

Motion carried.

#### **RESOLUTION 24**

24. From Finance Committee regarding Providing for the Sale of not to Exceed \$2,700,000 General Obligation Promissory Notes.

**WHEREAS**, on November 10, 2004, 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 Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$2,700,000" (the "Initial Resolution") for the public purpose of paying the cost of constructing, extending, repairing and improving streets, roads and bridges; improvement and maintenance projects at various County buildings and sites; implementing the survey monumentation program; and acquiring vehicles, equipment, furnishings and fixtures (the "Project");

**WHEREAS**, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

**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 \$2,700,000 for the purpose authorized in the 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 Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal amount not to exceed TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000) 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 TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000) (the "Notes"). The County shall offer the Notes for public sale on or about August 16, 2005.

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; to award the Notes to the lowest responsible bidder therefor; and to levy a direct annual irrepealable tax sufficient to pay the principal of and interest on the Notes as the same becomes due as required by law.

Section 5. 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 19th day of July, 2005.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Anita Faraone

Mark Wisnefski

Terry Rose

Mark Modory

It was moved by Supervisor Carbone to adopt resolution 24. Seconded by Supervisor Rose.

Roll call vote required.

Motion carried unanimously.

#### **RESOLUTION 25**

25. From Judiciary & Law Enforcement Committee regarding Probationary Cabaret License for Tommy's Lakeside Pub & Grill.

**WHEREAS**, the application of Warren Kuetemeyen for a probationary cabaret license for Tommy's Lakeside Pub and Grill, 39408 Bloomfield Road, Powers Lake, Wisconsin, in the Town of Randall, was made during the month of June, 2005, was turned over to this office on June 1st, 2005 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, and

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Warren Kuetemeyen, for Tommy's Lakeside Pub and Grill.

Submitted by:

JUDICIARY & LAW ENFORCEMENT COMMITTEE

Brenda Carey-Mielke

Susan Deschler

William Michel

Terry Rose

It was moved by Supervisor Rose to adopt Resolution 25. Seconded by Supervisor Michel.

Motion carried.

#### **RESOLUTION 26**

26. From Judiciary & Law Enforcement Committee regarding Allowing Joint Services 7TH Member to extend term of appointment.

**WHEREAS**, The Joint Services Board governs mutual operations at the Kenosha City/County Joint Services Building and is composed of seven members, all as more particularly set forth in Resolution No. 56 passed by the County Board of Supervisors on March 3, 1981 and passed by the City of Kenosha Common Council in 1981 as Resolution 56-81; and

**WHEREAS**, The Board has 3 members appointed by the City and 3 members appointed by the County, and a 7th member mutually appointed by the Mayor and the County Executive who is approved by the Common Council and the County Board; and the term of said 7<sup>th</sup> member is currently limited by the above resolutions to not more than 2 three-year terms; and

**WHEREAS**, The 7<sup>th</sup> member of the Joint Services Board may become a valuable addition to the Board after such appointment, becoming familiar with the unique operations and policies of Joint Services and demonstrating dedication and leadership in this role; and

**WHEREAS**, Unless the above-referenced resolutions are amended, even a very valuable and contributing person who is appointed as the 7<sup>th</sup> Member of the Joint Services Board will have to end such tenure on the Joint Services Board after he or she comes to the end of his or her second term. For a person who is such an able member of the Board, both the City and the County would miss the contributions and leadership shown, and be required to begin over with a new and untried appointment; it would therefore be prudent to amend the terms of the Joint Services Agreement to eliminate the terms limits for the 7<sup>th</sup> member.

**NOW THEREFORE BE IT RESOLVED** by the Kenosha County Board of Supervisors that the limitation of two terms for the 7<sup>th</sup> member of the Joint Services Board Member mutually appointed by the Mayor and the County Executive shall be removed from the terms of the Kenosha City-County Joint Services Agreement from this date forward.

Submitted by:

JUDICIARY & LAW COMMITTEE

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

Roll call vote.

Ayes: Supervisors Elverman, Rose, Kessler, Carbone, Modory, Michel, Clark.

Nays: Supervisors Grady, Rossow, Wipper, Marrelli, Booth, Faraone, R. Johnson, O'Day, Singer, L. Johnson, Molinaro, Wisnefski, West, Gorlinski, Ekornaas.

Ayes. 7. Nays. 15.

Motion lost.

#### **RESOLUTION 27**

27. From Land Use Committee regarding Final Plat of Koch's Meadowbrooke Farms Subdivision Addition #2, Kenneth Koch (Developer) in the Town of Wheatland.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee on July 13, 2005 review was given to the Final Plat of Koch's Meadowbrooke Farms Subdivision Addition #2 located on Tax Parcel #95-4-219-333-0100 in the northeast quarter and the southeast quarter of the southwest quarter of Section 33, Township 2 North, Range 19 East, Town of Wheatland. For informational purposes only, this property is located on the west side of County Trunk Highway "O" (368<sup>th</sup> Avenue) at the intersection of 52<sup>nd</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 Wheatland recommended approval of Koch's Meadowbrooke Farms Subdivision Addition #2 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 Koch's Meadowbrooke Farms Subdivision Addition #2 subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Resolution 27. Seconded by Supervisor Marrelli.  
Motion carried.

**RESOLUTION 28**

28. From Supervisor Terry Rose regarding a \$250,000 Grant for a Homeless Shelter in the City of Kenosha.

Referred to Human Services Committee.

**RESOLUTION 29**

29. From Administration and Highway & Parks Committee regarding Approving the Appointment of Mary Lichter to serve as Director of the Division of Parks and Golf.

**WHEREAS**, pursuant to County Executive Appointment 2005-6-01, the County Executive has appointed Mary Lichter to serve as the Director of the Kenosha County Division of Parks and Golf, and

**WHEREAS**, the Highway and Park Committee and the Administration Committee has reviewed the County Executive's request for review and approval of her appointment to serve in this position and is recommending to the County Board the approval of this appointment.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approve the appointment of Mary Lichter to serve as the Director of the Division of Parks and Golf immediately upon passage of this resolution. Ms. Lichter will be placed in Range G of the Non-Represented Pay Plan at an annual salary of \$73,000.

Submitted by:

HIGHWAY & PARKS COMMITTEE

ADMINISTRATION COMMITTEE

Douglas Noble

David Singer

Richard Kessler

Joseph Clark

Fred Ekornaas

Anita Faraone

Leonard Johnson

Janice Marrelli

William Grady

See Appointment 1.

**COMMUNICATIONS.**

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

4. From John P. Steinbrink, Village President of Pleasant Prairie, regarding Annexation of two parcels from the Town of Bristol.

Chairman Elverman referred Communications 3 & 4 to Land Use Committee.

**CLAIMS.**

6. Regarding Randal J. Dieter Sr. - county park tree fell on electric wires leading to his house.

7. Mike Sowle - windshield damage due to highway grass cutting.

8. Nikaloos K. Guerrakakis - windshield damage due to highway grass cutting.

It was moved by Supervisor Elverman to refer Claims 6 thru 8 to Corporation Counsel.

It was moved by Supervisor Wipper to approve the July 5th 2005 minutes. Seconded by Supervisor Faraone.

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**

**August 2, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Gorlinski, Smits, Ekornaas.

Excused: Supervisors Kerkman.

Present: 27. Excused: 1.

**CITIZEN COMMENTS**

Reverend Larry Smith, 7104 - 39<sup>th</sup> Avenue, Kenosha. Pastor at Trinity Lutheran Church. Serves as co-president of CUSH. The volunteers were getting burned out because it was very difficult. They take collections of food and every month take donations to the Shalom Center. Everyone involved with the INNS and CUSH programs work very hard. But they are seeking a permanent place and permanent shelter. A joint task was set up to do this and have been working for a couple of years now. Hopefully an agreement can be reached. He hopes that the supervisors will help keep everything on track.

Reverend Georgette Wonders, 5608 - 35<sup>th</sup> Avenue, Kenosha. Minister of Bradford Community Church. Also, co-chairman of CUSH. We need to pay attention to the actual possibilities. The summit meeting that has been proposed to happen within the next ninety days is intended to bring all the different visions together to make sure everyone is on the same page.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman asked for a round applause for the volunteers that work for the homeless shelters.

Chairman Elverman stated that from now on the procedure for putting resolutions on the agenda that contain an attachment. The attachment must be with the resolution or it will not be on the agenda.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor O'Day reported that the Human Services reviewed Resolution 28 regarding a Homeless Shelter and at this point it is tabled unanimously.

Supervisor Carey-Mielke reported that the Extension Education Committee had met and would like to report that the 4-H Youth Coordinator and the Extension Education Department has come up with very creative ways to meet budget woes. 4-H has installed an endowment fund and will hold a raffle in November. Tickets are \$10.00 each. They have a lot of donations to this endowment fund to help generate funds for 4-H youth projects. She encourages all supervisors to participate and support their endeavors.

Supervisor Noble stated that the Highway & Parks Committee met last night. The Hwy Q Bridge is now completed and Highway Q is now open. The islands on Hwy 31 at Hwy 158, Hwy K and Hwy 50 will be removed by the state in 2007. The Committee has been working on this for over a year. For information about TIF money being used for a museum contact Dave Geersten because he is the county representative on all TIF districts.

RESOLUTION - one reading.

**RESOLUTION 30**

30. From Finance and Legislative Committees regarding modification to the Menominee Indian Gaming Authority Charter as required by the Intergovernmental Agreement.

**WHEREAS**, Kenosha County and the Coty of Kenosha have entered into an intergovernmental agreement with the Menominee Indian Tribe of Wisconsin and the Menominee Indian Gaming authority for the purpose of developing an indian gaming casino in Kenosha County, and

**WHEREAS**, pursuant to the intergovernmental agreement such agreement was entered into based upon the current charter of the Menominee Indian Gaming Authority, and

**WHEREAS**, pursuant to the intergovernmental agreement the aforementioned charter may not be amended unless approved by both the City and County, and

**WHEREAS**, the Tribe is proposing the attached amendment labeled Exhibit A and attached hereto as if incorporated herein, and

**WHEREAS**, the proposed amendment will not substantively affect the terms of the intergovernmental agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE KENOSHA COUNTY BOARD OF SUPERVISORS** that it approves and offers no objection to the proposed amendment attached hereto with respect to the charter for the Menominee Indian Gaming Authority.

It was moved by Supervisor R. Johnson to adopt Resolution 30. Seconded by Supervisor Carbone.

Motion carried.

It was moved by Supervisor Ekornaas to approve the July 19th 2005 minutes. Seconded by Supervisor Faraone.  
Motion carried.

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

Motion carried.

Meeting adjourned at 7:55 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 16, 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, Huff, Wipper, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, West, Kerkman, Smits, Ekornaas.

Excused: Supervisors Marrelli, Booth, and Gorlinski.

Present: 25. Excused: 3.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman spoke regarding the memos placed on everyone's desk from Sheriff's Department regarding Country Thunder After Report, from Corporation Counsel concerning the payments for County Board, County Executive and the Health Insurance. The Public Policy Forum report given tonight was very informative.

Chairman Elverman stated that the County Board Mileage account is broke.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Smits stated that Supervisor Gorlinski is in Arizona so Supervisor Ekornaas will move the ordinances and resolution tonight.

Supervisor Carbone stated that Brookside's ten year anniversary will be celebrated this Wednesday with a picnic from 10:30 until 1:30 on the outside grounds. The staff does an outstanding job. Hopefully everyone can attend.

Supervisor Huff reported that the Country Thunder Event had an excess of 50,000 people per day. So the arrest and incidence overall is less than 1%. A good job was done on the report from the Sheriff Department.

Supervisor Molinaro reported that the Building & Grounds Committee meeting was last Tuesday. The potential Patrol 911 Emergency Government Facility at 45 & 50 is progressing. There are timing issues in regards to grants that County Staff will be applying for. The downtown parking structure has an anticipated bid date is this fall. The State dictates the dates. County staff will be working with the city regarding temporary parking. Kemper Center Shoreline was inspected July 19TH. A report will be coming. The courthouse handicap access ramp is started. The ball diamonds and soccer fields that have been discussed and approved will be having bids in late August. Also, Land Use Committee seems to be the only committee following the signature page format on ordinances & resolutions. He will ask the Chairman of Land Use to stop using this format.

Supervisor Clark stated that on everyone's desk is a report from the Menominee Indian Tribe of Wisconsin regarding employment preferences first to residents of Kenosha County, then other Southeast Wisconsin counties, then to Wisconsin residents in general.

Supervisor Singer stated that on everyone's desk was a report from Corporation Counsel regarding issues that the Finance and Administration Committees will be working on regarding County Board and County Executive Compensation Resolutions. There will be a joint meeting in the near future.

**NEW BUSINESS**

Ordinances - one reading.

**ORDINANCE 14**

14. From Land Use Committee regarding Rosemary Vanderwerff Revocable Living Trust (Owner), Attorney Patrick M. Lloyd (Counsel/Agent), requesting rezoning from A-2 General Agricultural District to A-1 Agricultural Preservation District and from A-2 General Agricultural 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 all of Tax Parcel #30-4-220-273-0120 and #30-4-220-272-0240, and part of Tax Parcels #30-4-220-273-0100 and #30-4-220-272-0302 located in the west half of Section 27, Township 2 North, Range 20 East, Town of Brighton be changed as follows: all of Tax Parcel #30-4-220-273-0120 and part of Tax Parcels #30-4-220-273-0100 and #30-4-220-272-0302 be rezoned from A-2 General Agricultural District to A-1 Agricultural Preservation District; and all of Tax Parcel #30-4-220-272-0240 and part of Tax Parcel #30-4-220-272-0302 be rezoned from A-2 General Agricultural District to R-1 Rural Residential District. For informational purposes only, these properties are located on the southeast corner of the intersection of County Trunk Highway "PH" (264<sup>th</sup> Avenue) and County Trunk Highway "JB" (31<sup>st</sup> Street).

**Rosemary Vanderwerff Revocable Living Trust - (Owners)**

**Attorney Patrick M. Lloyd - (Counsel/Agent)**

**Descriptions: A-2 General Agricultural District to R-1 Rural Residential**

**District:** A parcel of land located in the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 27, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Town of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the northwest corner of said Section 27; thence north 88°32'42" east along the north line of said northwest  $\frac{1}{4}$  section 50.07 feet to the point of beginning of the following described parcel; thence continue north 88°32'42" east along said north line 380.57 feet; thence south 02°07'34" east 1452.00 feet; thence south 88°32'00" west 253.42 feet to a point on the easterly line of County Trunk Highway "PH"; thence northwesterly 438.26 feet along said easterly line being the arc of a curve to the right whose radius is 1382.69 feet; having a central angel of 18°00'39" and whose long chord bears north 13°29'59" west 436.43 feet; thence north 04°25'10" west along said easterly line 1026.45 feet to the point of beginning. Containing 11.49 acres of land more or less. Subject to rights of the public over the northerly 33 feet thereof for road purposes (31<sup>st</sup> Street).

**A-2 General Agricultural District to A-1 Agricultural Preservation District:**

Parcel 1 of Kenosha County Certified Survey Map No. 1224, recorded in Volume 1329, Page 119 and 120 as Document No. 809588, being part of the southwest  $\frac{1}{4}$  of Section 27, Town 2 North, Range 20 East, Town of Brighton, Kenosha County, Wisconsin and unplatted land located in part of the northwest  $\frac{1}{4}$  and southwest  $\frac{1}{4}$  of Section 27, Town 2 North, Range 20 East, Town of Brighton, Kenosha County Wisconsin and described as follows: Commence at the west  $\frac{1}{4}$  corner of said section; thence north 88°25'38" east along the north line of the southwest  $\frac{1}{4}$  of said section 884.82 feet to the centerline of County Trunk Highway "PH"; thence south 26°13'34" east along said centerline, 15.15 feet to the point of beginning; thence continue south 26°13'34" east along said centerline, 938.13 feet; thence north 65°00'17" east, 490.00 feet; thence north 24°59'43" west, 948.89 feet; thence south 63°46'26" west, 510.28 feet to the point of beginning. Containing 10.83 acres of land. Subject to the rights of the public over the southwesterly 33 feet thereof for highway purposes. Containing 10.12 acres of land excluding right-of-way.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz, Chairman

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 14. Seconded by Supervisor Smitz.

Motion carried.

#### **ORDINANCE 15**

15. From Land Use Committee regarding American Land Development LLC (Owner), Heritage Development of Wisconsin LLC (Agent), requesting rezoning from A-1 Agricultural Preservation District, C-2 Upland Resource Conservancy District



and C-1 Lowland Resource Conservancy District to R-9 Multiple-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 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 #35-4-121-111-0100, #35-4-121-122-0300, #35-4-121-122-0100 and #35-4-121-123-0120 located in the northeast, northwest and southwest quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-9 Multiple-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, these parcels are located on the southwest corner of the intersection of State Trunk Highway "50" (75<sup>th</sup> Street) and 128<sup>th</sup> Avenue.

**American Land Development LLC - (Owner)**

**Heritage Development of Wisconsin LLC - (Agent)**

**Descriptions:**

PR-1 Park-Recreational District

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin, being the point of beginning of the lands herein described; thence South 89°18'17" West, along the South line of the Northeast one-quarter of Section 11, T1N, R21E, 663.09 feet; thence North 02°25'38" West 703.11 feet; thence North 89°18'17" East, parallel to the South line of said Northeast one-quarter of Section 11, 481.33 feet; thence South 46°20'20" East 261.33 feet to a point on the east line of said Northeast one-quarter of Section 11; thence South 02°28'59" East, along east line of said Northeast one-quarter of Section 11, 520.34 feet to the point of beginning containing 10.313 acres.

C-1 Lowland Resource Conservancy District

Area A

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin; thence South 02°29'50" East along the west line of said one-quarter section 313.46 feet to the point of beginning of the lands herein described; thence South 29°06'19" East 74.18 feet; thence South 25°41'41" East 61.46 feet; thence South 44°31'17" East 99.88 feet; thence South 47°04'43" East 86.25 feet; thence South 45°29'16" East 88.21 feet; thence South 22°50'55" East 61.59 feet; thence South 18°11'38" East 73.56 feet; thence South 27°07'40" East 38.83 feet; thence North 81°51'50" West 307.78 feet to a point on the west line of said one-quarter section; thence North 02°29'50" West along west line of said one-quarter section 430.04 feet to the point of beginning containing 1.605 acres.

Area B

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin; thence South 02°29'50" East along the west line of said one-quarter section 743.50 feet; thence South 81°51'50" East 421.62 feet to the point of beginning of the lands herein described; thence South 86°07'09" East 35.14 feet; thence South 86°46'40" East 61.90 feet; thence South 74°54'07" East 65.25 feet; thence North 81°51'50" West 161.48 feet to the point of beginning containing 0.014 acres.

