

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
March 20, 2007**

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

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

Excused: Supervisors Carbone, Arrington.

Present: 26. Excused: 2.

**CITIZEN COMMENTS**

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

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

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

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

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

**CHAIRMAN ANNOUNCEMENTS**

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

**SUPERVISOR REPORTS**

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

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

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

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

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

**COUNTY EXECUTIVE APPOINTMENTS**

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

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

**NEW BUSINESS**

Ordinances - one reading.

**ORDINANCE 44**

44. From the Land Use Committee regarding Somers Market Center LLC (Owner), Nathan Bryant, P.E., Bradford Real Estate Companies (Agent) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, A-4 Agricultural Land Holding District and M-2 Heavy Manufacturing District to B-4 Planned Business District and C-1 Lowland Resource Conservancy District with a (PUD) Planned Unit Development Overlay in the Town of Somers.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcels #80-4-222-271-0101, #80-4-222-271-0200 and #80-4-222-271-0211, all located in the northeast quarter of Section 27, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District, A-4 Agricultural Land Holding District and M-2 Heavy Manufacturing District to B-4 Planned Business District and C-1 Lowland Resource Conservancy District with a (PUD) Planned Unit Development Overlay. For informational purposes only, these properties are generally located on the northwest corner of the intersection of State Trunk Highway 31 (Green Bay Road) and County Trunk Highway "S" (38<sup>th</sup> Street).

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

**Description:** See Exhibit 1

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

SUBMITTED BY:

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

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

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

Roll call vote.

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

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

Ayes: 6. Nays: 20

Motion failed.

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

Roll call vote.

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

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

Ayes: 15 Nays: 11

Motion failed.

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

Roll call vote.

Ayes: Supervisors Grady, Marrelli, Jackson, Noble.

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

Ayes: 22. Nays: 4.

Motion failed.

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

Roll call vote.

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

Nays: Supervisors Rose, Huff, Molinaro, Jackson.

Ayes: 22. Nays: 4.

Motion carried

Roll call vote for Ordinance 44.

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

Nays: Supervisors Marrelli, Jackson, Noble.

Ayes: 23. Nays: 3

Motion carried.

#### ORDINANCE 45

45. From the Land Use Committee regarding Thomas J. and Patricia B. Lockhart requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Somers.

#### AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That part of Tax Parcel #80-4-222-031-0600 located in the northeast quarter of Section 3, Township 2 North, Range 22 East, Town of Somers be changed from A-1 Agricultural Preservation District (10.04 acres) to A-2 General Agricultural District. For informational purposes only, this property is located on the west side of 56<sup>th</sup> Avenue approximately 0.29 miles south of the intersection of 1<sup>st</sup> Place.

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

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

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

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

SUBMITTED BY:

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

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

#### ORDINANCE 46

46. From the Land Use Committee regarding Kenosha County Land Use Committee (Sponsor), Kenosha County (Owner) requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to I-1 Institutional District and C-1 Lowland Resource Conservancy District. In addition, rezoning from I-1 Institutional District to C-1 Lowland Resource Conservancy District and from C-1 Lowland Resource Conservancy District to I-1 Institutional District to reflect actual field conditions in the Town of Bristol.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

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

**Kenosha County - (Owners)**

**Description:** Presented in Exhibit 1

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

SUBMITTED BY:

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

It was moved by Supervisor Ekornaas to adopt Ordinance 46. Seconded by Supervisor Jackson.  
Roll call vote passed unanimously.

#### ORDINANCE 47

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

Residential District, PR-1 Park and Recreational District with a Planned Unit Development Overlay (PUD) in the Town of Bristol.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

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

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

**Description:** See exhibit 1

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

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

Roll call vote.

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

Abstain: Supervisor Clark.

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

Motion carried.

**ORDINANCE 48**

48. Berwick Properties, Inc. requesting a rezoning from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-3 Urban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Salem.

