

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**January 21, 2003**

The **Regular Meeting** was called to order by Chairman Kessler at 7:30 p.m., in the County Board Room located in the Administration Building. The swearing in of William Grady, appointed to serve as Supervisor for District One took place  
Roll call was taken.

Present: Supervisors Grady, Noble, Rose, Kessler, Molinaro, Bergo, Johnson, Pitts, Larsen, Kerkman, Elverman, Smitz, Faraone, O'Day, Singer, Modory, Gorlinski, Carbone, Clark, Ekornaas, Marrelli, Carey-Mielke, Ruffolo.

Excused: Supervisor Boyer, Huff, Montemurro, Wisnefski, West.

Present. 23. Excused. 5.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Kessler stated that Supervisor Grady will be serving on the Human Services and Highway & Parks Committees.

**SUPERVISOR REPORTS**

Supervisor Noble complimented the whole board for the very productive meeting the week before.

Supervisor Noble asked the Legislative Committee to look at the possibility of having an election for supervisors if there is over a year left in a term. it should be opened for election instead of appointed.

Supervisor Larsen spoke regarding the rebuilding project on Sheridan Road from 7th Avenue north to the County Line Road. The state has not been cooperative in having public meetings. There has been no citizen input at this time. The Town of Somers, himself and several others are going to schedule a Town Hall Meeting to discuss this issue fully. The date will be announced soon.

Supervisor Clark wanted to clarify a comment made by a fellow supervisor about his negotiating and he has clarified it with that supervisor. He does have a back ground in real-estate and everything he did was gone over with Corporation Counsel. If he believes in something he spends time searching the issues coming up so that he can understand them. The last couple weeks the debates were good and everyone was more informed.

Supervisor Ruffolo commented on the article in the paper regarding the appointments of supervisors by the County Board chairman. The article was misleading. The news "slimed" the whole process.

**COUNTY EXECUTIVE APOINTMENT**

44. Mario B. Maritato to serve on the Kenosha County Board of Health.

Chairman Kessler referred Appointment 44 to the Human Services Committee.

**OLD BUSINESS**

Ordinance - second reading, two required.

52. From Highway & Parks Committee regarding Speed Limits for CTH "D" from STH 142 southerly to a point 0.70 miles south of its west intersection with STH 142.

It was moved by Supervisor Elverman to adopt Ordinance 52. Seconded by Supervisor Larsen.  
Motion carried.

**NEW BUSINESS**

Ordinances - one reading.

From Land Use Committee regarding:

**ORDINANCE 57**

57. Jerome E. and Judith M. Ketterhagen, 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 #30-4-220-051-0106 located in the northeast quarter of Section 5, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (10.01 acres). For informational purposes only, this property is located on the southeast corner of the intersection of (288<sup>th</sup> Avenue) and County Trunk Highway "KR" (1<sup>st</sup> Street).

**Jerome E. and Judith M. Ketterhagen - (Owners)**

**Description:** That part of the northeast quarter and the southeast quarter of the northeast quarter of Section 5, 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 northeast quarter section; thence south 88°46'04" west along the north line of said northeast quarter section 780.00 feet to the place of beginning of this description; thence south 02°07'14" east 1118.04 feet; thence south 88°46'04" west 390.00 feet; thence north 02°07'14" west 1118.04 feet to a point on the north line of said northeast quarter section; thence north 88°46'04" east along said north line 390.00 feet to the place of beginning. Containing 10.01 acres of land more or less. Subject to rights of the public over the north 33 feet thereof for road purposes (County Line Road).

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

#### ORDINANCE 58

58. Richard F. and Kathleen M. Frederick Family Trust, 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 #45-4-221-091-0200 located in the northeast quarter of Section 9, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (8.01 acres). For informational purposes only, this property is located on the northwest side of County Trunk Highway "A" (180<sup>th</sup> Avenue) at the intersection of County Trunk Highway "D" (172<sup>nd</sup> Avenue).