Area C

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin; thence South 02°29'50" East along the west line of said one-quarter section 743.50 feet; thence South 81°51'50" East 611.34 feet to the point of beginning of the lands herein described; thence North 60°34'39" East 39.20 feet; thence North 65°31'03" East 85.85 feet; thence North 75°22'28" East 70.12 feet; thence South 71°19'57" East 126.87 feet; thence South 83°45'06" East 237.08 feet; thence North 86°06'30" East 114.77 feet; thence North 50°19'07" East 62.04 feet; thence South 06°29'17" West 35.46 feet; thence South 56°38'23" East 43.74 feet; thence South 76°29'45" East 203.24 feet; thence South 79°33'38" East 193.59 feet; thence

South 84°55'19" East 182.74 feet; thence North 64°57'31" East 46.17 feet; thence North 34°22'07" East 44.05 feet; thence North 87°30'49" East 21.19 feet; thence South 56°52'55" East 17.27 feet; thence South 36°34'18" East 53.66 feet; thence South

C-1

81°29'22" East 84.17 feet; thence South 86°57'13" East 119.41 feet; thence North 75°44'43" East 58.29 feet; thence South 53°47'19" East 25.41 feet; thence South 02°25'40" East 126.36 feet; thence North 81°51'50" West 1737.45 feet to the point of beginning containing 3.526 acres.

Area D

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin; thence South 89°18'17" West, along the South line of the Northeast one-quarter of Section 11, T1N, R21E, 663.09 feet; thence North 02°25'38" West 703.11 feet; thence North 89°18'17" East, parallel to the South line of said Northeast one-quarter of Section 11, 739.02 feet; thence North 44°47'59" East 434.78 feet; thence North 89°01'01" East 1584.26 feet to the point of beginning of the lands herein described; thence continuing North 89°01'01" East 2.08 feet; thence North 02°28'30" West 0.62 feet; thence North 72°16'17" East 11.99 feet; thence North 04°18'20" East 70.16 feet; thence North 44°23'28" East 25.73 feet; thence South 26°28'27" East 41.12 feet; thence South 03°55'44" East 70.27 feet; thence South 23°05'30" West 50.58 feet; thence South 59°01'25" West 24.96 feet; thence South 64°37'03" West 30.77 feet; thence North 56°06'52" West 31.84 feet; thence North 33°46'35" West 29.59 feet; thence North 26°23'47" East 37.29 feet; thence North 72°39'26" East 36.76 feet; thence North 72°16'17" East 0.38 feet to the point of beginning containing 0.228 acres.

C-2 Upland Resource Conservancy District

Area A

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin; thence South 89°18'17" West, along the South line of the Northeast one-quarter of Section 11, T1N, R21E, 663.09 feet; thence North 02°25'38" West 703.11 feet; thence North 89°18'17" East, parallel to the South line of said Northeast one-quarter of Section 11, 739.02 feet; thence North 44°47'59" East 434.78 feet; thence North 89°01'01" East 980.70 feet to the point of beginning of the lands herein described; thence continuing North 89°01'01" East 603.92 feet; thence South 72°16'17" West 0.38 feet; thence South 72°39'26" West 36.76 feet; thence South 26°23'47" West 37.29 feet; thence South 33°46'35" East 29.59 feet; thence South 56°06'52" East 31.84 feet; thence North 64°37'03" East 13.32 feet; thence South 02°28'29" East 70.25 feet; thence South 23°23'37" West 447.63 feet; thence South 25°34'17" West 300.07 feet; thence South 87°58'47" West 257.55 feet; thence North 03°06'18" West 832.75 feet to the point of beginning containing 8.762 acres.

C-2 (continued)

Area B

Commencing at the Southeast corner of the Northwest one-quarter of Section 11, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin; thence South 88°54'02" West, along the South line of the Northwest one-quarter of said Section 11, 16.00 feet; thence North 02°28'31" West 206.10 feet to the point of beginning of the lands herein described; thence South 86°37'14" West 108.00 feet; thence South 64°02'31" West 52.05 feet; thence South 89°13'00" West 241.63 feet; thence South 76°01'20" West 227.15 feet; thence South 12°53'28" West 70.96 feet; thence North 76°50'26" West 68.55 feet; thence 10.39 feet on the arc of a curve to the left, radius 283.00 feet, chord bearing North 12°06'30" East 10.39 feet; thence North 11°03'25" East 231.64 feet; thence 103.72 feet on the arc of a curve to the right, radius 217.00 feet, chord bearing North 24°44'57.5" East 102.73 feet; thence North 38°26'30" East 54.18 feet; thence South 55°45'19" East 100.40 feet; thence South 84°40'21" East 109.83 feet; thence South 51°25'36" East 91.34 feet; thence South 71°39'17" East 93.92 feet; thence North 27°32'45" East 163.68 feet; thence North 88°23'35" East 137.51 feet; thence South 02°28'31" East 228.33 feet to the point of beginning containing 3.301 acres.

R-9 Multiple-Family Residential District

Commencing at the Southwest corner of the Northwest one-quarter of Section 12, T1N, R21E, Town of Bristol, Kenosha County, Wisconsin, being the point of beginning of the lands herein described; thence North 02°29'52" West, along the west line of said Northwest one-quarter of Section 12, 520.55 feet; thence North 46°20'20" West 261.03 feet; thence North 89°18'17" East 257.70 feet; thence North 44°47'59" East 434.78 feet; thence North 89°01'01" East 980.70 feet; thence South 03°06'18" East 832.75 feet; thence North 87°58'47" East 257.55 feet; thence North 25°34'17" East 300.07 feet; thence North 23°23'37" East 447.63 feet; thence North 02°28'29" West 70.25 feet; thence North 64°37'03" East 17.46 feet; thence North 59°01'25" East 24.96 feet; thence North 23°05'30" East 50.58 feet; thence North 03°55'44" West 70.27 feet; thence North 26°28'27" West 41.12 feet; thence South 44°23'28" West 25.73 feet; thence South 04°18'20" West 70.16 feet; thence South 72°16'17" West 11.99 feet; thence North 02°28'30" West 1560.88 feet; thence North 87°09'05" East 80.00 feet; thence South 02°28'30" East 372.93 feet; thence South 87°31'30" West 14.00 feet; thence South 02°28'30" East 517.40 feet; thence 153.82 feet on the arc of a curve to the left, radius 217.00 feet, chord bearing South 22°46'54" East 150.62 feet; thence South 43°05'18" East 310.02 feet; thence North 54°48'56" East 79.56 feet; thence 114.18 feet on the arc of a curve to the right, radius 200.00 feet, chord bearing North 71°10'12.5" East 112.63 feet; thence North 87°31'29" East 149.58 feet; thence South 02°28'31" East 952.89 feet; thence South 88°23'35" West 137.51 feet; thence South 27°32'46" West 163.68 feet; thence North 71°39'17" West 93.92 feet; thence North 51°25'36" West 91.34 feet; thence North 84°40'21" West 109.83 feet; thence North 55°45'19" West 100.40 feet; thence South 38°26'30" West 54.18 feet; thence 103.72 feet on the arc of a curve to the left,

radius 217.00 feet, chord bearing South 24°44'58" West 102.73 feet; thence South 11°03'25" West 231.64 feet; thence 10.39 feet on the arc of a curve to the right, radius 283.00 feet, chord bearing South 12°06'30" West 10.39 feet; thence South 76°50'26" East 68.55 feet; thence North 12°53'28" East 70.96 feet; thence North 76°01'20" East 227.15 feet; thence North 89°13'00" East 241.63 feet; thence North 64°02'31" East 52.05 feet; thence North 86°37'14" East 108.00 feet; thence South 02°28'31" East 206.10 feet; thence South 88°54'02" West 316.99 feet; thence South 02°25'40" East 994.19 feet; thence North 53°47'19" West 25.41 feet; thence South 75°44'43" West 58.29 feet; thence North 86°57'13" West 119.41 feet; thence North 81°29'22" West 84.17 feet; thence North 36°34'18" West 53.66 feet; thence North 56°52'55" West 17.27 feet; thence South 87°30'49" West 21.19 feet; thence South 34°22'07" West 44.05 feet; thence South 64°57'31" West 46.17 feet; thence North 84°55'19" West 182.74 feet; thence North 79°33'38" West 193.59 feet; thence North 76°29'45" West 203.24 feet; thence North 56°38'23" West 43.74 feet; thence North 06°29'17" East 35.46 feet; thence South 50°19'07" West 62.04 feet; thence South 86°06'30" West 114.77 feet; thence North 83°45'06" West 237.08 feet; thence North 71°19'57" West 126.87 feet; thence South 75°22'28" West 70.12 feet; thence South 65°31'03" West 85.85 feet; thence South 60°34'39" West 39.20 feet; thence North 81°51'50" West 28.24 feet; thence North 74°54'07" West 65.25 feet; thence North 86°46'40" West 61.90 feet; thence North 86°07'09" West 35.14 feet; thence North 81°51'50" West 113.84 feet; thence North 27°07'40" West 38.83 feet; thence North 18°11'38" West 73.56 feet; thence North 22°50'55" West 61.59 feet; thence North 45°29'16" West 88.21 feet; thence North 47°04'43" West 86.25 feet; thence North 44°31'17" West 99.88 feet; thence North 25°41'41" West 61.46 feet; thence North 29°06'19" West 74.18 feet to a point on the west line of said section 12; thence North 02°29'50" West along said west line 313.46 feet to the point of beginning containing 99.077 acres.

The conditions of approval for Bristol Ridge Preliminary Condominium Plat and Planned Unit Development are attached with associated exhibits (on file in the Department of Planning and Development).

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz, Chairman

Thomas J. Gorlinski

Mark Molinaro, Jr.  
Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 15. Seconded by Supervisor Smitz.  
Motion carried.

#### **ORDINANCE 16**

16. Mary Jagodzinski (Owner), Lon Wienke (Agent), requesting rezoning from A-3 Agricultural Related Manufacturing, Warehousing and Marketing District, A-2 General Agricultural 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 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 #35-4-121-271-0400 located in the northeast quarter of Section 27, Township 1 North, Range 21 East, Town of Bristol be changed from A-3 Agricultural Related Manufacturing, Warehousing and Marketing District, A-2 General Agricultural 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 west side of County Trunk Highway "MB" approximately  $\frac{1}{4}$  mile south of the intersection of County Trunk Highway "Q" (104<sup>th</sup> Street).

**Mary Jagodzinski - (Owner)**

**Lon Wienke - (Agent)**

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

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 16. Seconded by Supervisor Smitz.  
Motion carried.

#### **ORDINANCE 17**

17. Shirley Demrow Family Trust (Owner), Ed Chmielnski (Agent), requesting rezoning from A-2 General Agricultural 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 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 #45-4-221-243-0120 located in the southwest quarter of Section 24, Township 2 North, Range 21 East, Town of Paris be changed from A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to R-1 Rural Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the south side of State Trunk Highway "142" (Burlington Road) approximately  $\frac{1}{2}$  mile west of the intersection of 120<sup>th</sup> Avenue (West Frontage Road of I-94).

**Shirley Demrow Family Trust - (Owner)**

**Ed Chmielnski - (Agent)**

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

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas  
Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 17. Seconded by Supervisor Smitz.  
Motion carried.

#### **ORDINANCE 18**

18. Lane A. and Debra A. Platts, requesting rezoning from A-2 General Agricultural 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 #95-4-119-052-0321 located in the northwest quarter of Section 5, Township 1 North, Range 19 East, Town of Wheatland be changed from A-2 General Agricultural District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the south side of 60<sup>th</sup> Street approximately 760 feet east of the intersection of 392<sup>nd</sup> Avenue.

#### **Lance A. and Debra A. Platts - (Owners)**

**Description:** Being a part of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 5, Township 1 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 northwest corner of said Section 5; thence North 88°07'40" east along the north line of said northwest  $\frac{1}{4}$  section 660.59 feet to the place of beginning of this description; thence continue north 88°07'40" east along said north line 150.06 feet; thence south 02°44'41" east 435.47 feet; thence south 88°07'40" west 150.07 feet; thence north 02°44'38" west 435.47 feet to the place of beginning. Containing 1.50 acres of land more or less. Subject to rights of the public over the north 33 feet thereof for public road purposes (60<sup>th</sup> Street).  
This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Ekornaas to adopt Ordinance 18. Seconded by Supervisor Smitz.  
Motion carried.

Resolutions - one reading.

#### **RESOLUTION 31**

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

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

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending December 31, 2008, 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 Committee have reviewed said labor agreement;

**WHEREAS**, the Administration Committee and Finance Committee 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.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Joseph Clark

Anita Faraone

Janice Marrelli

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Singer to adopt Resolution 31. Seconded by Supervisor Carbone.  
Motion carried.

**RESOLUTION 32**

32. From Human Services and Finance Committees regarding Community Options Program Administrative Grants to the 2005 Division of Aging Services Budget.

**WHEREAS**, the Kenosha County Department of Human Services Division of Aging Services has received Community Links Workforce and Community Capacity Building Grants from the Wisconsin Department of Health and Family Services in the amount of \$37,147 for 2005; and

**WHEREAS**, the Division of Aging will use these funds for continuing long-term care workforce retention activities and for expanding the capacity of an equipment loan closet; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2005 budget of the Department of Human Services Division of Aging Services be modified as follows:  
Expenditures and Revenues increase by \$37,147 as indicated in the attached budget modification form, which is incorporated into this resolution be reference.

Submitted by:

HUMAN SERVICES COMMITTEE

Ruth Delace Booth

William Grady

John O'Day

Don Smitz

Gordon West

FINANCE COMMITTEE

Robert Carbone

Anita Faraone

Mark Modory

Terry Rose

Mark Wisnefski

It was moved by Supervisor O'Day to adopt Resolution 32. Seconded by Supervisor Carbone.  
Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Deschler, Wisnefski, Clark, Noble, West, Kerkman, Ekornaas.

Nays: None.

Abstain: Supervisor Carey-Mielke.

Ayes. 21. Nays. 0. Abstain. 1.

Motion carried.

**RESOLUTION 33**

33. From Judiciary & Law Committee and Finance Committee regarding HIDTA FY 2004 Grant - Supplement Award.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded an additional \$14,000 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**, the grant funds have been awarded to support overtime costs 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 grant supplement 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

modifications 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.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$14,000 and increases expenditures by \$14,000.

Submitted by:

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

It was moved by Supervisor Rose to adopt Resolution 33. Seconded by Supervisor Michael.

Roll call vote.

Motion carried unanimously.

#### **RESOLUTION 34**

34. From Judiciary & Law and Finance Committees regarding Recognizing Unanticipated Federal Housing Revenue.

**WHEREAS**, the Sheriff has met the current budgeted revenue expectation regarding Federal Inmate Housing and based upon current information from the Bureau of Immigration and Customs Enforcement the Sheriff can expect a like level of federal inmates through year-end, and

**WHEREAS**, certain operating costs will exceed current budgeted levels by year end, specifically those costs associated with supervising and transporting federal inmates, and

**WHEREAS**, the Sheriff requests that the anticipated revenue surplus associated with housing federal inmates be utilized to support personnel costs, fuel and telecommunications budgets.

**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 \$1,061,800 of Federal Inmate Revenue and increase appropriate expenditure lines by \$1,061,800.

Note: This resolution does not require funds from the General Fund. It increases Revenue by \$1,061,800 and Expenditures by \$1,061,800.

Submitted by:

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

It was moved by Supervisor Huff to adopt Resolution 34. Seconded by Supervisor Carbone. Supervisor Carey-Mielke wanted it noted that she was unable to attend the Judiciary & Law Meeting but she supports this Resolution 34.

Roll call vote.

Motion carried unanimously.

**RESOLUTION 35**

35. From Finance Committee regarding Awarding the Sale of \$2,700,000 General Obligation Promissory Notes, Series 2005A; Levying a Tax in Connection Therewith.

**WHEREAS**, on November 10, 2004, the County Board of Supervisors of Kenosha County, Wisconsin (the "County") adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$2,700,000 for 2005 Capital Projects" (the "Initial Resolution") which authorized the issuance of general obligation promissory notes for public purposes, including constructing, extending, repairing and improving streets, roads and bridges; improvement and maintenance projects at various County buildings and sites; implementing the survey monumentation program; and acquiring vehicles, equipment, furnishings and fixtures (the "Project");

**WHEREAS**, the Initial Resolution was not subject to petition for referendum;

**WHEREAS**, on July 19, 2005, the County Board of Supervisors of the County adopted a resolution entitled "Resolution Providing for the Sale of Not to Exceed \$2,700,000 General Obligation Promissory Notes" (the "Sale Resolution") which provided for the sale of not to exceed \$2,700,000 General Obligation Promissory Notes (the "Notes") for the public purpose of financing the Project;

**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 August 16, 2005;

**WHEREAS**, the following bid proposals were received:

<u>BIDDER</u>	<u>NET INTEREST COST</u>	<u>TRUE INTEREST RATE</u>
<u>(SEE BID TABULATION ATTACHED AS 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;

**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 2005A"; shall be dated September 1, 2005; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates and shall mature on September 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 March 1 and September 1 of each year commencing on March 1, 2006.

Section 4. Redemption Provisions. At the option of the County, the Notes maturing on September 1, 2013 shall be subject to redemption prior to maturity on September 1, 2012 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, 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 2005 through 2012 for the payments due in the years 2006 through 2013 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 \$2,700,000 Kenosha County General Obligation Promissory Notes, Series 2005A, dated September 1, 2005", 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").

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 Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date the Initial Resolution was adopted. The County may also reimburse itself for preliminary expenditures relating to the 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 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; Eighteen Month Expenditure 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 1.148-7(d) of the Regulations, the County covenants that at least 15% of the gross proceeds of the Notes (including investment earnings thereon) will be expended for the governmental purposes of the issue within six months of the Closing; at least 60% will be expended for such purposes within one year; and 100% will be expended for such purposes within eighteen months. If for any reason the Notes did not qualify for the eighteen month expenditure 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. Adopted and recorded August 16, 2005.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Mark Modory

Anita Faraone

Terry Rose

It was moved by Supervisor Carbone to adopt Resolution 35. Seconded by Supervisor Rose.

Roll call vote.

Motion carried unanimously.

#### **RESOLUTION 36**

36. From Land Use Committee regarding Final Plat of High Street Subdivision, Don Schenning (Developer), located in the Town of Wheatland.

**WHEREAS,** at a regularly held public hearing of the Kenosha County Land Use Committee on August 10, 2005 review was given to the Final Plat of High Street Subdivision located on Tax Parcel #95-4-219-332-0512 in the southwest and southeast quarter of the northwest quarter and the northwest quarter of the southwest quarter of Section 33, Township 2 North, Range 19 East, Town of Wheatland. For informational purposes only, this property is located on the east side of 376<sup>th</sup> Avenue ½ mile north of the intersection of State Trunk Highway "50."

**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 Wheatland recommended approval of High Street 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 High Street Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

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

It was moved by Supervisor Ekornaas to adopt Resolution 36. Seconded by Supervisor Molinaro.  
Motion carried.

**COMMUNICATION**

5. From George E. Melcher, Director of Planning & Development, regarding future rezonings.

Chairman Elverman referred Communication 5 to Land Use Committee.

**CLAIMS**

9. Robin Frenzel - hit uncovered 8" man hole. Cover was removed.

Chairman Elverman referred Claim 9 to Corporation Counsel.

It was moved by Supervisor Faraone to approve the August 2, 2005 minutes.  
Seconded by Supervisor Clark.  
Motion carried.

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

Motion carried.

Meeting adjourned at 8:25 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 6, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Supervisor Deschler

Present: 27. Excused: 1.

**CITIZEN COMMENTS**

Ben Schliesman, Director of Emergency Management gave an update on Camp Wonderland, run by the Chicago Branch of the Salvation Army. They are not associated with the branch in Kenosha. Camp Wonderland will be used as an overflow from Chicago. Camp Wonderland is in the Town of Salem and they are expecting 400 to 800 evacuees due to hurricane Katrina. This was arranged by National FEMA/Salvation Army Chicago. What the Salvation Army needs now is cash.