AN ORDINANCE TO AMEND CHAPTER 12 OF THE MUNICIPAL CODE OF  
KENOSHA COUNTY, WISCONSIN, WITH REFERENCE TO ZONING

That the map referred to in Section 12.02(a) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance be amended as follows:

That Tax Parcels #65-4-120-141-0700, #65-4-120-141-0801 and #65-4-120-114-2000 located in the northeast quarter of Section 14, Township 1 North, Range 20 East, Town of Salem be changed from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-3 Urban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, these properties are generally located between 84<sup>th</sup> Street on the north and County Trunk Highway "AH" (89<sup>th</sup> Street) on the south approximately 440' west of the intersection of 84<sup>th</sup> Street and 235<sup>th</sup> Avenue.

**Berwick Properties, Inc. - Owners**

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

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson  
Gabe Nudo

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

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

Abstain: Supervisor Clark.

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

Motion carried.

Resolution - one reading.

#### **RESOLUTION 103**

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

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

#### **RESOLUTION 104**

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

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

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending on December 2009, which agreement has since been ratified by the union, and

**WHEREAS**, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with its employee organizations, and

**WHEREAS**, the Administration Committee and Finance Committees of the County Board have reviewed said labor agreement,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve and adopt said labor agreement, the originals of which are herewith attached and on file in the County Clerk's Office.

**BE IT FURTHER RESOLVED** that the County Executive be directed and empowered for and on behalf of this body to make, sign, and execute all documents necessary to implement this directive.

SUBMITTED BY:

Administration Committee  
Dennis Elverman  
Kimberly Breunig  
James Moore

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

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

Motion carried.

#### **RESOLUTION 105**

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

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

**WHEREAS**, The Kenosha County Board of Supervisors values the youth of our community, and;

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

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

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

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

SUBMITTED BY:

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

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

Roll call vote.

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

Abstain: Supervisor Booth.

Ayes: 25. Nays: 0. Abstain: 1

Motion carried.

#### **RESOLUTION 106**

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

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

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

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

SUBMITTED BY:

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

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

Motion carried.

#### **RESOLUTION 107**

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

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

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

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

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

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

SUBMITTED BY:

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

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

#### **RESOLUTION 108**

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

**WHEREAS**, The Canadian Pacific Railway crosses Kenosha County Trunk Highway "L", 0.5 miles east of County Trunk Highway "H", and  
**WHEREAS**, the Kenosha County Department of Public Works has identified the railroad crossing at the above location to be in disrepair, and

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

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

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

SUBMITTED BY:

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

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

#### **RESOLUTION 109**

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

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

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

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



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

SUBMITTED BY:

Human Services Committee  
Judith Rossow  
Edward Kubicki  
David Arrington  
Ruth Booth

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

**RESOLUTION 110**

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

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

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

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

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

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

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

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

SUBMITTED BY:

Human Services Committee	Finance Committee
Judith Rossow	Mark Wisniewski
Edward Kubicki	Anita Faraone
David Arrington	John O'Day
Ruth Booth	Joe Clark

It was moved by Supervisor Rossow to adopt Resolution 110. Seconded by Supervisor Clark.  
Roll call vote passed unanimously.

**RESOLUTION 111**

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

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

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

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

will request authority through a second Resolution to continue the program through year end, and

**WHEREAS**, the total operating budget for the 2007 Intensive Sanctions program is funded by four sources: (1) State DOT grant \$52,467, (2) Client Fees collected by Wisconsin Community Services, Inc. from participants totaling \$54,777 (3) Sheriff's Dept. in-kind match of \$21,067, and (4) Sheriff's Department hard match of \$49,000 authorized in 2006 budget, for a total operating budget of \$177,311, and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors accept the partial award for \$36,801 and approve the Revenue and Expenditure line item modifications as per the attached budget modification form, which are incorporated herein by reference.

SUBMITTED BY:

Judiciary & Law Enforcement  
William Michel, II  
Ruth Booth  
David Arrington  
Joseph Clark  
Bob Haas

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

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

Roll call vote passed unanimously.

#### **RESOLUTION 112**

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

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

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

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

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

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

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

SUBMITTED BY:

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

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

**RESOLUTION 113**

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

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

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

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

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

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

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

SUBMITTED BY:

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

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

**COMMUNICATIONS**

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

**CLAIMS**

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

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

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

Meeting adjourned at 9:26 P.M.

Prepared by: Edie LaMothe  
Deputy Clerk

Submitted by: Edna R. Highland  
County Clerk