Frank Matteo, Director of Health gave an up-date on how the Health Department would be helping out the evacuees due to hurricane Katrina. The Public Health Response Team has been mobilized. They licensed the camp facility and made sure that the well water was safe and that the food facilities are in order. They have offered additional training because of the cooking of so many meals. Medical assessments will be done in Chicago.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that there were two applications received for the 17<sup>th</sup> District, vacated by Supervisor Deschler. Interviews will be early next week.

Chairman Elverman stated that Ehlers & Associates would like to know how many will be attending the dinner at the WCA on September 18<sup>th</sup>. Please notify the clerk this evening.

Chairman Elverman stated that he had a note from Supervisor Modory regarding the former Brookside Care Center being considered for temporary housing for the evacuees of hurricane Katrina. He is referring this to the Chairman of Building & Grounds.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor L. Johnson mentioned that everyone received a SWRPC update and the next 30 year plan is being prepared and if anyone has anything to be considered please let him know.

**NEW BUSINESS**

Resolutions -

**RESOLUTION 37**

37. From Administration and Finance Committee Establishing the County Executive Salary for the Term 2006-2010.

It was moved by Supervisor Singer to adopt Resolution 37. Seconded by Supervisor Faraone.

It was moved by Supervisor Rose to refer Resolution 37 back to the committees. Seconded by Supervisor Wisnefski.

Ayes: Supervisors Elverman, Grady, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Faraone, Michael, O'Day, Molinaro, Wisnefski, Carey-Mielke, Gorlinski.

Nays: Supervisors Rossow, Modory, R. Johnson, Singer, L. Johnson, Clark, Noble, West, Kerkman, Ekornaas.

Ayes. 16. Nays. 10.

Motion carried.

**RESOLUTION 38**

38. From Administration and Finance Committee Establishing the County Board Salaries for the Term 2006-2008.

It was moved by Supervisor Singer to adopt Resolution 38. Seconded by Supervisor Carbone.

It was moved by Supervisor Wisnefski to refer Resolution 38 back to the committees. Seconded by Supervisor Clark.

Ayes: Supervisors Elverman, Grady, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Michel, O'Day, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Smitz.

Nays: Supervisors Rossow, Rose, Modory, Faraone, R. Johnson, Singer, L. Johnson, Kerkman, Gorlinski, Ekornaas.

Ayes. 17. Nays. 10.

Motion carried.

**CLAIMS**

10. Sharon Tinnerman - broke ankle on Brighton Dale Golf Course.

11. Thomas Hallingstad - car damage from road crew.

12. Anthony Zwilling - road crew destroyed fence.

13. Barbara Panagoulia - fell on uneven surface of parking lot at the Health Department.

Chairman Elverman referred Claims 10 thru 13 to Corporation Counsel.

It was moved by Supervisor Grady to approve the August 16 2005 minutes.

Seconded by Supervisor Faraone.

Motion carried.

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

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 15, 2005**

The **Committee of the Whole** was called to order by Chairman Elverman at 7:00 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 Molinaro, Wisniewski, Carey-Mielke, Noble, Kerkman, Smits, Ekornas, L. Johnson, West.

Excused: Supervisors Huff, Clark, Gorlinski.

Present: 24. Excused: 3.

There were no citizen comments.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that the vacated position for the 17th Supervisor District has been filled by James Moore for the remainder of the term. He will be sworn in at the September 27th meeting.

Chairman Elverman stated that the reason for the Committee of the Whole is because 2-3 months back he had asked the Administration and Finance Committees to look at ways to bring the County Board's budget in line with their own mandates. At the last meeting the Resolutions were sent back to committees and he believes that they have spent enough time and the Committee of the Whole needs to come to some conclusion tonight. Anyone not interested in the discussion tonight is free to leave. We need to get this over with. He would like to see costs cut at every level they can. This can easily be taken care of and he is asking that it be done this evening. An analysis from Dave Geersten regarding the County Board's budget explaining changes from 2005 to 2006 was placed on everyone's desk. Bob Riedl placed a report comparing Employee Cost Sharing to Premium Contributions on everyone's desk.

Chairman Elverman said that the floor was open.

David Geersten reported on the County Board 2006 Budget Analysis. It shows what it would take to come in at 2 1/2% which was the County Boards parameter. If the County Board was to adopt Plan E it would indirectly be a \$5,000.00 savings. Just by cutting per diem by \$700.00 and adopting Plan E the County Board Budget increase would be about 1.7%.

Robert Riedl reported on the letter he had requested from Milliman Consultants and Actuaries. They help with the structure the health benefits so that the cost is shared appropriately. One thing for sure is that County employees do participate in their plans at a significant level. It does not come as a premium share. It is done through cost sharing basis which is more complicated. The County is achieving significant participation on the part of our employees by keeping with a cost sharing model of employee participation. Under Plan E they will save 18% once it is implemented. One contract has been settled at the E level and the non-represented employees will go on January 1, 2006 and he presumes the County Board will also. Recommendations from Milliman included considering greater benefit cost sharing to control the costs of its health benefit programs. Percentage co-pays on pharmacy benefits rather than fixed dollar co-pays create more incentives for members to use less expensive medication alternatives.

To the extent the County concludes employee premium sharing is required, Milliman recommends using a percentage of premiums, rather than a flat dollar amount, to ensure that employees automatically share in medical inflation in the future. They have already significantly increased in the contract settlements the participation of the employees. At the point of implementing Premium Sharing you will have to compensate the employees for that. Milliman already does support the County's Cost Sharing over the Premium Sharing and do not recommend a change.



It was moved by Supervisor Molinaro to amend Resolution 38 by including all elected officials, "E" level Kenosha County Employee Health benefit, \$25 single and \$50 family plan, that the Administration Committee be in conjunction with the administration looking at a comprehensive approach to and application of premium contribution in conjunction with cost sharing measures. That the flex account remain as is for right now and also that the Administration Committee and Administration come back with a plan for the elimination of the flex spending account at some point in the future. Seconded by Supervisor Rose.

It was moved by Supervisor Molinaro to amend his motion by changing the family plan to \$60. This also applies to all elected officials and that we look at a cost share study that applies beyond the county board and elected officials and the elimination of the flex account across the board. Seconded by Supervisor Rose.

It was moved by Supervisor Singer to amend Supervisor Molinaro's amendment by substitution. Seconded by Supervisor Kerkman.

It was moved by Supervisor Noble to change the \$25 and \$60 to a flat 10%. Seconded by Supervisor Molinaro.

It was moved by Supervisor Wisniewski to close debate on Supervisor Noble's amendment. Seconded by everybody.  
Roll call vote on 10% amendment.

Ayes: Supervisors Kessler, Wipperfurth, Michael, Molinaro, Carey-Mielke, Noble.

Nays: Supervisors Elverman, Grady, Rossow, Rose, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, O'Day, Singer, L. Johnson, Wisniewski, West, Kerkman, Smits, Ekornaas.

Ayes. 6. Nays. 18.

Motion lost.

It was moved by Supervisor L. Johnson to move the previous question for substitution. Seconded by Rose.

Motion carried to substitute Resolution 38 for the main motion.

Roll call vote on Resolution 38 to include all elected officials under bullets 1, 2, 4 and 5. Also BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors directs the Division of Personnel Services and the Division of Finance to conduct a complete analysis of all Elected Officials compensation package and submit detailed options for an amended compensation plan inclusive of cost sharing alternatives and the elimination of flexible spending accounts for all county employees.

Supervisor Rose seconded and amended Supervisor Molinaro's motion to amend the fifth bullet point - Each County Board Supervisor and Elected Official at the commencement of their next term of office. Supervisor Molinaro agreed.

It was moved and seconded to close debate.

Motion carried.

Roll call vote on Resolution 38 to include all elected officials.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipperfurth, Marrelli, Booth, Carbone, Modory, Faraone, Michael, O'Day, Molinaro, Wisniewski, Carey-Mielke, West, Smits.

Nays: Supervisors R. Johnson, Singer, L. Johnson, Noble, Kerkman, Ekornaas.

Ayes. 18. Nays. 6.

Motion carried.

It was moved by Supervisor Rose to amend Resolution 38 by changing the per diem to \$1.00 per day. Seconded by Supervisor Elverman.

It was moved by Supervisor L. Johnson to close debate. Seconded by Supervisor Rose.

Motion carried.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Booth, Molinaro, Smits.

Nays: Supervisors Wipperfurth, Marrelli, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Wisniewski, Carey-Mielke, Noble, West, Kerkman, Ekornaas.

It was moved by Supervisor Kerkman to close debate. Seconded by Supervisor L. Johnson.

Ayes. 8. Nays. 16.

Motion lost.

Roll call vote on recommendation to the County Board Resolution 38 as amended.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer Molinaro, Wisnefski, Carey-Mielke, Smitz, Ekornaas, West.

Nays: Supervisors L. Johnson, Noble, Kerkman.

Ayes. 21. Nays. 3.

Motion carried.

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

Motion carried.

Meeting adjourned at 9:30 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**

**September 27, 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, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: Supervisors Huff, L. Johnson.

Present: 25. Excused: 2.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that there were various appointments to NACO Committees. County Clerk was re-appointed to the Economic Development and Growth Committee, Supervisor R. Johnson to the steering committee on Environmental Energy and Land Use, Supervisor Carbone to the Justice and Safety Committee steering Committee and Supervisor Carey-Mielke to the Human Service and Workforce Conference Attendees.

Chairman Elverman stated he approved the ordering of new water jugs.

Chairman Elverman stated that many had attended the WCA last week and it was good to see the attendance. We were all told in advance when to sign up and what to do. It cost the county \$125.00 per person in advance and then some did it at the door at a cost of \$195.00 and so those supervisors need to write a check to the WCA for the \$70.00 difference. Everyone had advance notice so it's back to being tight fisted.

Chairman Elverman asked Jim Moore to step up to the front of the room and get sworn in as the County Board Supervisor for the 17TH District.

Mr. Moore's appointment was approved unanimously.

**SUPERVISOR REPORTS, ANNOUNCEMENTS AND REFERRALS**

Supervisor Smitz stated that on September 8TH he attended a Traffic Safety Meeting and was informed that 545 deaths have occurred so far this year on the roads and that is 27 more then last year at this time. County Trunk B has had 29 accidents at the intersection in Silver Lake. It has been suggested to the county to install a passing lane.

Supervisor O'Day stated that he is on the Board of Directors for the Kenosha History Center. He has tickets for a chili cook off on October 15TH and the tickets are \$10.00.

Supervisor Carbone stated that the Finance Department put on everyone's desk three documents consisting of the Auditors' Report for 2004. Pages 3 thru 19 gives the state of the county in regards to our financial picture. If there are any questions please contact Dave Geersten.

Supervisor Michel stated that Disability Services is having a tour on Thursday and if anyone is interested please RSVP to Disability Services.

Supervisor Noble asked Fred Patrie to place on the desks an Arial Map of the Silver Lake Park where the proposed soccer fields are going to be. A bulk of this area is open area and bulk of the pine trees need to be thinned out. The trees were planted in the sixties.

Supervisor Clark stated that he had attended the WCA Conference and attended a couple presentations. One was the five year financial planning for counties and it reaffirmed how well our Finance Department is with their planning. The biggest thing was a workshop on moving into the future and embracing technological change. Other counties have an over-site committee for information technology. He asked Chairman Elverman to look into having an over-sight committee that would be a sub committee of the Finance Committee that would encompass professionals from the community that have the expertise and can take a look and assist with the County Board's over-site of Information Systems.

Supervisor Carey-Mielke reported on Extension Education with regard to the Department of Agriculture declaring Kenosha County farms a disaster. Our farmers have lost at least 60% of their crop yields. The full implications of the financial impact is not known yet but she will report at a later date.

Supervisor Wisniewski stated that he also attended the WCA Convention. One session he attended was the Large Animal Class for large farming operations. Over 500 animals. This involves a whole new set of ordinances and regulations. He asked Supervisor Molinaro to contact George Melcher to make sure that we are up-dated on the new regulations because we have a couple of large farms in the county that want to grow and surpass the 500 animal count.

Supervisor Smitz also attended the Large Animal Class and he just could not imagine milking 1800 cows twice a day. The class was very interesting and he was raised on a farm.

County Executive Appointment.

2. William Glembocki to serve on the Kenosha County Zoning Board.

Chairman Elverman referred County Executive Appointment 2 to Highway & Parks Committee.

NEW BUSINESS

Ordinances - one reading.

#### **ORDINANCE 19**

19. From Land Use Committee regarding John C. Mankowski and Scott Badgerow, requesting rezoning from A-2 General Agricultural District to R-2 Suburban 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 #80-4-222-021-0220 located in the northeast quarter of Section 2, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural 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 "M" (Old Green Bay Road) approximately 0.17 miles south of the intersection of County Trunk Highway "KR" (1<sup>st</sup> Street).

**John C. Mankowski and Scott Badgerow - (Owners)**

**Description:** Part of the northeast quarter and the northwest quarter of Section 2, 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 southwest corner of the northeast quarter of said Section 2; thence north 89°26'45" east along the south line of said quarter section 1371.30 feet; thence north 01°58'48" west 1093.06 feet; thence north 89°52'00" west 486.74 feet to the point of beginning; thence continue north 89°52'00" west 926.38 feet to the easterly right-of-way line of Old Green Bay Road; thence southwesterly 409.82 feet along said right-of-way line; which is the arc of a curve concave to the northwest; said curve having a central angle of 17°44'40", a radius of 1323.26 feet and a chord which bears south 88°54'48" west 408.18 feet; thence south 89°52'00" east 1153.33 feet; thence north 00°08'00" east 339.27 feet to the point of beginning; subject to easements and restrictions of record.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Grolinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 19. Seconded by Supervisor Grolinski.

Motion carried.

#### **ORDINANCE 20**

20. From Land Use Committee regarding Michael A. Nelson, requesting rezoning from I-1 Institutional District to A-1 Agricultural Preservation District and

from A-1 Agricultural Preservation District to I-1 Institutional 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 #35-4-121-133-0110 located in the southwest quarter of Section 13, Township 1 North, Range 21 East, Town of Bristol be changed from I-1 Institutional District to A-1 Agricultural Preservation District and from A-1 Agricultural Preservation District to I-1 Institutional District. For informational purposes only, this property is located on the north side of County Trunk Highway "C" at the intersection of 128<sup>th</sup> Avenue.

**Michael A. Nelson - (Owner)**

**Descriptions: I-1 Institutional District to A-1 Agricultural Preservation District:**

Part of the southwest quarter of Section 13, 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 north 02°11'05" west along the east line of said quarter section 1061.99 feet; thence south 74°41'29" west 67.77 feet to the point of beginning of the parcel to be herein described; thence continue south 74°41'29" west 256.70 feet; thence north 02°11'05" west parallel to the east line of said quarter section 292.00 feet; thence north 87°48'55" east 250.00 feet; thence south 02°11'05" east parallel to the east line of said quarter section 233.71 feet to the point of beginning; containing 1.50 acres, more or less; subject to easements and restrictions of record.

**A-1 Agricultural Preservation District to I-1 Institutional District:** Part of the southwest quarter of Section 13, Town 1 North, Range 21 East of the Fourth Principal Meridian; lying and being in the Town of Bristol, Kenosha County, Wisconsin; being more particularly described as: Commencing at the southeast corner of said quarter section; thence north 02°11'05" west along the east line of said quarter section 1061.99 feet to the center line of County Trunk Highway "C" (Wilmot Road); thence south 74°41'29" west along said center line 940.57 feet to the point of beginning of the parcel to be herein described; thence continue south 74°41'29" west along said center line 15.40 feet; thence north 02°11'05" west parallel to the east line of said quarter section 850.84 feet; thence north 87°48'55" east 15.00 feet to the northwest corner of Certified Survey Map No. 1934, a plat of record; thence south 02°11'05" east along the west line of said certified survey map and parallel to the east line of said quarter section 847.34 feet to the center line of aforesaid highway and the point of beginning; containing 12,736.33 square feet, more or less (incl. Highway); 12,228.05 square feet, more or less (excl. highway); subject to easements and restrictions of record.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 20. Seconded by Supervisor Molinaro.

Motion carried.

**ORDINANCE 21**

21. From Land Use Committee regarding Land Use Committee (Sponsor), Bathrick Family Limited Partnership (Owner), requesting rezoning from I-Institutional District to M-2 Heavy Manufacturing 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 #35-4-121-083-0331 located in the southwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol, be changed from I-1 Institutional District to M-2 Heavy Manufacturing District. For informational purposes only, this property is located on the northwest corner of the intersection of 196<sup>th</sup> Avenue and 84<sup>th</sup> Street.

**Land Use Committee - (Sponsor)**

**Bathrick Family Limited Partnership - (Owner)**

**Description:** Part of the southwest quarter of Section 8, 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 on the east line of said quarter section at a point north 00°12' west 1379.50 feet from the southeast corner thereof; thence south 88°08'30" west along and upon the southerly line of the abandoned C & NW Rwy. Co. right-of-way 1330.50 feet and to the point of beginning of the parcel to be herein described; said point of beginning being the intersection of the south line of said abandoned right-of-way with the west line of 196<sup>th</sup> Avenue; thence south 00°12' east along and upon the west line of 196<sup>th</sup> Avenue 221.69 feet and to a point of curve in said line; thence southerly 182.57 feet along and upon the arc of a curve concave to the east, said curve having a central angle of 24°09'30" a radius of 433.00 feet and a chord which bears south 12°16'45" east a distance of 181.20 feet; thence south 88°08'30" west 287.97 feet; thence north 00°12' west 400.00 feet and to the southerly line of said abandoned right-of-way; thence north 88°08'30" east along and upon said southerly line 250.00 feet and to the point of beginning.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 21. Seconded by Supervisor Ekornaas.

Motion carried.

Chairman Elverman stated Resolution 40 would be taken before Resolution 39.

Resolutions - one reading.

#### **RESOLUTION 40**

40. From Committee of the Whole regarding Establishing Compensation Package for Elected Officials and Salary for the County Board for the term 2006-2008.

**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 County Board of Supervisors have met and discussed these compensation issues, and

**NOW, THEREFORE, BE IT RESOLVED** that the compensation package for the Kenosha County Board of Supervisors and elected officials (County Executive, Sheriff, Clerk of Circuit Court, County Clerk, Register of Deeds and Treasurer) be adopted as follows:

- For the purpose of its own compensation and that of the elected officials, 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 commencing the next term of office 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 commencing the next term of office for the duration of the term;
- Each County Board Supervisor and elected official 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 minimum wage from sources other than Kenosha County; and
- Each County Board Supervisor and elected official is eligible to enroll in the "E" level Kenosha County Employee Health Benefit, at a monthly premium of \$25 for a single plan and \$60 for a family plan, commencing the next term of office for the duration of the term.

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

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors directs the Division of Personnel Services and the Division of Finance to conduct a complete analysis of the compensation packages for all elected officials, inclusive of cost-sharing alternatives and the possible elimination of the county contribution to the Flexible Spending Account for such elected officials as well as for all county employees and submit detailed options for an amended compensation plan to the Administration and Finance Committees by April, 2007.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Joseph Clark

Anita Faraone

Janice Marrelli

Thomas Kerkman

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Singer to adopt Resolution 40. Seconded by Supervisor Faraone.

It was moved by Supervisor Grady to amend Resolution 40 to reduce per diem to \$1.00 per day. Seconded by Supervisor Rose.

It was moved by Supervisor Wisniewski to close debate. Seconded by Supervisor R. Johnson.

Roll call vote.

2/3 vote required.

Ayes: Supervisors Grady, Rossow, Wippen, Marrelli, Carbone, Faraone, R. Johnson, Michel, O'Day, Singer, Wisniewski, Noble, West, Kerkman, Gorlinski, Ekornaas.

Nays: Supervisors Elverman, Rose, Kessler, Modory, Moore, Molinaro, Carey-Mielke, Clark, Smitz.

Abstain: Supervisor Booth.

Ayes. 16. Nays. 9. Abstain. 1.

Motion lost.

Debate continued.

It was moved by Supervisor Gorlinski to close debate. Seconded by Supervisor Wisniewski.

Ayes: Supervisors Grady, Rossow, Rose, Kessler, Wippen, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Elverman, Moore.

Ayes. 24. Nays. 2.

Motion carried.

Roll call vote on Amendment.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Booth, Moore, Molinaro, Carey-Mielke, Gorlinski, Smitz.

Nays: Supervisors Kessler, Wippen, Marrelli, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Wisniewski, Clark, Noble, West, Kerkman, Ekornaas.

Ayes. 10. Nays. 16.

Motion lost.

It was moved by Supervisor Rose to eliminate the County's contribution to the flex account for County Board Supervisors. Seconded by Supervisor Clark.

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

Roll call vote.

Ayes: Supervisors Grady, Rossow, Kessler, Wippen, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Moore, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Smitz, Ekornaas.

Nays: Supervisors Elverman, Rose, Singer, Molinaro, Kerkman.

Ayes. 21. Nays. 5.

Motion carried.

Roll call vote on the amendment.

Ayes: Supervisors Elverman, Rossow, Rose, Kessler, Wippen, Marrelli, Booth, Modory, Michael, Moore, Molinaro, Carey-Mielke, Clark, Noble, Gorlinski, Smitz.

Nays: Supervisors Grady, Carbone, Faraone, R. Johnson, O'Day, Singer, Wisnefski, West, Kerkman, Ekornaas.

Ayes. 16. Nays. 10.

Motion carried.

It was moved by Supervisor Rose to amend the elimination of the County's contribution to the flex account to include all elected officials. Seconded by Supervisor Moore.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rose, Kessler, Booth, Modory, O'Day, Singer, Moore, Molinaro, Carey-Mielke, Noble, West, Kerkman, Ekornaas.

Nays: Supervisors Rossow, Wippen, Marrelli, Carbone, Faraone, R. Johnson, Michel, Wisnefski, Clark, Smitz.

Ayes. 16. Nays. 10.

Motion carried.

It was moved by Supervisor Gorlinski to amend Resolution 40 to have all elected officials contribute 10% of the premium. Seconded by Supervisor Kessler.

It was moved by Supervisor Kerkman to close debate. Seconded by Supervisor R. Johnson.

Roll call vote.

Ayes: Supervisors Grady, Rossow, Rose, Kessler, Wippen, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, O'Day, Moore, Wisnefski, Carey-Mielke, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Elverman, Modory, Singer, Molinaro, Clark, Noble.

Ayes. 20. Nays. 6.

Motion carried.

Roll call on all elected officials paying 10% of the Health Premiums.

Ayes: Supervisors Elverman, Rossow, Rose, Kessler, Booth, Marrelli, Michel, Moore, Molinaro, Carey-Mielke, Noble, West, Gorlinski, Smitz.

Nays: Supervisors Grady, Wippen, Carbone, Modory, Faraone, R. Johnson, O'Day, Singer, Wisnefski, Clark, Kerkman, Ekornaas.

Ayes. 14. Nays. 12.

Motion carried.

It was moved by Supervisor Rose to Amend Resolution 40 by reducing the chairman's pay to \$6,000. Seconded by R. Johnson.

Roll call vote.

Ayes: Supervisor Rose.

Nays: Supervisors Elverman, Grady, Rossow, Kessler, Wippen, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas, Grady, Wippen, Carbone, Modory, Faraone, R. Johnson, O'Day, Singer, Wisnefski, Clark, Kerkman, Ekornaas.

Ayes. 1. Nays. 25.

Motion lost.



It was moved by Supervisor O'Day to amend the Chairman's salary to \$8,000. Seconded by Supervisor Faraone.

Ayes: Supervisor Modory, O'Day.

Nays: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Faraone, R. Johnson, Michel, Singer, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas, Grady, Wipper, Carbone, Faraone, R. Johnson, O'Day, Singer, Wisnefski, Clark, Kerkman, Ekornaas.

Ayes. 2. Nays. 25.

Motion lost.

It was moved by Supervisor Singer to increase the Supervisors pay to \$8,000. Seconded by Supervisor Ekornaas.

Roll call vote.

Ayes: Supervisor Singer, Faraone, Wisnefski, West, Kerkman, Ekornaas.

Nays: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, R. Johnson, Michel, O'Day, Moore, Molinaro, Carey-Mielke, Clark, Noble, Gorlinski, Smitz.

Ayes. 6. Nays. 20.

Motion lost.

Roll call vote on Resolution 40 as amended.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Marrelli, Booth, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Gorlinski, Smitz, Ekornaas.

Nays: Supervisors Wipper, Carbone, Kerkman.

Ayes. 23. Nays. 3.

Motion carried.

#### **RESOLUTION 39**

39. From Administration and Finance Committee regarding Establishing County Executive Salary for the Term 2006-2010.

**WHEREAS**, Wisconsin Statute 59.17(4) specifies that levels of compensation for County elected officials are to be determined prior to the filing of nomination papers, and

**WHEREAS**, the Kenosha County Board of Supervisors has reviewed compensation issues relative to the County Executive, Sheriff, Clerk of Circuit Court, Register of Deeds, County Clerk and Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that the compensation package for the 2006 - 2010 term of the Kenosha County Executive be adopted as follows:

- The County Executive will receive the following salaries:
  - o Effective April, 2006 \$85,243
  - o Effective April, 2007 \$87,588
  - o Effective April, 2008 \$89,777
  - o Effective April, 2009 \$92,022;

**BE IT FURTHER RESOLVED**, that there shall be no change in compensation or other benefits to which the county executive has been eligible for, or to which the county executive has otherwise been entitled to, except as herein stated or as stated in **Resolution 40**.

**BE IT FURTHER RESOLVED**, the compensation package for the Kenosha County Sheriff, Clerk of Circuit Court, County Clerk, Register of Deeds and Treasurer will be presented to the County Board of Supervisors in April, 2006.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Joseph Clark

Anita Faraone

Thomas Kerkman

Janice Marrelli

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Singer to approve Resolution 39. Seconded by Supervisor Carbone.

It was moved by Supervisor Noble to add a friendly amendment to Resolution 39 stating in the last paragraph:

**BE IT FURTHER RESOLVED**, the salary for the Kenosha County Sheriff, Clerk of Circuit Court, County /Clerk, register or Deeds and Treasurer will be

presented to the County Board of Supervisors in April, 2006. Seconded by Supervisor by Supervisor Rose.  
Motion carried unanimously.

**RESOLUTION 41**

41. From Finance Committee regarding granting a permanent easement on County owned Parcel #66-4-120-291-2030 to Wisconsin Electric Power Co. d/b/a WE Energies, Verizon North Inc. and Time Warner Entertainment Co.

**WHEREAS**, Wisconsin Electric Power Co., a Wisconsin Corporation doing business as WE Energies, Verizon North Inc. & Time Warner Entertainment Co. request a permanent easement upon Parcel # 66-4-120-291-2030 and,

**WHEREAS**, the purpose of this easement is to install, maintain & replace underground utility facilities, conduit & cables, electric pad, mounted transformers, concrete slabs, pedestals, terminals & markers, together with all necessary & appurtenant equipment under & above ground as deemed necessary, and

**WHEREAS**, the elevation of the existing ground surface within the easement area will not be altered more than 4 inches without written consent, the entity laying the line will hold us harmless if our employees or agents accidentally cut the line and the entity will move the line, at their expense, (temporarily or permanently) if future needs of Kenosha County require such a relocation and

**WHEREAS**, Kenosha County owns said parcel which is wetland & not saleable, and

**NOW THEREFORE BE IT RESOLVED** that Kenosha County grant the easement of such parcel per attached exhibit A.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Mark Wisnefski

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 41. Seconded by Supervisor Faraone.  
Motion carried.

**RESOLUTION 42**

42. From Judiciary & Law Committee regarding Probationary Cabaret License - Otto's Hideaway.

**WHEREAS**, the application of Tom Otto for a probationary cabaret license for Otto's Hideaway, 23601 84<sup>th</sup> Street, Salem, Wisconsin, in the Town of Salem was made during the month of July 2005 and was turned over to this office on July 12, 2005, 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 and

**NOW, THEREFORE, BE IT RESOLVED** that because this is the initial application by the license holder, a probationary license be granted to Tom Otto, for Otto's Hideaway.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

Brenda Carey-Mielke

Terry Rose

William Michel II

It was moved by Supervisor Carey-Mielke to adopt Resolution 42. Seconded by Supervisor Rose.  
Motion carried.

**RESOLUTION 43**

43. From Land Use Committee regarding Final Plat of Chaucer Woods Subdivision, Red Wing Land Company (Developer), located in the Town of Bristol.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on September 14, 2005 review was given to the Final Plat of Chaucer Woods Subdivision located on Tax Parcels #35-4-121-181-0100 and #35-4-121-181-0200 in the northeast quarter of Section 18, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, these properties are

located on the southwest corner of the intersection of County Trunk Highway "AH" (85<sup>th</sup> Street) and U.S. Highway "45" (200<sup>th</sup> Avenue).

**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 Final Plat of Chaucer Woods Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to the signing of 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 Chaucer Woods Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

Land Use Committee

Donald Smitz

Thomas Gorlinski

Mark Molinaro

Fred Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Resolution 43. Seconded by Supervisor Marrelli.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisniewski, Carey-Mielke, Clark, Noble, West, Gorlinski, Smitz, Ekornaas.

Nays: Supervisor Kerkman.

Ayes. 24. Nays. 1.

Motion carried.

#### **RESOLUTION 44**

44. From Land Use Committee regarding Final Plat of Golf Glen Estates Subdivision, Golf Glen Estates LLC, c/o Gadi Cohen, located in the Town of Somers.

**WHEREAS**, at a regularly held public hearing of the Kenosha County Land Use Committee meeting on September 14, 2005 review was given to the Final Plat of Golf Glen Estates Subdivision located on Tax Parcels #81-4-223-072-0150 and #81-4-223-072-0160 in the northwest quarter of Section 7, Township 2 North, Range 23 East, Town of Somers. 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).

**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 Golf Glen Estates Subdivision subject to the conditions presented in (Exhibit 1, on file in the Department of Planning and Development) and subject to the signing of 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 Golf Glen Estates Subdivision subject to the conditions as approved by the Land Use Committee.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas Gorlinski

Mark Molinaro

Fred Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt resolution 43. Seconded by Supervisor Molinaro.

Roll call vote.

Ayes: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Gorlinski, Smitz, Ekornaas.

Nays: Supervisor Kerkman.

Ayes. 24. Nays. 1.

Motion carried.

#### **RESOLUTION 45**

45. From Land Use Committee regarding Supporting a Cooperative Planning Process Among Kenosha County, Participating Local Governments, and SEWRPC to Prepare a Multi-Jurisdictional Comprehensive Plan and Apply for a 2006 Planning Grant from the State of Wisconsin.

**WHEREAS**, Section 66.1001 of the Wisconsin Statutes sets forth requirements for the preparation of county and local comprehensive plans; and

**WHEREAS**, the comprehensive planning law effectively requires that comprehensive plans be completed and adopted by counties, cities, towns, and villages by January 1, 2010, in order for a county or local government to engage in zoning, subdivision control, or official mapping regulations and activities; and

**WHEREAS**, a cooperative approach among Kenosha County, local governments interested in partnering with the County, and the Southeastern Wisconsin Regional Planning Commission (SEWRPC) will result in the preparation of County and local comprehensive plans that meet State requirements and local, County, and regional needs in an efficient and cost-effective manner; and

**WHEREAS**, a proposed cooperative planning process was described during a series of meetings held between Kenosha County and interested cities, towns, and villages beginning on April 28, 2004, whereby the County would contract with SEWRPC to develop a multi-jurisdictional comprehensive plan for Kenosha County and comprehensive plans for participating cities, towns, and villages; and

**WHEREAS**, Kenosha County will apply for a 2006 comprehensive planning grant from the Wisconsin Department of Administration under Chapter Adm 48 of the Wisconsin Administrative Code to help fund preparation of a multi-jurisdictional comprehensive plan for Kenosha County and comprehensive plans for participating local governments; and

**WHEREAS**, the grant award will be paid to SEWRPC to prepare comprehensive plans for the County and participating cities, towns, and villages, with required matching funds to be provided equally by the County and SEWRPC.

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors hereby agrees to sponsor and participate in the development of a Multi-jurisdictional Comprehensive Plan for Kenosha County in cooperation with participating local governments and SEWRPC, provided the County is awarded a comprehensive planning grant by the State of Wisconsin; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors hereby authorizes the submission of a multi-jurisdictional grant application to the Wisconsin Department of Administration to help fund the preparation of a multi-jurisdictional comprehensive plan for Kenosha County and comprehensive plans for participating local governments; and

**BE IT FURTHER RESOLVED** that the Kenosha County Board of Supervisors hereby authorizes the County Executive to execute all cooperative agreements with participating local units of government, and to sign the grant application on behalf of the County.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas Gorlinski

Mark Moliaro

Fred Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Resolution 45. Seconded by Supervisor Gorlinski.

Motion carried.

COMMUNICATIONS

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

Chairman Elverman referred Communication to Land Use Committee.

CLAIMS

14. William Anderson - car damage at Brighton Dale Golf Course.

15. SBC - damaged pedestal by county employee mowing the area.

Chairman Elverman referred Claims 14 & 15 to Corporation Counsel.

It was moved by Supervisor R. Johnson to approve the September 6 & 15, 2005 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Meeting adjourned at 10:23 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 4, 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, Huff, Wipper, Marrelli, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, L. Johnson, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Supervisors Booth, Singer.

Present: 26. Excused: 2.

County Executive Allan Kehl and County Board Chairman Dennis Elverman presented a Certificate of Appreciation to the Lakeland Nationals Little League Team.

Presentation of the 2006 County Budget by County Executive Allan Kehl. Announcements of the Chairman.

Chairman Elverman asked that if there any changes in e-mails please contact the Clerk's Office.

Chairman Elverman stated that the Budget Book was placed on everyone's desk and he encourages everyone to please get involved. Budget hearings will start on October 25th.

Chairman Elverman announced that flu shots will be available on the 8<sup>th</sup> of November.

Supervisor Reports, Announcements and Referrals.

Supervisor Noble reported that there is money earmarked from Waste Management and not tax levy money for park development. At Silver Lake the base bid of \$181,312 was awarded to Kenosha Grounds Care. No alternates were awarded at this time. At Brighton Dale the other base bid of \$379,602 was also awarded to Kenosha Grounds Care. Add alternate #2, ball field dugouts \$52,000 will also be a part of the contract as dugouts are required for official designation as a little league facility. No contracts have been signed at this time as final documents are in the permitting stage with Planning and Development and SEWRPC. Lakeland Little League will be fundraising for other amenities at the Brighton Dale complex including lights, bleachers, concession building etc.

Supervisor Carbone spoke about the Budget Binder. The Budget Inquiry Form and Schedule are included in the binder and he is asking that the chairs of the committees schedule their meeting soon with their departments so that they can forward to the Finance Manager the minutes of their proceedings so that the Finance Committee would know in advance about any changes. The budget hearings are reduced to three nights.

Supervisor Gorlinski stated that he had placed on all supervisors desks an article in the Monroe Times about Lafayette County Board Members voting to pay for their own health insurance rather than county taxpayers. County Board members who proposed the change, said the board is trying to cut down on the cost of insuring part-time employees.

Supervisor O'Day reported from Human Services that there was a homeless shelter summit meeting. There will be a meeting on October 21st at 10:00 a.m. at the Job Center, Room North 2. The Racine shelter is way ahead of us on this and they raised 2 million dollars in five months. The money came from 258 donating agencies, individuals, 28 churches, 11 foundations, City of Racine and Racine County. It will be ready for full use in December.

Supervisor L. Johnson stated that he was playing golf at Brighton Dale and the course is in great shape. Fall prices are a good bargain.

Supervisor Molinaro reported from Building & Grounds. We are continuing to make progress on the 45 & 50 evaluation with regards to Homeland Security and a Sub Station. Regarding the parking garage, we are still waiting confirmation from the State and Federal Government on how we need to proceed on

the bids. As a member of Land Use Committee there is a issue that will be coming to the County Board regarding another expansion of the Pheasant Run Landfill. Pay attention to the amount of refuse that is coming into this County and State from neighboring States and ask if the compensation we are getting is worth the detriment to the neighbors and Kenosha County. Do some research to make the right decision for Kenosha County.

Supervisor Molinaro stated that he has not spoken to anybody about how the Board voted on Resolution 40. He feels it was a bad decision.  
County Executive Appointment.

4. Thomas A. Fredericksen to serve the remainder of Mr. George Vujovic's term on the Kenosha County Veterans Commission.

Chairman Elverman referred County Executive Appointment 4 to Human Services Committee.

NEW BUSINESS

Policy Resolution - first reading, two required.

**POLICY RESOLUTION 1**

1. From Legislative and Finance Committees regarding Amending Section ET-1.07-1(3) of the Ethics Policy Pertaining to Use of County Vehicles.

CLAIMS

16. Henry P. Healy - tar damage to car.

17. Joan Voslar - Brookside van backed into her van.

It was moved by Supervisor Kerkman to approve the September 27, 2005 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Meeting adjourned at 8:05 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 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, Huff, Wipperfurth, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: None

Present: 28. Excused: 0.

Announcements of the Chairman.

Chairman Elverman asked the Chairman's of the Standing Committees of the County Board to meet with him in his office before the next meeting on November 8<sup>th</sup> at 6:30 p.m.

Chairman Elverman congratulated Supervisor Carbone for his appointment to serve as chair of the Judicial and Public Safety Steering Committee, Supervisor Clark was appointed to serve on the County's Taxation and Finance Steering Committee and Edna Highland, County Clerk to serve on the Counties Association Organizational and Personnel Steering Committee.

Chairman Elverman announced that flu shots will be available on the 8<sup>th</sup> of November.

Chairman Elverman stated that all departments and committees will be working on their budgets now and this will be a good time to attend some of these meetings before it all comes to the Finance Committee.

Supervisor Reports, Announcements and Referrals.

Supervisor Modory stated that tonight on everybody's desk is a copy of a letter that states that Kenosha County Board will support the study in regards to the Menominee Casino Hotel Project. The public hearing is next Tuesday at 7:00 P.M. at the Radison Hotel. The letter will be sent in lieu of attendance at the Public Hearing. He thanked everybody who signed the letter.

Supervisor Carey-Mielke announced that she too received a letter from the WCA asking her to serve on the Health & Human Services Workforce Development Committee. Also, the Kenosha County 4-H Awards night and it was very positive. All the kids that serve in 4-H graduated from 4-H but what was more interesting was the parents participation. Some have served for 40 years.

Chairman Elverman stated that he was a member of the Randall Rustlers 4-H Club.

Supervisor O'Day invited everyone to go to the History Center on October 29<sup>th</sup> for 127<sup>th</sup> Anniversary. There will be jazz, hors d'oeuvres, available drinks from 6:00 to 10:00 p.m. He has tickets or call the History Center.

Supervisor Carbone stated that next Tuesday, Wednesday & Thursday the Finance Committee will have the Budget Hearings. He invites all to attend.

Supervisor Huff stated that Judiciary & Law Enforcement will be having budget hearings Thursday, October 20<sup>th</sup> at 6:00 P.M.

Supervisor Molinaro had a project up-date from Building & Grounds Committee. The parking structure plans will be available on October 19<sup>th</sup> and we have to go back to the Planning Commission to request another extension to the project because we have been waiting for state approval. Bids will open in mid November. Hopefully we can start in spring of 2006. Bids for Park Expansion have been open since September 2005. The ball diamonds at Brighton Dale are expected to start this fall. Soccer fields in Silver Lake will start in spring 2006. Bike path extension which is extended from Carthage College to Parkside. This is included in the 2006 budget. Kemper roof replacement will be in the 2006 budget. The Medical Examiner may be included in the project at HWY 45 & 50. 911 wireless grant is also included in the 2006 budget and for equipment that will permit installation of 911 equipment that will identify location of cell phone calls.



Supervisor Rose asked the Chairman to request the Corporation Counsel to advise the board as to the legal review by the attorneys in Washington to review the Environmental Impact Study that Supervisor Modory was referring to.

Frank Volpintesta stated that he has not heard anything back yet. He is not familiar with the letter Supervisor Modory was referring to. They might want to hold off on any endorsement until they receive the review.

Supervisor Faraone stated that the parking structure will be going before City Planning at 5:00 P.M. on Thursday, October 20<sup>th</sup>.

OLD BUSINESS

Policy Resolution - second reading, two required.

**POLICY RESOLUTION 1**

1. From Legislative and Finance Committees regarding Amending Section ET-1.07-1(3) of the Ethics Policy Pertaining to Use of County Vehicles.

Chairman Elverman referred Policy Resolution 1 back to committees for signatures. This has been discussed all summer.

NEW BUSINESS

Ordinance - first reading, two required.

**ORDINANCE 22**

22. From Administration and Judiciary & Law Committee regarding amending 4.01(3)(f)7 of the Civil Service Ordinance.

Resolutions - one reading.

**RESOLUTION 46**

46. From Judiciary & Law and Finance Committees regarding Daimler-Chrysler Corporation Fund Grant.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded a total of \$2,500 from Daimler-Chrysler Corporation Fund, and

**WHEREAS**, the grant funds offered will be used to purchase equipment to support the build-up and operation of the HIDTA K-9 units, and

**WHEREAS**, the grant expires July, 2006 and requires no matching funds nor any additional tax levy dollars, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the grant and approve the revenue and expenditure modifications, as per the attached budget modification document, which is incorporated herein by reference, and

**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.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$2,500 and increases expenditures by \$2,500.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor huff to adopt Resolution 46. Seconded by Supervisor Carbone.

2/3 vote required.

Motion carried unanimously.

**RESOLUTION 47**

47. From Judiciary & Law Committee regarding Cabaret License - Tarbender's Bar and Grill.

**WHEREAS**, the application of Debra Downing for a probationary cabaret license for Tarbender's Bar and Grill, 9109-38<sup>th</sup> Street, Kenosha, Wisconsin, in the Town of Somers, was made during the month of January, 2005, was turned over to this office on January 17th, 2005, and

**WHEREAS**, the establishment known as Tarbender's Bar and Grill was granted a Probationary Cabaret License per County Board Resolution on March 15th, 2005, and

**WHEREAS**, the establishment known as Tarbender's Bar and 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 Debra Downing, for Tarbender's Bar and Grill.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt Resolution 47. Seconded by Supervisor Moore.  
Motion carried.

#### **RESOLUTION 48**

48. From Judiciary & Law Committee regarding Cabaret License - 75<sup>th</sup> Street Inn.

**WHEREAS**, the application of Marybeth Morey for a probationary cabaret license for the 75<sup>th</sup> Street Inn, 26229-75<sup>th</sup> Street Salem, Wisconsin, in the Town of Salem, was made during the month of September, 2004, was turned over to this office on September 28th, 2004, and

**WHEREAS**, the establishment known as the 75<sup>th</sup> Street Inn, was granted a Probationary Cabaret License per County Board Resolution on April 12th, 2005, and

**WHEREAS**, the establishment known as the 75<sup>th</sup> Street Inn 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 Marybeth Morey, for the 75<sup>th</sup> Street Inn.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt Resolution 48. Seconded by Supervisor Rose.  
Motion carried.

#### **RESOLUTION 49**

49. From Land Use Committee regarding Approval of the Re-appointment of William Glembocki to the Kenosha County Zoning Board of Adjustments.

**WHEREAS**, pursuant to County Executive Appointment 2005/06-02, the County Executive has re-appointed William Glembocki to serve on the Kenosha County Zoning Board of Adjustments; and

**WHEREAS**, the Land Use Committee has reviewed the request of the County Executive for confirmation of his re-appointment of the above-named to serve on the Kenosha County Zoning Board of Adjustments and is recommending to the County Board the approval of the re-appointment.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirms the re-appointment of William Glembocki to the Kenosha County Zoning Board of Adjustments. Mr. Glembocki's re-appointment shall be effective immediately and continue until the 30<sup>th</sup> day of June 2010 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Glembocki will receive a per diem along with mileage reimbursements and will be succeeding himself.

Submitted by:

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

It was moved by Supervisor Smitz to adopt Resolution 49. Seconded by Supervisor Molinaro.  
Motion carried.

From Corporation Counsel a request for a motion to amend previously adopted Resolution 41 pertaining to the granting of a permanent utility easement to Wisconsin Electric Power Co. so as to eliminate that portion of the easement pertaining to re-location costs.

It was moved by Supervisor Faraone to amend Resolution 41. Seconded by Supervisor Gorlinski.  
Motion carried.

#### COMMUNICATIONS

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

7. From George E. Melcher, Director of Planning & Development, regarding future rezonings.

Chairman Elverman referred Communications 6 & 7 to Land Use Committee.  
Supervisor Comments.

1. Supervisor Joe Clark stated that recently the Supervisors completed a long debate and since then he has had an opportunity to speak with elected officials and their comment was that they were department heads and wanted to be treated that way and contrary to the beliefs of some the supervisors put more time in then 200 hours and he has spent some time doing some research. The Sheriff manages 308 people, Clerk of Circuit Court manages 38 people, District Attorney manages 15 people, the Treasurer manages 3.5, the County Clerk has 2 people. Supervisor Rose has in the past spoke about the level of management we need to question and he now also questions it. The county board has to have the vision to see things as they ought to be and not as they are and to act on the vision. He thinks this County Board should take a look at combining the offices of the Clerk and Treasurer. 150 years ago when the Constitution was drafted we had a complete difference in technology. The clerk was responsible for the checks, purchasing and a lot of other financial duties according to the State Statutes. That is now handled by the Finance Department and the Purchasing Department. The internal control is that we have audits. Our elected officials are limited by the collective bargaining units. The objection that he hears over and over is that these offices are constitutional or statutory offices that would require a change in the constitution or state statutes. Just look at the City of Kenosha, they have an Assessor/Clerk/Treasurer. We need to have the vision to see things as they ought to be and have the courage to act on them. How many people does it take to change a light bulb? How many clerks does it take to be at a county board meeting? This is waste. At one time there was a debate about being able to afford a camera operator. The one we have volunteers. He is asking Chairman Elverman to have Legislative Committee look into this. We need to immediately take a look at how many clerks we need at these meeting and act on it.

Chairman Elverman stated that if Supervisor Clark brought a resolution to the County Board floor he would refer the resolution.

It was moved by Supervisor Kessler to adopt the corrected October 4, 2005 minutes. Seconded by Supervisor Wisnefski.  
Motion carried.

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

Meeting adjourned at 8:10 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 8, 2005**

The **Public Hearing** was called to order by Chairman Elverman at 7:00 p.m., in the County Board Room located in the Administration Building. Roll call was taken.

Present: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisnefski, Clark, Noble, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Supervisors Carey-Mielke.

Present: 27. Excused: 1.

**CITIZEN COMMENTS**

Pastor Jerry Christiansen, 6326 Pershing Blvd., said he was there to thank everyone who has helped with helping people out of jails and prisons. Last year their ministry kept out 104. He asked for support from the county as the ministry has been given a grant from the city and possibly on the list for getting help from the state because of the problem of keeping people out of prison. We pay \$25,000 to keep someone in a \$150,000 prison cell a year. The city has helped with food and shelter.

Bob Danbeck, 7626-27<sup>th</sup> Avenue, stated that they could save the taxpayers a lot of money. There is no reason for 28 part-time employees costing the taxpayers over \$400,000 for health insurance. There is no reason for this. Also, we don't need 28 supervisors. Cut the county board to 14. We do not need any more than that.

Barbara Fonderlac from Racine and she is the Director of Kemper Center. She wanted to thank County Executive, Allan Kehl and administration for helping with assistance for Kemper Center and also the County Board for their past support. The Durke Mansion is one of the finest examples of restored antebellum interiors in the mid-west. The Anderson Art Center has about 3500 visitors yearly. Both are free to the public. 3 jazz concerts during the summer. They have student tours. The buildings have been re-tuck pointed and they are just beautiful.

David Deberg, 1367 Sheridan Road, Somers. He concurs with Pastor Christiansen. The homeless program needs to be improved. Come and eat breakfast and meet some of the homeless. It could happen to anyone. Lease a building.

Supervisor Carbone on behalf of the Finance Committee presented the 2006 Budget.

It was moved by Supervisor Modory to adjourn. Seconded by Supervisor Faraone. Motion carried.

The **Organizational Meeting** was called to order by Chairman Elverman immediately following the Public Hearing in the County Board Room located in the Administration Building.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that there were papers for candidacy placed on everyone's desk.

Chairman Elverman stated also a red folder regarding health insurance was placed on everyone's desk and please fill out and return to the Personnel Department.

**SUPERVISOR REPORTS**

Supervisor Gorlinski stated that he has filed a Notification of Non-candidacy for the county board. He did file Declaration of Candidacy for County Executive.

Supervisor O'Day stated that a packet from the Human Services Department was put on all desks. Line item 6 on the first page refers to 361 contracted employees that work under the auspices of the Human Services Department. There are a lot of behind the scenes employees that work for the county and a lot of people are not aware of this.

Supervisor Molinaro said that Thursday, November 17<sup>th</sup> at 6:30 at the Somers Town Hall Supervisor Wisniewski and himself will be having a meeting with the people in Somers. Also, there was another sex offender released in Somers again. He has talked to everyone about this. Why Somers? He will keep everyone updated about this.

Supervisor Marrelli spoke about the homeless problem. It's early and three weeks in a row there were babies under 3 months old. The homeless have to go from one place to the next. Check out the sites and go there and see. You will learn a lot.

Supervisor Clark spoke regarding the press release from Rep. Dan Vrakas regarding reductions in the size of county boards. It was approved by both the State Senate and Assembly and is now on the Governor's desk.

OLD BUSINESS

Ordinance - second reading, two required.

#### **ORDINANCE 22**

22. From Administration and Judiciary & Law Committees regarding Amending 4.01(3)(f)7 of the Civil Service Ordinance.

The Kenosha County Board of Supervisors does hereby obtain that section 4.01 (3) (f) 7 of the Municipal Code of Kenosha County be, and hereby is, amended to read as follows:

Except for unit members assigned a vehicle that may be brought home and for whom residency in Kenosha County is required, the established residency boundary for all other unit members will include all of Kenosha and Racine Counties, and the portion of Walworth County bordered on the west by Highway 12 and the north by a line extended from the Racine/Kenosha County line extended west to Highway 12. Any individual who violates the above shall be deemed to have resigned.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Joseph Clark

Janice Marrelli

Anita Faraone

Thomas Kerkman

JUDICIARY & LAW COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel, II

It was moved by Supervisor Singer to adopt Ordinance 22. Seconded by Supervisor Huff.

Motion carried.

Policy Resolution - second reading, two required.

#### **POLICY RESOLUTION 1**

1. From Legislative Committee regarding Amending Section ET-1.07-1(3) of the Ethics Policy Pertaining to Use of County Vehicles.

The Kenosha County Board of Supervisors does hereby resolve to amend Section ET-1.07-1(3) of the Ethics Code pertaining to use of county vehicles to read as follows:

(3) Use of Certain Vehicles. Notwithstanding any provision of this code, it is recognized that it is in the public interest to make immediate transportation available to certain public officials for use in emergencies. For this purpose, specially equipped motor vehicles may be provided to those employees assigned a vehicle through the annual budget process or by Executive Order in the case of an emergency.

Employees assigned a county vehicle shall use that vehicle only in compliance with administrative use and reporting directives issued by the Finance Division.

Personal use of a vehicle is restricted to commuting as defined in the attached Kenosha County Fiscal Procedure unless otherwise directed by the County board.

Submitted by:

LEGISLATIVE COMMITTEE

Ronald Johnson

Richard Kessler

Joseph Clark  
Christine Wipper  
Mark Modory

It was moved by Supervisor R. Johnson to adopt Policy Resolution 1.  
Seconded by Supervisor Modory.

Motion carried.

NEW BUSINESS

Resolutions - one reading.

#### **RESOLUTION 50**

50. From Highway & Parks Committee regarding Appointment of Karl Ostby as the Kenosha County representative to the Regional Transportation Authority.

**WHEREAS**, the Kenosha County Executive has submitted the name of Karl Ostby for the Kenosha County representative to the Regional Transportation Authority (RTA), and

**WHEREAS**, Kenosha County Board Chairman has referred the appointment to the Kenosha County Highway and Parks Committee, and;

**WHEREAS**, Mr. Ostby appeared personally before said Committee on October 3, 2005, and;

**WHEREAS**, the Committee voted unanimously to recommend Mr. Ostby to the referenced appointment;

**NOW, THEREFORE BE IT RESOLVED** that the Kenosha County Highway and Parks Committee does hereby recommend that Mr. Karl Ostby be considered to serve as the Kenosha County representative to the RTA and serve in that capacity in accordance with the enabling legislation.

Submitted by:

HIGHWAY & PARKS COMMITTEE

Douglas Noble

Richard Kessler

Fred Ekornaas

Leonard Johnson

William Grady

It was moved by Supervisor Noble to adopt Resolution 50. Seconded by Supervisor Kessler.

Motion carried.

#### **RESOLUTION 51**

51. From Judiciary & Law Committee Allowing Joint Services Chairman to Extend Term.

**WHEREAS**, the Joint Services Board governs mutual operations at the Kenosha City/County Joint Services Building and is composed of seven members, all as more particularly set forth in Resolution No. 56 passed by the County Board of Supervisors on March 3, 1981 and passed by the City of Kenosha Common Council in 1981 as Resolution 56-81; and

**WHEREAS**, the Board has 3 members appointed by the City and 3 members appointed by the County, and a 7<sup>th</sup> member mutually appointed by the Mayor and the County Executive who is approved by the Common Council and the County Board; and the term of said 7<sup>th</sup> member is limited by the above resolutions to not more than 2 three-year terms; and

**WHEREAS**, Mr. Gray has served as the 7<sup>th</sup> member of the Joint Services Board since his appointment in 1999; further, he has served with distinction and honor becoming familiar with all operations and policies of Joint Services since his appointment; further Mr. Gray is the Chairman of the Joint Services Board and provides valuable leadership in this capacity; and

**WHEREAS**, unless the above referenced resolutions are amended, Mr. Gray will have to end his tenure on the Joint Services Board because he is at the end of his second term: Since he is such an able member of the Board, both the City and the County would miss his contributions and leadership; and

**WHEREAS**, the City of Kenosha Common Council has unanimously passed Resolution 54-05 on April 18, 2005 that allows Mr. Gray to continue his tenure on the Joint Services Board for up to two additional terms, if so mutually appointed by the Mayor and County Executive and approved by the Common Council and the County Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Kenosha County Board of Supervisors that Mr. Ed Gray will be allowed to remain on the Joint Services Board for up to an additional two terms, if so mutually appointed and re-appointed by the Mayor and the County Executive and approved by the Common Council and Board of Supervisors.

Submitted by:

JUDICIARY & LAW COMMITTEE

Jim Huff

Brenda Carey-Mielke

Terry Rose

James Moore

William Michel II

It was moved by Supervisor Huff to adopt Resolution 51. Seconded by Supervisor Moore.

Roll call vote.

Ayes: Supervisors Elverman, Rossow, Rose, Kessler, Huff, Wipper, Booth, Carbone, Modory, Faraone, Michel, L. Johnson, Moore, Molinaro, Clark, Noble, West, Gorlinski, Smitz.

Nays: Supervisors Grady, Marrelli, R. Johnson, O'Day, Singer, Wisnefski, Kerkman, Ekornaas.

Ayes. 19. Nays. 8.

Motion carried.

Supervisor Comments.

1. From Supervisor Mark Molinaro regarding Legislation to Allow Reduction in Size of County Board.

Regarding Senate Bill 4 and hopefully Governor Doyle will sign it. This is an issue that Kenosha County should look at independent of WCA. Four years ago we went in the wrong direction by increasing instead of reducing. He asked that Chairman Elverman have the Legislative Committee look into Bill 4 and come back with a Resolution reducing the County Board to 21. This will not affect the next term. He will really push this. We are, in his opinion, four years too late.

Chairman Elverman asked Supervisor Molinaro to bring in a resolution so he could refer it. Supervisor Molinaro concurred.

2. From Supervisor Jim Moore regarding BIA Hearing and DEIS.

Supervisor Moore spoke about the Bureau of Indian Affairs Hearing held two weeks ago on the draft and environmental impact study. He is sending a letter to the BIA and he put a copy on everyone's desk. This is out of local government hands. Dairyland Suit is questioning the legality of Class 3 Gaming in Wisconsin is before the Supreme Court. The uniqueness of the Kenosha Proposal is gaining national attention.

It was moved by Supervisor Marrelli to approve the October 18, 2005 minutes. Seconded by Supervisor Smitz.

Motion carried.

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

The **Annual Meeting** was called to order by Chairman Elverman immediately following the Organizational Meeting, in the County Board Room located in the Administration Building.

#### CITIZEN COMMENTS

James H. Kramers, 5410-2<sup>nd</sup> Avenue, Kenosha. This is his first meeting and he has moved from Florida. There are many things that citizens don't understand. Tax incremental funds is something he is just learning about because he lives in a tax incremental district. He pays funds into it and somebody else will be picking up a portion of his tax money. He does not think this is right. It is not logical for his taxes to pay for the Civil War Museum. We are very close to a citizen uprising.

Bob Danbeck, 7626 - 27<sup>th</sup> Avenue, Kenosha, said that if he understands Supervisor Carbone that the \$250,000 that was put in last years budget regarding the money for the homeless shelter that was in last years budget. If they have to vote for it again this year he hopes that they would eliminate it. He will be on the golf course tomorrow at 8:00 a.m. because that is when they open.



CHAIRMAN ANNOUNCEMENTS

Chairman Elverman stated that the Christmas Party will be December 20<sup>th</sup>.  
NEW BUSINESS

POLICY RESOLUTION - first reading, two required.

**POLICY RESOLUTION 2**

2. From Finance Committee regarding 2006 Kenosha County Budget.

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

Motion carried.

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 9, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisnefski, Carey-Mielke, Clark, Noble, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: None.

Present: 28. Excused: 0.

**CITIZEN COMMENTS**

Father Don Thimm, Pastor of Saint Anne's Church in Pleasant Prairie. He wanted to speak on behalf of CUSH by thanking the County Board for their past support and hope it will continue.

Sue Schmidt Decker, 1775-19<sup>th</sup> Avenue, spoke on behalf of Woman's Horizons. She hopes that by this time next year we will have a good start on a permanent solution to homelessness in Kenosha.

**COUNTY EXECUTIVE APPOINTMENT**

5. Rich Gossling to serve the remainder of Mr. Earl Hollister's term on the Kenosha County Housing Authority.

Chairman Elverman referred Appointment 5 to Human Services Committee.

**OLD BUSINESS**

**POLICY RESOLUTION 2**

2. From Finance Committee regarding 2006 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 2006 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 2006 budget; and

**WHEREAS**, the Administration Committee and Finance Committee meet jointly on August 8, 2005 and discussed and approved modifications to the Non-Represented Pay Plan for 2006; and

**WHEREAS**, the levy in the 2006 budget was reduced by \$75,000 using defunding; and

**WHEREAS**, as the City and the County merged into a consolidated Health Department in 1992; 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 2005 and 2006 budget will be encumbered (contractually obligated, but not liquidated) at year end 2005 and 2006; and

**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 2005; and

**WHEREAS**, the County Board adopted resolution No. 8 in 1998, which phased out the Kemper Center annual subsidy; and

**WHEREAS**, the 2005 Budget appropriated \$1,100,000 for the Safety Building Remodeling to be reviewed by the Building and Grounds and recommendation be brought to the County Board is still under reviewed, and

**WHEREAS**, The 2006 Budget appropriates \$400,000 for Medical Examiner's Office Remodeling and Equipment, and

**WHEREAS**, on April 13, 2004 the County Board appropriated \$250,000 in levy under spending from Human Services and designated these funds for use as a one-time grant to support procurement and/or start-up costs of a community homeless shelter; and

**WHEREAS**, Where as the Joint Services Board has eliminated Joint Services reserves: and

**NOW, THEREFORE, BE IT RESOLVED**, by the Kenosha County Board of Supervisors, that the County Executive's Budget of October 4, 2005, 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 9, 2005 is herewith attached; and

**BE IT FURTHER RESOLVED**, by the Kenosha County Board of Supervisors, that the budget for 2006 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 2006 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 \$48,986,846 be apportioned to the city and the various towns and villages of Kenosha County for all purposes and expenses for 2006; and

**BE IT FURTHER RESOLVED**, that the sum of \$1,237,230 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 2006; and

**BE IT FURTHER RESOLVED**, that the sum of \$2,321,005 be apportioned to the city and the various towns and villages of Kenosha County for the State Forestry Tax; 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.

**BE IT FURTHER RESOLVED**, that \$9,385 be appropriated to account 15130.559100 for the purpose of paying \$1,741.83 to the Village of Twin Lakes and \$7,642.30 to the City of Kenosha, in accordance with State law, as ordered by the State of Wisconsin Department Revenue

**BE IT FURTHER RESOLVED**, that palpable errors in the amount of \$9,385 will be added to the property tax levy for collection in 2006 as allowed by the State of Wisconsin. Therefore, this appropriation will not affect the general fund.

**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/TAX	AMOUNT
		None for 2006	

**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**, 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 2006 budget; and

**BE IT FURTHER RESOLVED**, that Non-Represented employees wage and benefits be modified as follows:

- inactivate the general adjustment formula in section P10.01-2 of the 2005, and
  - apply a two-point-five (2.5%) percent range adjustment to the wage schedule, and
- step increase as provided for in P10.01-3 of the 2005 Plan will be suspended for budget year 2006, and
- non-represented employees will participate in employee health benefits know as the "E" plan. 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 2006: Single Premium \$7980 Family Premium \$19,152 (monthly premium contribution shall be rounded to the nearest dollar for payroll purposes), and

**BE IT FURTHER RESOLVED**, that during the year, the Administration will review levy funded personnel, contracts, supplies, fixed charges, or capital outlay. If it is determined that the expenditure will not be incurred, the department budget will be decreased, and the de-funded expenditure account will be increased. This will be done until the de-funded expenditure account is increased to zero, 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 2006, and

**BE IT FURTHER RESOLVED**, that during 2006, the County will review the formula established in 1992 that is used to calculate the city contribution for the City Contribution for the Health Department, with the purpose of the review to improve and update the current formula. Any proposed amendment will be submitted to the County Board for approval prior to the 2007 Budget; and

**BE IT FURTHER RESOLVED**, that appropriations within the Emergency Services budget that grant funds are hereby authorized for carryover until such time as the approved grant funds are expended in accord with 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 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 2006; 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 2006 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.

**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).

**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) unless prior Appropriation is eliminated as part of Budget or other action of the County Board; 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 2006; and

**BE IT FURTHER RESOLVED**, that an amount not to exceed \$100,000 of the \$1,100,000 appropriated in the 2005 Budget 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

**BE IT FURTHER RESOLVED**, that the Medical Examiner Remodeling Project (excluding \$16,835 of furniture/movable equipment of the \$400,000

appropriation) be reviewed by the Building and Grounds & Finance Committees and that a final plan be approved by County Board; and

**BE IT FURTHER RESOLVED**, that the Courthouse Security Plan be reviewed by the Building & Grounds and Judiciary & Law Committees and that a final plan be approved by the County Board; 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 2006 budget and remain available to support this worthy effort through a grant awarded to a shelter operator selected by the Joint Task Force on Homelessness under a new Department of Human Services contract to be approved by the Human Services Committee of the County Board under appropriate release conditions to be determined by that committee; and

**BE IT FURTHER RESOLVED**, that in the event the Joint Task Force on Homelessness is unable to ultimately decide the shelter operator question or unable to ultimately agree on an acceptable shelter location and as a consequence discontinues its work and notifies the County Board that it has disbanded, the \$250,000 appropriated by the County to support the community homeless shelter shall revert back to the County General Fund; 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 Aging and/or Division of Disability Services budget to fund Elderly, Mental Health, Day Services, Physically Disabled, and Development Disabled 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 be made on the 1<sup>st</sup> of the month instead of the 15<sup>th</sup> 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 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

Terry Rose

Mark Wisniewski

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Policy Resolution 2. Seconded by Supervisor Rose.

Motion carried unanimously.

NEW BUSINESS

Ordinance - first reading, two required.

#### ORDINANCE 23

23. From Judiciary & Law Committee regarding Creating Section 3.6451 of the Municipal Code of Kenosha County "Retention of Records - Joint Services Board".

CLAIMS

18. Walter Kreuser - cracked windshield from county dump truck.

Chairman Elverman referred Claim 18 to Corporation Counsel.

It was moved by Supervisor Wisnefski to adjourn. Seconded by Supervisor Smitz.  
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**

**November 15, 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, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisniewski, Carey-Mielke, Clark, West, Kerkman, Gorlinski, Smits, Ekornaas.

Excused: Noble.

Present: 27. Excused: 1.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated there is a Kenosha County lapel pin on the supervisor's desks from County Executive Allan Kehl and 2006 informational booklets. Supervisors were reminded of the Christmas Party and asked to have their money turned into the County Clerk by the next meeting.

**SUPERVISORS REPORTS**

Supervisor Gorlinski stated he will have something in writing regarding the Landfill Waste Management by the December 6<sup>th</sup> meeting. He also spoke of an article in the Wall Street Journal regarding Toyota planing expansion in North America. There are 12 states vying for this business and wondered why Wisconsin isn't one of them.

Supervisor Huff reported The Townships have been giving out incorrect information regarding Cabaret Licenses, so the Judiciary & Law Committee is going to write a letter to the Townships explaining the procedure of obtaining Cabaret Licenses which are issued through the County.

Supervisor Moore reported he has obtained from the Planning & Development Office, pdf files of each of the 28 districts. Any supervisors interested can contact him. He would also like to encourage an upgrade of the County's web site.

Supervisor Molinaro stated that Thursday evening, 6:30 at Somers Town Hall, he and Supervisor Wisniewski would be holding a constituent meeting.

Supervisor Kerkman stated that after 14 years as supervisor, he will not be seeking re-election.

**COUNTY EXECUTIVE APPOINTMENT**

6. Colleen Sandt to serve on the Kenosha County Human Services Board.

Chairman Elverman referred Appointment 6 to Human Service.

7. Thomas Radmer to serve on the Kenosha County Civil Service Commission.

Chairman Elverman referred Appointment 7 to the Administration Committee.

**OLD BUSINESS**

Ordinance - second reading, two required.

**ORDINANCE 23**

23. From Judiciary & Law Committee regarding Creating Section 3.6451 of the Municipal Code of Kenosha County Entitled "Retention of Records - Joint Services Board".

The Kenosha County Board of Supervisors does hereby ordain that section 3.6451 of the Municipal Code of Kenosha County be, and hereby is, created to read as follows:

"3.6451

**RETENTION OF RECORDS - JOINT SERVICES BOARD**

The following schedule of records and retention periods approved by the Wisconsin Department of Administration Public Records Board on June 6, 2005 shall apply at the Kenosha County Joint Services Board.

KENOSHA CITY/COUNTY JOINT SERVICES  
Proposed Records Retention Schedule

Record Title	Record Purpose	Proposed Retention Period
Alarm Subscriber Contract	Original contract between Parkland and alarm subscriber	7 years after the last effective day thereof



Record Title	Record Purpose	Proposed Retention Period
		59.52(4) (a) (10)
Alarm Subscriber Cancellation Notices	Informs Board of company's desire to be terminated from alarm board	3 years after termination of contract
Applications / Candidate Files	Candidate information for employment purposes	7 years after expiration of eligibility list
Audit Reports	Yearly financial activities	Permanently
Audit Trails	Generated from Firststar Payroll Services. Computer analysis of payroll information	Current fiscal year and 4 back fiscal years (FIS+4 years)
Background Investigation Results	Documents results of background investigation efforts for candidates	7 years after expiration of eligibility list
Bank Statements Cancelled Checks, Check Stubs, FlexBen Checking	Documents transactions from bank on a monthly basis	10 years (Cancelled Checks are 7 years per 59.52(4) (a) (16))
Bloodborne Pathogen Exposure, Medical Record of	Declaration of unsafe exposure incident	Duration of employment plus 30 years 29 CFR 1910.20, per Safety Manual
Board Agendas* Board Minutes*	Records transactions at meetings	Permanent*
Budget, Final Copy	Board approved copy	Permanently
Budget Records	Worksheets used to prepare budget information	7 years
CAD Online Printout	Records all dispatch activity in CAD	7 years
Cash Register "Z" Tapes	Tape of daily cash register activity	7 years, per Corp. Counsel Opinion 94-4
Cash Register "X" Tapes	Tape of daily cash register activity. Duplication of Z tape	Current fiscal year and 4 back fiscal years (FIS+4 years)
Clothing Allowance Voucher	Request made by employee for reimbursement for clothing expenses. Also captured on earnings register	Current fiscal year and 4 back fiscal years (FIS+4 years)
Deferred Compensation Information	Information generated from Citistreet and/or Nationwide Retirement Solutions detailing employee contributions	7 years, per Corp. Counsel Opinion 94-4
Department Payroll Summary	Generated by departments. Source document for master payroll information. Also captured on Earnings Register	10 years (7 years required, per Corp. Counsel Opinion 94-4)
Earnings Register ADP Records	Tracks all employee payroll information; hours worked, taxes, department totals	10 years
Evidence/ID - Incident Photographs and Negatives	Crime scene photographs	10 years (8 years required per 59.27(8))
Evidence/ID - Inmate Photograph and Photograph Record	Mugshot at time of booking	8 years, per 59.27(8)
Evidence/ID - Latent Log Books	Log of latents submitted by officers	7 years
Evidence/ID - Lost and Found Notebooks	Log of lost and found property	7 years
Evidence/ID - Old Jail Identification Number Log Books	Log of identification numbers assigned and names	7 years
Evidence/ID - Photo Log Book	Log of film rolls sent out for	7 years

Record Title	Record Purpose	Proposed Retention Period
	processing	
Evidence/ID - Property Log Number Book	Log of evidence turned in and the unique number that is assigned	7 years
Evidence/ID - Sign In/Out Logs	Log of persons who have entered Evidence Rooms A & B or the lab (after hours)	7 years
False Alarm Report - Chargeable	Requesting payment for false alarm charges	7 years, per Corp. Counsel Opinion 94-4
False Alarm Report - Nonchargeable	Report/invoice for alarm determined not to be chargeable. Info also maintained in calls for service	7 years, per Corp. Counsel Opinion 94-4
False Alarm Yearly Report	Documents entire year's false alarm activity	7 years
Financials - Accts Payable	Check Reconciliation, Check Register, Journal Entries	Current fiscal year and 4 back fiscal years (FIS+4 years)
Financials - Accts Receivable	JARUPDAT Invoice Register, Journal, Acct Distribution Listing, Invoices	Current fiscal year and 4 back fiscal years (FIS+4 years)
Financials - Accts Receivable Reports	JAROPEN, JARREPORT, JARSTMTS Open Accts Receivable Invoices, Monthly Distribution Listing, Payment Register, Open by Year, Status, Department, and Statement Register	Current fiscal year and 4 back fiscal years (FIS+4 years)
Financials - Daily Cash	JDC FINAL Accts Receivable Payment Register, Journal Balance	Current fiscal year and 4 back fiscal years (FIS+4 years)
Financials - Daily Journals	JFN DAILY Journal entries from prior day	Current fiscal year and 4 back fiscal years (FIS+4 years)
Financials - JGLEDGERS (Updated)	JGLEDGERS Monthly financial activity	Permanent
Financials - JPOFINAL	JPOFINAL Purchase Order Transactions, changes, Outstanding	Current fiscal year and 4 back fiscal years (FIS+4 years)
Fixed Asset Inventory Log	Documents assets as per GASB	Permanent
FMLA Chart	Tracks yearly State and Federal FMLA days	3 years after leave ends
FMLA Disability Leave Request	Leave request and physician's statement	3 years after leave ends
FMLA Disputed Designation	Records dispute over the designation of FMLA leave	3 years after the leave ends or the request is denied
FMLA Leave Days	Payroll instructions on how to charge the FMLA day	3 years after leave ends
FMLA JSM 94-FMLA	Response to Request for FMLA	3 years after leave ends
FMLA State and Federal FMLA Worksheet	Optional form that assists Director in granting of FMLA requests	3 years
Fuel Print Outs	Documents fuel usage of squads and other vehicles for billing purposes	7 years
Green Sheets	Documents signed by employees confirming days off and reason	Current year plus 2 years, per Corp. Counsel Opinion 94-4
HIPAA - Authorizations, all signed	Document of authorization	6 years from either the date it was created or the date it was last in effect, whichever is later

Record Title	Record Purpose	Proposed Retention Period
HIPAA - Business Associate Agreements	Records agreement between the Agency and business associates with respect to HIPAA	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Employee Training Documents	Training manual documentation and procedures	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Entity Status	Information on whether an entity is a hybrid or affiliated entity or an organized health care arrangement	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Individual Complaints	Document of individual complaints and their outcomes	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Individual Rights Forms	Documentation regarding the following individual rights: 1. Right to request amendment of PHI (form 4) 2. Right to an accounting of disclosures of PHI (form 5) 3. Right to inspect and obtain copies of PHI (form 3) 4. Right to request restrictions on uses and disclosures of PHI (form 1) 5. Right to request confidential communications of PHI (form 2)	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Minimum Necessary Policies and Procedures	Agency's policy on Minimum Necessary, including protocols for PHI use, routine disclosures and requests	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Plan Document and Summary Plan Description	Description of the plan	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Plan Sponsor Certifications	Certification to the Plan regarding Plan amendments and firewalls	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - PHI Disclosures	Records of disclosures that are required to be accounted for under the Privacy Standards	Must be made available to an individual for six (6) years after the request date <u>OR</u> 6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - PHI Use and Disclosure	Records on any PHI use and disclosure for research purposes, as allowed without authorization under the Privacy Standards	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Policies on PHI uses and disclosures	Agency's policy on use of PHI and its disclosures	6 years from either the date it was created or the date it was last in effect, whichever is later
HIPAA - Privacy Notice	Notice of Privacy Practices	6 years from either the date it was created or the date it was last in effect, whichever is later

Record Title	Record Purpose	Proposed Retention Period
		was created or the date it was last in effect, whichever is later
HIPAA - Sanctions Imposed	Records of any sanctions imposed in connection with non-compliance with the Privacy Standards	6 years from either the date it was created or the date it was last in effect, whichever is later
Hiring Process Folders	Documentation of each hiring process	Permanent
Income Statements	Revenues and expenditures for each month	Current fiscal year and 4 back fiscal years (FIS+4 years)
Individual Health Claim Files	Health insurance claims processing documents	7 years from the date paid
Insurance Policies - Expired	Reflects previous coverages	7 years after the last effective day thereof 59.52(4) (a) (10)
Invoices Purchase Orders Statements Purchase Requisitions Copies of Checks	Accounts payable information documenting purchasing transactions. Filed as a packet.	10 years
Invoices / Statements for clients (Fleet Maintenance Department)	Requesting payments for various charges	7 years
Kenosha County Detail Listing of Obligations versus Budget	Documents County's expenditures to Joint Services to date and future obligations	Upon confirmation of amounts
Kenosha County Payment Voucher	Originated from County. Completed by Joint Services to request monthly operating monies	Current fiscal year and 4 back fiscal years (FIS+4 years)
Ledger Sheets; general ledger sheets, subsidiary ledger sheets, Trust account ledger	Captures and summarizes information from journal sheets	7 years required, per Corp. Counsel Opinion 94-4
Life Insurance Census Report	Confirms employee earnings and coverage amounts for life insurance purposes	Current fiscal year and 4 back fiscal years (FIS+4 years)
Logging Tapes (Radio / Phone Logs)	All voice transmissions in dispatch are recorded for investigative purposes	120 days
Master Payroll Information	Generated from Administration for payroll. Information also captured on earnings register	3 years, per Corp. Counsel Opinion 94-4
Mileage Trip Sheet	Documents all odometer readings and purpose for agency's vehicle usage	Current fiscal year and 4 back fiscal years (FIS+4 years)
OSHA Form 200	Log of workers' injuries	5 years, per Public Law 91.596 and 29 CFR 1904
OSHA Forms 300 & 300A	Log and summary of work related injuries and illnesses	5 years following the year to which they pertain, per Public Law 91.596 and 29 CFR 1904
Overtime Posting	Notice of voluntary and mandatory overtime opportunities on which employees sign up	1 year after the record is made
Overtime Reports and Charts	Monthly record of department's hours and costs for overtime	Current fiscal year and 4 back fiscal years (FIS+4 years)
Parts Inventory Listing	Keeps track of inventory on a monthly basis. Also captured	Current fiscal year and 4 back fiscal years (FIS+4 years)

Record Title	Record Purpose	Proposed Retention Period
	on the year-to-date report	
Parts Inventory - Year to Date Report	Tracks inventory on an annual basis	Permanent
Payroll Adjustment Forms	Generated from Firststar Payroll Services. Hard copy of verbal information	Current fiscal year and 4 back fiscal years (FIS+4 years)
PCI Group Number and Identification Number Forms	Assigns identification number to written test participant	7 years
PCI Individual Psychological Assessments	Hiring assessment	7 years
PEI Test Packets (Non-Hired Applicants)	Written test packets for 911 dispatchers	7 years, except if a discrimination complaint has been filed records will be maintained until final disposition of case
Personnel Files for Terminated Employees	Contains all employment information for employee	7 years after termination of employment per Corp. Counsel Opinion 94-4
Physical and Drug Screen Results (Non-Hired Applicants)	Pre-employment physical and drug screen examination results for hiring consideration	7 years for POSITIVE (failed) results
Postage Worksheets	Documents postage used by other departments	Current fiscal year and 4 back fiscal years (FIS+4 years)
Proposal / Bid List / Notices of Taking Bids	Documents bid specifications and proposals from vendors	7 years required per Corp. Counsel Opinion 94-4 and 59.52(4) (a) (10)
Receipts / Deposit Records	Documents deposits	10 years
Receipt Register Report (Laurie's)	Records daily cash register activity by shift. Duplicate of FM Clerk paperwork	Current fiscal year and 4 back fiscal years (FIS+4 years)
SAFEGUARD Journal Sheets; general journals, cash disbursement journals, accounts receivable journals	Records accounting transactions	7 years
Statistical Reports (Communications)	Hand written logs; lost/found animals; abandoned vehicles; charge card requests; county fire/rescue tests; street / highway closing; attempts to locate	2 years
Supply Requisitions	Department request for items from inventory	Until appropriate charges are posted
Tape Request Forms	Requests by District Attorney, citizens, and other agencies for copies of phone calls and/or radio transmissions	Current year plus 3 years, per Corp. Counsel Opinion 94-4
Tax Forms	Quarterly reports completed by Firststar Payroll Services	7 years, per Corp. Counsel Opinion 94-4
Time Cards	Source document for payroll information. Information also captured on Earnings Register	3 years, per Corp. Counsel Opinion 94-4
Time Documents	Generated by Firststar, lists hours worked by each employee. Information also captured on Earnings Register	7 years
Tow Lists	List of tows called by KSD and KPD officers	4 years, per Corp. Counsel Opinion 94-4
Trade Sheets	Documents signed by employees confirming days off	Current year plus 2 years

Record Title	Record Purpose	Proposed Retention Period
Union Contracts	Signed agreement which outlines working conditions and benefits	7 years after the last effective day thereof, 59(4) (a) (10)
Vacancy Packets	Documents position and shift vacancies and the process of filling that vacancy	Permanent
Vehicle Maintenance	Documents daily work for vehicles for billing purposes. Also captured on statements	Current fiscal year and 4 back fiscal years (FIS+4 years)
W2's	Employer copy of W2	7 years, per Corp. Counsel Opinion 94-4
Wisconsin Retirement System Annual Reconciliation Report	Provides employee salary information to WRS for pension purpose	7 years, per Corp. Counsel Opinion 94-4
Wisconsin Retirement System Employee Transaction Report	Submitted to WRS upon termination of employee	7 years, per Corp. Counsel Opinion 94-4
WKC-12-E Employer's First Report of Injury	Employee injury report form	5 years
Yearly Attendance Records	Summarizes employee work schedules and exceptions to schedule on an annual basis	Maintained throughout employee's tenure
9-1-1 Online Print Out - Generated up to 12/99	24 hour record of 9-1-1 calls being received	3 years in addition to current year, per Corp. Counsel Opinion 94-4
9-1-1 Daily Call Report	24 hour record of 9-1-1 calls being received (different format from above)	7 years in addition to current year, per Corp. Counsel Opinion 94-4
9-1-1 Update Error Report	Daily report of database corrections	1 year in addition to current year, per Corp. Counsel Opinion 94-4
9-1-1 Position and Time Report	Chronological record of all 9-1-1 calls, listing times, trunks, transfers, and hang ups	3 years in addition to current year, per Corp. Counsel Opinion 94-4

It was moved by Supervisor Huff to adopt Ordinance 23. Seconded by Supervisor Moore.  
Motion carried.  
NEW BUSINESS  
Resolutions - one reading.

#### **RESOLUTION 52**

52. From Administration and Finance Committees regarding Extension of the Health Benefit Provider Agreement.

**WHEREAS**, the County of Kenosha, Wisconsin resolved to become self-insured for health coverage on January 1, 2003; and

**WHEREAS**, the County selected Compcare Blue as the County's health benefit provider; and

**WHEREAS**, Compcare Blue has provided excellent, cost-effective service as Kenosha County's health benefit provider; and

**WHEREAS**, the Administration Committee and Finance Committee of the Kenosha County Board of Supervisors have reviewed the administrative and financial elements of an extension of the Compcare Blue agreement with Kenosha County; and

**WHEREAS**, the Administration Committee and Finance Committee of the Kenosha County Board of Supervisors have reviewed and approved the settlement of a certain medical claim incurred in 2004, as recommended by the County counsel as appears in the attached exhibit;

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approves a two-year extension of Kenosha County's agreement with Compcare Blue as provider of health benefit services to the employees of Kenosha County; and

**BE IT FURTHER RESOLVED**, that the aforementioned claim of Kenosha County be resolved in accordance with the attached exhibit.

Submitted by:  
ADMINISTRATION COMMITTEE  
David Singer  
Joseph Clark  
Anita Faraone  
Thomas Kerkman  
Janice Marrelli

FINANCE COMMITTEE  
Robert Carbone  
Mark Wisnefski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Singer to adopt Resolution 52. Seconded by Supervisor Carbone.  
Motion carried.

**RESOLUTION 53**

53. From Finance Committee regarding Accepting a Federal Emergency Management Agency Hazard Mitigation Grant Program Supplement: FEMA-1332-DR-WI.

**WHEREAS**, the Kenosha County Board of Supervisors adopted Resolution No. 148 on February 5, 2002, accepting a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) award FEMA-1332-DR-WI in the amount of \$577,377.50 for the purpose of continuing the buyout of floodprone properties in the 100-year recurrence interval 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 September 6, 2005, that FEMA and the Wisconsin Division of Emergency Management had approved Amendment No. 1 for the HMGP award in the amount of \$148,752.50; and

**WHEREAS**, Kenosha County will be providing funds for operating expenses, with FEMA reimbursing the County with HMGP funds as County funds are expended; 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 Amendment No. 1 for HMGP award FEMA-1332-DR-WI in the amount of \$148,752.50 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with the Wisconsin Division of Emergency Management 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 HMGP grant amendment; and

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

240.76993.442319	FEMA-1332-DR-WI	Revenue
\$148,752.50		
240.76993.582130	Floodplain	Acq/Relo/Demo
\$145,428.50		
240.76993.529590	HMGP Administration	\$
3,324.00		

**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  
Terry Rose  
Anita Faraone  
Mark Modory

**RESOLUTION 54**

54. From Finance Committee regarding Accepting a Federal Emergency Management Agency Hazard Mitigation Grant Program Supplement: FEMA-1369-DR-WI.

**WHEREAS**, the Kenosha County Board of Supervisors adopted Resolution No. 3 on May 21, 2002, accepting a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) award FEMA-1369-DR-WI in the amount of \$371,977.50 for the purpose of continuing the buyout of floodprone properties in the 100-year recurrence interval 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 26, 2005, that FEMA and the Wisconsin Division of Emergency Management had approved Amendment No. 1 for the HMGP award in the amount of \$508,371.50; and

**WHEREAS**, Kenosha County will be providing funds for operating expenses, with FEMA reimbursing the County with HMGP funds as County funds are expended; 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 Amendment No. 1 for HMGP award FEMA-1369-DR-WI in the amount of \$508,371.50 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with the Wisconsin Division of Emergency Management for the purpose of securing these funds; and

**NOW, THEREFORE, BE IT RESOLVED**, with the contracted services of the Southeastern Wisconsin Regional Planning Commission, is designated as the County's administrative agent for the HMGP grant amendment; and

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

240.76994.442321	FEMA-1369-DR-WI Revenue	\$508,371.50
240.76994.582130	Floodplain Acq/Relo/Demo	\$497,011.50
240.76994.529590	HMGP Administration	\$11,360.00

**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 Wisniewski

Terry Rose

Anita Faraone

Mark Modory

**RESOLUTION 55**

55. From Finance Committee regarding Accepting a Federal Emergency Management Agency Hazard Mitigation Grant Program Supplement: FEMA-1526-DR-WI.

**WHEREAS**, Kenosha County submitted an application to the Federal Emergency Management Agency (FEMA) and Wisconsin Emergency Management (WEM) Hazard Mitigation Grant Program (HMGP) 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 31, 2005, that FEMA and WEM had approved a FEMA-1526-DR-WI grant in the amount of \$642,983.50 for Kenosha County; and

**WHEREAS**, Kenosha County will be providing funds for operating expenses, with WEM reimbursing the County with HMGP funds as County funds are expended; 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 FEMA-1526-WI-DR grant for Kenosha County in the amount of \$642,983.50 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with FEMA and 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 HMGP 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 HMGP program:

240.76999.442326	FEMA-1526-DR-WI Revenue	\$642,983.50
240.76999.582130	Floodplain Acq/Relo/Demo	\$627,637.50
240.76999.529590	HMGP Administration	\$15,346.00

**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 principals; 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 Wisniewski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor Carbone to adopt Resolutions 53, 54 & 55. Seconded by Supervisor Wisniewski.

Roll call vote passed unanimously.

#### **RESOLUTION 56**

56. From Human Services and Finance Committees regarding Modifying the Division of Children & Family Services 2005 Budget for Drug-Free Communities Support Program Grant.

**WHEREAS**, the Kenosha County Division of Children and Family Services is receiving a grant for the Drug-Free Communities Support Program, and

**WHEREAS**, the Kenosha County Division of Children and Family Services is receiving \$192,780 from the Department of Health and Human Services for two years starting September 30, 2005 and will be renewed annually for up to five years, and

**WHEREAS**, the grant will assist the Concerned Citizens Coalition in addressing alcohol and drug prevention strategies and programs, and

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Division of Children and Family Services budget be modified as follows:

Authorize increase of expenditures of \$192,780 and to increase revenues by \$192,780, per the attached budget modification incorporated herein by reference, and any unexpended dollars as of December 31, 2005 will be carried over into the 2006 budget.

Submitted by:

HUMAN SERVICES COMMITTEE

John O'Day

William Grady

Ruth Booth

Don Smitz

Gordon West

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor O'Day to adopt Resolution 56. Seconded by Supervisor Carbone.

Roll call vote passed unanimously.

**RESOLUTION 57**

57. From Human Services and Finance Committees regarding Adding a \$45,000 Federal Grant from the Administration of Aging to the 2005 Budget of the Division of Aging Services.

**WHEREAS**, the Kenosha County Department of Human Services Division of Aging Services has received funding from the Administration on Aging in the amount of \$45,000 for the period of September 30, 2005 to September 29, 2006, and

**WHEREAS**, the Division of Aging Services will use these funds to define and establish rates for a Falls Intervention benefit and a Chronic Disease Self-Management benefit, and

**WHEREAS**, the Division of Aging Services will also use these funds to develop agreements with the Wisconsin Medicaid Waiver Program, Medicare HMO's, and Medicare Supplements to include these services in their benefit packages, and

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

**NOW, THEREFORE, BE IT RESOLVED** that the 2005 budget of the Division of Aging Services be modified as follows:

Expenditures and Revenues increase by \$45,000 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

HUMANS SERVICES COMMITTEE

John O'Day

William Grady

Ruth Booth

Don Smitz

Gordon West

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Anita Faraone

Mark Modory

It was moved by Supervisor O'Day to adopt Resolution 57. Seconded by Supervisor Carbone.

Roll call vote passed unanimously.

**RESOLUTION 58**

58. From Human Services Regarding the Appointment of Thomas Fredericksen to the Kenosha County Veterans Commission.

**WHEREAS**, the application of Patricia Briesse for a probationary cabaret license for Briesse's Bar & Grill, 1170-22<sup>nd</sup> Avenue, Kenosha, Wisconsin, in the Town of Somers, was made during the month of September, was turned over to this office on September 29<sup>th</sup>, 2005, 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 Patricia Briesse for Briesse's Bar & Grill.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor O'Day to adopt Resolution 58. Seconded by Superior Grady.

Motion carried.

**RESOLUTION 59**

59. From Judiciary & Law and Finance Committees regarding Budgetary Adjustments to Support Inmate Medical Services and Fuel.

**WHEREAS**, costs associated with inmate health care for off-site medical services and fuel will exceed the current budgeted level due to unanticipated hikes in fuel prices and several high cost inmate health care incidents, and

**WHEREAS**, the budgetary estimate for fuel and inmate health care is based on factors including past experience as well as affordability when annual budgets are proposed, and

**WHEREAS**, an analysis of other expenditure budgets concludes that \$16,600 is available to be transferred to support the Inmate Medical Services budget, and

**WHEREAS**, the Sheriff expects to meet the current budgeted revenue expectation regarding Federal Inmate Housing and expects a like level of federal inmates through year-end, and

**WHEREAS**, the Sheriff requests that the revenue receipted for the Sheriff's participation in Country Thunder be utilized to support fuel costs, and

**WHEREAS**, the Sheriff requests that a total of \$104,000 of revenue be recognized between the Federal Inmate Housing and Sundry Revenue budgets to support Inmate Medical Services and fuel costs.

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the attached budget modification, which is incorporated herein by reference, to modify certain expenditure budgets and revenue budgets to increase Inmate Medical Services and fuel accounts by **\$120,600**.

Submitted by:

**JUDICIARY AND LAW ENFORCEMENT COMMITTEE**

James Huff  
Brenda Carey-Mielke  
James Moore  
Terry Rose  
William Michel, II

**FINANCE COMMITTEE**

Robert Carbone  
Mark Wisniewski  
Terry Rose  
Anita Faraone  
Mark Modory

It was moved by Supervisor Huff to adopt Resolution 59. Seconded by Supervisor Moore.

Roll call vote passed unanimously.

**RESOLUTION 60**

60. From Judiciary & Law and Finance Committees regarding Kenosha County's Homeland Security / LETPP Equipment Program.

**WHEREAS**, the Kenosha County Sheriff's Department has been awarded \$25,000 from the State of Wisconsin Office of Justice Assistance through the US Department of Homeland Security Office for Domestic Preparedness, and

**WHEREAS**, the OJA's Homeland Security / LETPP Equipment Program Award period runs from September 1, 2005 to March 31, 2006, and

**WHEREAS**, these funds will be used to purchase needed equipment for the Kenosha County Hazardous Device Squad, a designated law enforcement regional Bomb Unit dedicated to provide assistance to law enforcement agencies throughout the state, and

**WHEREAS**, this grant will NOT require a match, of local, 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 WI OJA HLS 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 WI OJA HLS 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.

**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 AND LAW ENFORCEMENT COMMITTEE FINANCE COMMITTEE

James Huff  
Brenda Carey-Mielke  
James Moore  
Terry Rose

Robert Carbone  
Mark Wisniewski  
Terry Rose  
Anita Faraone

William Michel II

Mark Modory

It was moved by Supervisor Huff to adopt Resolution 60. Seconded by Supervisor Rose.  
Roll call vote passed unanimously.

**RESOLUTION 61**

61. From Judiciary & Law Committee regarding Probationary Cabaret License - Briese's Brew & Grill.

**WHEREAS**, the application of Patricia Briese for a probationary cabaret license for Briese's Bar & Grill, 1170-22<sup>nd</sup> Avenue, Kenosha, Wisconsin, in the Town of Somers, was made during the month of September, was turned over to this office on September 29<sup>th</sup>, 2005, 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 Patricia Briese for Briese's Bar & Grill.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt resolution 61. Seconded by Supervisor Michel.

Motion carried.

**CLAIMS**

19. Ryan Paegelow - cracked windshield from county mower.

Chairman Elverman referred Claim 19 to Corporation Counsel.

**SUPERVISOR COMMENTS**

Supervisor Rose spoke regarding the comments made at the last meeting in regards to the size of the County Board. Before this issue is considered, there are three legal points he would like Corporation Counsel to advise the board on. 1: How will this impact the representation of minorities and women on this board. 2: What impact will reducing the size of the board have since the City Alderman districts are coterminous with the County Board districts. 3: How will the 2010 census be impacted.

It was moved by Supervisor Michel to approve the November 8 & 9, 2005 minutes. Seconded by Supervisor Clark.

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: Pam Young

Chief Deputy

Submitted by: Edna R. Highland

County Clerk

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**December 6, 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, Huff, Wipperf, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisniewski, Noble, Clark, West, Kerkman, Smits, Ekornaas.

Excused: Supervisors Carey-Mielke, Gorlinski.

Present: 26. Excused: 2.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman announced that Brenda Carey-Mielke will not be a candidate in the next election.

Chairman Elverman spoke regarding an article on everyone's desk that was in the Westosha report pertaining to the latest Land Use Meeting.

Chairman Elverman stated that they have a letter from the Circuit Court Judges regarding Courthouse Security. This is an ongoing issue.

**SUPERVISORS REPORTS**

Supervisor Huff stated that the Judiciary & Law Committee was advised today that the RFP's are ready to review regarding Courthouse Security. Judiciary & Law Committee will be meeting on December 14<sup>th</sup> at 7:00 P.M. A recommendation will be then coming.

Supervisor Molinaro reported from Building & Grounds Committee. Bids have been received on the parking structure. They have not been reviewed by the committee. Also, Building & Grounds was one of the three committees that met to discuss Courthouse Security. Phase one was the swipe cards, phase two was the installation of the ramp and phase three was the purchase of metal detectors which are currently awaiting usage. Phase four will be providing some type of security. A plan has to be implemented starting January 2<sup>nd</sup> and he needs to know where the budget allocation is coming from. He feels it should be the Circuit Courts Budget. You can't mandate an expenditure without knowing where the dollars are coming from.

Supervisor Noble stated that the Highway & Parks Committee has reviewed a mailbox policy for county highways. Some mailboxes constructed are quite hazardous. A report from the golf operation indicates that they were \$140,000 short. We are making progress. The well at Petrifying Springs is closed and the water is being analyzed. Regarding commuter rail. On November 8<sup>th</sup> the Southeastern Wisconsin Regional Planning Commission executed a contract with the consultants to conduct the next phase of the Kenosha/Racine/Milwaukee railroad study.

County Executive Appointments.

8. Jim Schmidt to serve on the Kenosha County Veterans Commission.

Chairman Elverman referred Appointment 8 to the Human Services Committee.

**NEW BUSINESS**

Ordinances - one reading

**ORDINANCE 24**

24. From the Land Use Committee regarding Suzanne Smith and Marjorie I. Zaber, requesting rezoning from R-1 Rural Residential 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 Tax Parcel #30-4-220-313-0300 located in the southwest quarter of Section 31, Township 2 North, Range 20 East, Town of Brighton be changed from R-1 Rural Residential District to A-2 General Agricultural District, excluding lands

currently zoned C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of County Trunk Highway "NN" (312<sup>th</sup> Avenue) approximately 422 feet west of the intersection of 308<sup>th</sup> Avenue.

**Suzanne Smith and Marjorie I. Zaber - (Owners)**

**Description: R-1 Rural Residential District to A-2 General Agricultural District, excluding lands currently zoned C-1 Lowland Resource Conservancy**

**District:** Part of the southwest  $\frac{1}{4}$  of Section 31, Township 2 North, Range 20 East of the Fourth Principal Meridian, and being more particularly described as: Beginning at the northwest corner of said  $\frac{1}{4}$  section; thence north 89°42'54" east along the north line of said  $\frac{1}{4}$  section, 870.82 feet and to the center of County Trunk Highway "NN"; thence south 27°02'04" west along the center of said highway, 375 feet; thence south 42°18'02" west along the center of said highway, 215 feet; thence south 19°01'25" west along the center of said highway, 177.25 feet and to the south line of the north  $\frac{1}{2}$  of the north  $\frac{1}{2}$  of said  $\frac{1}{4}$  section; thence south 89°47'09" west along said south line, 491.72 feet and to the west line of said  $\frac{1}{4}$  section; thence north 00°32'16" west along the west line of said  $\frac{1}{4}$  section, 658.14 feet to the point of beginning, lying and being in the Town of Brighton, County of Kenosha and State of Wisconsin.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 24. Seconded by Supervisor Molinaro.

Motion carried.

#### **ORDINANCE 25**

25. From the Land Use Committee regarding Land Use Committee (Sponsor), Matthew J. Nolan (Owner), requesting rezoning from A-2 General Agricultural District to B-3 Highway 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 #65-4-120-151-0170 located in the northeast quarter of Section 15, Township 1 North, Range 20 East, Town of Salem, be changed from A-2 General Agricultural District to B-3 Highway Business 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 on the east side of State Trunk Highway "83" approximately 160 feet north of the intersection of 87<sup>th</sup> Street.

**Land Use Committee - (Sponsor)**

**Matthew J. Nolan - (Owner)**

**Description: A-2 General Agricultural District to B-3 Highway Business**

**District:** Parts of the northeast  $\frac{1}{4}$  of Section 15 and the northwest  $\frac{1}{4}$  of Section 14, Town 1 North, Range 20 East of the Fourth Principal Meridian, in the Town of Salem, County of Kenosha and State of Wisconsin, and being more particularly described as follows: Beginning at a point in the center line of the highway which runs northwesterly and southeasterly through said  $\frac{1}{4}$  section which point is north 14°10' west along and upon the center line of said highway 557.45 feet from a point in the center line of said highway which is 1287 feet north of the south line of the northeast  $\frac{1}{4}$  of Section 15 aforesaid; thence north 14°10' west along and upon the center line of said highway 165 feet; thence north 74°52' east 264 feet; thence south 14°10' east and parallel with the center line of said highway 165 feet; thence south 74°52' west 264 feet to the point of beginning.

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

Submitted by:

LAND USE COMMITTEE

Don Smitz  
Tom Gorlinski  
Fred Ekornaas  
Mark Molinaro  
Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 25. Seconded by Supervisor Ekornaas.  
Motion carried.

**ORDINANCE 26**

26. From the Land Use Committee regarding Alvin, Jean, Norman and Loretta Wilks (Sellers), Tom and Kassie Wightman (buyers), requesting rezoning from C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential 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 #45-4-221-341-0111 located in the northeast quarter of Section 34, Township 2 North, Range 21 East, Town of Paris be changed from C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the west side of County Trunk Highway "MB" (152<sup>nd</sup> Avenue) approximately 0.7 miles south of the intersection of County Trunk Highway "N" (38<sup>th</sup> Street).

**Alvin, Jean, Norman and Loretta Wilks (Sellers)**

**Tom and Kassie Wightman (Buyers)**

**Description: C-2 Upland Resource Conservancy District to R-2 Suburban Single Family Residential District:**

Part of the northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 34, Town 2 North, Range 21 East, in the Town of Paris, County of Kenosha, State of Wisconsin, bounded and described as follows: Commence at the northeast corner of said section; thence south 01°53'53" east for a distance of 624.07 feet, along the east line of said  $\frac{1}{4}$  section, to the point of beginning; thence continuing south 01°53'53" east for a distance of 300.00 feet, along said east line, to a point; thence south 88°06'07" west for a distance of 233.00 feet, to a point; thence north 01°53'53" west for a distance of 300.00 feet, parallel to said east line, to a point; thence north 88°06'07" east for a distance of 233.00 feet, to the point of beginning. Said tract of land being 69,900 square feet, more or less.

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

Submitted by:

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

It was moved by Supervisor Smitz to adopt Ordinance 26. Seconded by Supervisor Molinaro.  
Motion carried.

**ORDINANCE 27**

27. From the Land Use Committee regarding TDC Bristol LLC c/o Richard H. Tucker, requesting rezoning from B-3 Highway Business District to B-4 Planned Business 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 #35-4-121-121-0400 located in the northeast quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol, be changed from B-3 Highway Business District to B-4 Planned Business District. For informational purposes only, this property is informally known as the Bristol Outlet Mall

located on the southwest corner of the intersection of 77<sup>th</sup> Street and 120<sup>th</sup> Avenue (West Frontage Road of I-94).

**TDC Bristol LLC - (Owner)**

**Description: B-3 Highway Business District to B-4 Planned Business District:**

Certified Survey Map No. 1088, all of Certified Survey Map No. 1010 and lands in the southeast  $\frac{1}{4}$  and northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 12, in Town 1 North, Range 21 East, in the Town of Bristol, Kenosha County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of the northeast  $\frac{1}{4}$  of said section; thence south 88°40'34" west along the south line of said northeast  $\frac{1}{4}$  section 307.58 feet to a point on the west line of 120<sup>th</sup> Avenue; thence north 02°02'00" west along said west line 183.76 feet to the point of beginning of the lands to be described; thence south 87°58'00" west 1047.99 feet to a point; thence north 02°02'00" west 1341.74 feet to a point on the south line of proposed 77<sup>th</sup> Street, established at 95 feet wide; thence north 87°58'00" east along said south line 1047.99 feet to a point on the west line of 120<sup>th</sup> Avenue; thence south 02°02'00" east along said west line 1341.74 feet to the point of beginning. Said parcel contains 1,406,130 square feet or 32.2803 acres.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 27. Seconded by Supervisor Molinaro.

Motion carried.

#### ORDINANCE 28

28. From the Land Use Committee regarding TDC Bristol LLC c/o Richard H. Tucker, requesting the application of a PUD Planned Unit Overlay District in the B-4 Planned Business 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 #35-4-121-121-0400 (4.99 acres for proposed Ashley Furniture Homestore) located in the northeast quarter of Section 12, Township 1 North, Range 21 East, Town of Bristol have applied a PUD Planned Unit Overlay District as presented. The petitioner requests development of a furniture store on a 4.99-acre parcel. For informational purposes only, this property is located on the southwest corner of the intersection of 77<sup>th</sup> Street and 120<sup>th</sup> Avenue (West Frontage Road of I-94).

**TDC Bristol LLC - (Owners)**

**Description:** The legal description of the property to have the PUD Planned Unit Development Overlay District applied is as follows:

Part of the southeast  $\frac{1}{4}$  and northeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 12, Town 1 North, Range 21 East, in the Town of Bristol, Kenosha County, Wisconsin, bounded and described as follows: Commencing at the southeast corner of the northeast  $\frac{1}{4}$  of said Section 12; thence south 88°40'34" west along the south line of said  $\frac{1}{4}$  section 307.58 feet to a point on the west line of 120<sup>th</sup> Avenue (West Frontage Road); thence north 02°02'00" west along said west line 1175.37 feet to the point of beginning of said lands to be described; thence south 87°32'10" west 259.59 feet to a point; thence south 02°27'50" east 16.47 feet to a point; thence south 87°32'10" west 341.00 feet to a point; thence north 02°27'50" west 371.12 feet to a point on the future south line of 77<sup>th</sup> Street; thence north 87°58'00" east along said south line 603.23 feet to a point on the west line of 120<sup>th</sup> Avenue (West Frontage Road); thence south 02°02'00" east along said west line 350.13 feet to the point of beginning. Said description contains 217,721 square feet, or 4.9982 acres of land.



The petitioner's application stated that the approval of the PUD Planned Unit Development Overlay District shall be granted only upon the conditions that zoning amendments requesting that Tax Parcel #35-4-121-121-0400 be changed from B-3 Highway Business District to B-4 Planned Business District which application had been contemporaneously submitted, is also approved.

The petitioners would be responsible for compliance with their testimony given at the November 16, 2005 Land Use Committee public hearing, whereby assurances were given, exhibits were presented, information and fact booklets explained and received, all which are now part of the record, along with complying with the application and various site plans previously filed with the County.

In addition, the petitioner is responsible for compliance with conditions as requested by the Department of Planning and Development, which were agreed to by the petitioner at the November 16, 2005 public hearing. These conditions are hereby referenced to as (Exhibit 1), on file in the Department of Planning and Development and are made part of this ordinance.

The petitioner also is responsible for compliance with the PUD Planned Unit Development Overlay District conditions as outlined in Section 12.26-4(a-o) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.

A public hearing was held on November 16, 2005 by the Land Use Committee for the purpose of receiving evidence, taking testimony, and reviewing recommendations presented. At that time, a favorable recommendation was given to the zoning request for the application of a PUD Planned Unit Development Overlay District for the TDC Bristol LLC project by the Land Use Committee on the property as previously described.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 28. Seconded by Supervisor Marrelli.

Motion carried.

#### **ORDINANCE 29**

29. From the Land Use Committee regarding Jane Louise Fillmore Trust, Jane Louise Fillmore, Trustee, requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural 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 #45-4-221-281-0400 located in the northeast quarter of Section 28, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District. For informational purposes only, this property is located approximately 231 feet west of the intersection of County Trunk Highway "N" (38<sup>th</sup> Street) and 169<sup>th</sup> Avenue.

**Jane Louise Fillmore Trust - (Owner)**

**Description: A-1 Agricultural Preservation District to A-2 General Agricultural District:**

A tract of land being part of the northeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 28, Town 2 North, Range 21 East, located in the Town of Paris, County of Kenosha, State of Wisconsin, bounded and described as follows: Commencing at the east  $\frac{1}{4}$  corner of said section; thence south 88°48'21" west for a distance of 1344.50 feet, along the south line of said northeast  $\frac{1}{4}$ , to a point; thence north 02°19'39" west for a distance of 2152.66 feet, to the point of beginning; thence continuing north 02°19'39" west for a distance of 482.09 feet, to point on the north line of said  $\frac{1}{4}$  section; thence north 87°22'00" east for a distance of 978.04 feet, along said north line, to a point on the west right of way line of 169<sup>th</sup> Avenue; thence south 02°26'39" east

for a distance of 507.06 feet, along said west right of way line, to a point; thence south 88°49'41" west for a distance of 979.26 feet, to the point of beginning. Said property contains 11.014 acres more or less. This description is intended to extend to the center of all roads.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Thomas J. Gorlinski

Mark Molinaro, Jr.

Fred R. Ekornaas

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 29. Seconded by Supervisor Ekornaas.

Motion carried.

Resolutions - one reading.

#### **RESOLUTION 62**

62. From the Finance Committee regarding Appointment of Rich Gossling to the Kenosha County Housing Authority.

**WHEREAS**, pursuant to County Executive Appointment 2005/06-05, the County Executive has appointed Rich Gossling to serve on the Kenosha County Housing Authority, 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 Housing Authority 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 Rich Gossling to serve on the Kenosha County Housing Authority. Mr. Gossling's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 30<sup>th</sup> day of April, 2009 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Gossling will serve without pay as defined under Resolution 65 (1982-83). Mr. Gossling will be succeeding and serving the remainder of Mr. Earl Hollister's term.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Terry Rose

Mark Modory

It was moved by Supervisor Carbone to adopt Resolution 62. Seconded by Supervisor Rose.

Motion carried.

#### **RESOLUTION 63**

63. From the Finance Committee regarding a Resolution Authorizing Submission of a Milk Volume Production/Community Development Block Grant for Economic Development Application.

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development, and

**WHEREAS**, after public meeting 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-ED/MVP grant in an amount not to exceed \$126,000. The grant would be used to provide Mighty Grand Dairy, LLC with a \$120,000 low-interest loan for the purchase of cows. The remaining \$6,000 would be used to pay for expenses incurred by the County in the administration of the CDBG-ED award. In consideration of this request, Mighty Grand Dairy, LLC has agreed to retain five full-time positions and create three new full-time positions in the Town of Brighton.

**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 County Board has reviewed the need for the proposed project and the benefits to be gained therefrom.

**NOW, THEREFOR BE IT RESOLVED**, that the Kenosha County Board of Supervisors does approve and authorize the preparation and filing of an application for the above referenced project, and

**BE IT FURTHER RESOLVED**, that the County Executive and County Clerk are hereby authorized to sign all necessary documents on behalf of the County, and

**BE IT FURTHER RESOLVED**, that authority is hereby granted to the Kenosha Area Business Alliance to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

**BE IT FURTHER RESOLVED**, that if this grant is awarded to the County, the County Board hereby authorizes amending the 2005 County Budget, with revenue and expense to increase by \$126,000 in accord with the intent authorized herein, and

**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 principals.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisniewski

Terry Rose

Anita Faraone

Mark Modory

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

Motion carried.

#### **RESOLUTION 64**

64. From the Judiciary & Law Enforcement Committee regarding Cabaret License for Barb and John's Hangar.

**WHEREAS**, the application of John Severs for a probationary cabaret license for Barb and John's Hangar, 3820-88<sup>th</sup> Avenue Kenosha, Wisconsin, in the Town of Somers, was made during the month of March, 2005, was turned over to this office on March 29th, 2005, and

**WHEREAS**, the establishment known as Barb and John's Hangar was granted a Probationary Cabaret License per County Board Resolution on May 17th, 2005, and

**WHEREAS**, the establishment known as Barb and John's Hangar was found to be in conformity with County Ordinance # 8.02 governing its 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 John Severs, for Barb and John's Hangar.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel, II

It was moved by Supervisor Carbone to adopt Resolution 64. Seconded by Supervisor Rose.

Motion carried.

#### **RESOLUTION 65**

65. From the Judiciary & Law Enforcement Committee regarding Cabaret License for Knocker's Pub and Grill.

**WHEREAS**, the application of Leanne McCarty for a probationary cabaret license for Knocker's Pub and Grill, 32800 Geneva Road Wheatland, Wisconsin, in

the Town of Wheatland, was made during the month of April, 2005, was turned over to this office on April 4<sup>th</sup>, 2005, and

**WHEREAS**, the establishment known as Knocker's Pub and Grill was granted a Probationary Cabaret License per County Board Resolution on June 21<sup>st</sup>, 2005, and

**WHEREAS**, the establishment known as Knocker's Pub and 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 Leanne McCarty, for Knocker's Pub and Grill.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel, II

#### **RESOLUTION 66**

66. From the Judiciary & Law Enforcement Committee regarding Cabaret License for 1146.

**WHEREAS**, the application of Richard 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 March, 2005, was turned over to this office on March 31<sup>st</sup>, 2005, and

**WHEREAS**, the establishment known as "1146" was granted a Probationary Cabaret License per County Board Resolution on May 17<sup>th</sup>, 2005, and

**WHEREAS**, the owners of "1146", also known as the "Red Olive Lounge" lost their Class B liquor license in the Town of Somers for a period of ninety days (February 5<sup>th</sup>, 2006) due to KSD Case# 05-135312.

**NOW, THEREFORE BE IT RESOLVED**, that the probationary cabaret license granted to Richard Pierangeli, for "1146" that expired on November 17<sup>th</sup>, 2005, not be converted to a regular cabaret due to the fact the establishment no longer holds a Class B liquor license.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt Resolution 66. Seconded by Supervisor Michel.

Motion carried.

#### **RESOLUTION 67**

67. From the Judiciary & Law Enforcement Committee regarding Cabaret License for Shadow Hill Ranch

**WHEREAS**, the application of Richard Baak for a probationary cabaret license for the Shadow Hill Ranch, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, was made during the month of May 2005, and was approved by County Board action May 13<sup>th</sup>, 2005, and

**WHEREAS**, the Kenosha Sheriff's Department has maintained a list of all reported incidents at the Shadow Hill Ranch during it's probationary period, and

**WHEREAS**, major incidents at the establishment and grounds (Country Thunder) during the probationary period have markedly decreased from prior

years, however there still remains a concern about underage drinking incidents on the adjacent campgrounds as well as the festival grounds.

**NOW, THEREFORE BE IT RESOLVED**, that the request for a regular cabaret license be denied and that the probationary license be extended through August 15<sup>th</sup>, 2006 and

**BE IT FURTHER RESOLVED**, that the Sheriff's Department will continue to monitor and document the establishment's activities and to advise the management how to attempt to reduce the number of problems they incur.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke

James Moore

Terry Rose

William Michel II

It was moved by Supervisor Huff to adopt Resolution 67. Seconded by Supervisor Rose.

Motion carried.

#### **COMMUNICATIONS**

8. From George E. Melcher, Director of Planning & Development regarding future rezonings.

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

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

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

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

Chairman Elverman referred Communications 8 thru 12 to Land Use Committee.

#### **CLAIMS**

20. Martin R. Beidinger - Deputy backed into truck

Chairman Elverman referred Claim 20 to Corporation Counsel.

#### **SUPERVISOR COMMENTS**

Supervisor Mark Molinaro regarding expansion of Landfill and pending state legislation on tipping fees. Every time mention of the landfill comes up they are told there is nothing they can do about contaminating Kenosha County with garbage not from Wisconsin. They are now working on the third expansion. For those willing to transport their trash to Kenosha County we should be making it less economic for them to do so. Assembly Bill 798, introduced on October 31<sup>st</sup> is looking to increase the \$3.00 per ton tipping fee to \$10.00 per ton. We should be preserving some landfill sites for ourselves. What Kenosha County has is a huge pile of garbage. A total of 2.2 million tons of garbage from other states. We export more in our landfill than any and all other landfills in the State of Wisconsin. All we have to do is modify our tipping fees. We have done enough.

Supervisor Joe Clark regarding Courthouse Security. After attending the Judiciary & Law Committee meeting last week where the committee properly deferred the issue on the budget resolution brought before the committees on adding the full time equivalence to the county board. We got a letter from the Judges and he knew about the letter on Thursday and this could have been in the packet instead of being delivered by deputies. It is such a waste of money. This is an example of what is going on with the deputy police for the Courthouse Security. In the 3 1/2 years on the County Board he never heard anything about Courthouse Security and now there is a big rush. There was a plan in 1995 an update in 1998. In 1999 there was a security report presented to Judiciary & Law Committee and in 2002 again there was a presentation. This was all a result of a Supreme Rule 70.39 that allowed the Chief Judge to appoint a committee. One request and that is that we have a Courthouse free of weapons. The judges have every right to be concerned. He is calling on the

County Executive to implement and follow through on the plan that he had made a decision on in July when he prepared his budget.

Supervisor Doug Noble spoke regarding Courthouse Security. The only thing we have left to do is to staff the south entrance. The Sheriff's Department should be able to rearrange the workforce and absorb two positions for Courthouse Security.

It was moved by Supervisor Modory to adopt the November 15<sup>th</sup> minutes. Seconded by Supervisor Michael.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:35.

Prepared by: Pam Young

Chief Deputy

Submitted by: Edna R. Highland

County Clerk