**Richard F. and Kathleen M. Frederick Family Trust - (Owners)**

**Description:** Being part of the northeast quarter and the northwest quarter of Section 9, Township 2 North, Range 21 East of the Fourth Principal Meridian in the Town of Paris, County of Kenosha, and State of Wisconsin and being more particularly described as follows: Commence at the southwest corner of the northeast quarter of said Section 9; thence north 00°46'02" west along the west line of said northeast quarter, 1373.32 feet to the centerline of County Trunk Highway "A" as traveled; thence north 44°47'42" east along said centerline, 300.00 feet to the place of beginning of a parcel of land hereinafter described; thence north 45°12'18" west, 659.67 feet; thence north 44°43'22" east, 660.00 feet; thence south 45°12'18", 659.67 feet to a point in the centerline of County Trunk Highway "A" as traveled; thence south 44°24'55" west along said centerline, 125.79 feet; thence south 44°47'42" west along said centerline, 80.21 feet; thence north 45°02'19" west (recorded as north 44°56'04" west); 262.35 feet; thence south 46°25'52" west (recorded as south 47°38'32" west), 196.98 feet; thence south 01°18'23" east (recorded as south 01°10'31" east), 371.89 feet to the centerline of County Trunk Highway "A" as traveled and the place of beginning. Containing 8.01 acres of land more or

less. Subject to the rights of the public over the southeasternmost 33 feet for highway purposes (County Trunk Highway "A").

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

#### ORDINANCE 59

59. Town of Salem (Sponsor)/Lawrence and Ronald Ozog (Owners), requesting rezoning from I-1 Institutional 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 Parcels #67-4-120-303-0995 and #67-4-120-303-1000 located in the southwest quarter of Section 30, Township 1 North, Range 20 East, Town of Salem be changed from I-1 Institutional District to R-4 Urban Single-Family Residential District. For informational purposes only, these properties are located on the east side of 306<sup>th</sup> Court approximately 94 feet south of the intersection of 114<sup>th</sup> Street.

#### **Town of Salem - (Sponsor)**

#### **Lawrence and Ronald Ozog - (Owners)**

**Description:** Part of the southwest quarter of Section 30, Township 1 North, Range 20 East of the Fourth Principal Meridian, and more particularly described as follows: Begin at a point on the easterly line of Mill Street south 26° west, 663.59 feet from the northwest corner of Block 13 of the Village of Wilmot, a subdivision of record; thence south 26° east, along the easterly line of Mill Street, 12.01 feet; thence south 61°07' east, 75.07 feet; thence south 21°53' west, 111.87 feet; thence south 59°28' east, 27 feet, more or less to the bank of Fox River; thence northerly along the bank of Fox River to a point that is south 61°07' east, 109.23 feet from the point of beginning; thence north 61°07' west, 109.23 feet and to the point of beginning, and lying and being in the Town of Salem, County of Kenosha, State of Wisconsin.

**In addition:** Part of the southwest quarter of Section 30, Township 1 North, Range 20 East of the Fourth Principal Meridian, described as follows: Commencing at a point on the easterly line of Mill Street, 675.58 feet south 26° west from the northwest corner of Block 13 of the Village of Wilmot, a subdivision of record, (recorded as 674.50 feet); thence south 61°07' east, 175.07 feet; thence south 21°53' west, 111.87 feet; thence south 59°28' east, 27 feet, more or less, and to the bank of the Fox River; thence southerly along the bank of the Fox River to the northerly line of the part platted in Carey's Riverview Subdivision, a plat of record; thence north 60° west, along Carey's Riverview Subdivision, 126.39 feet, more or less, and to the easterly line of Mill Street; thence north 25°59' east along the easterly line of Mill Street, 159.84 feet and to the point of beginning, and lying and being in the Town of Salem, County of Kenosha, State of Wisconsin.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

It was moved by Supervisor Smitz to adopt Ordinances 57 thru 59. Seconded by Supervisor Gorlinski.

Motion carried.

**ORDINANCE 60**

60. Extending a Moratorium on Consideration and/or issuance of zoning permits, conditional use permits, and zoning approvals for adult entertainment establishments pending a Land Use Committee Study to determine how the Zoning Ordinance should be changed to protect the public health, safety and general welfare in light of recent developments in the law.

**WHEREAS**, studies in other communities indicate that adult establishments and certain activities that frequently occur in or around adult establishments, have tended to further the increase of criminal and other offensive activity, to disrupt the peace and order of communities, to depreciate the value of real property, to harm the economic welfare of communities, to encourage or facilitate the spread of sexually transmitted diseases, and to affect the quality of life of the communities; and

**WHEREAS**, these secondary effects of adult establishments are detrimental to the public health, safety and general welfare of Kenosha County residents, businesses and visitors; and

**WHEREAS**, the Kenosha County Board of Supervisors has previously adopted regulations to limit the secondary effects of adult establishments within the County, including Kenosha County Zoning Ordinance Sections 12.26-3 and 12.29-8(b)2; and

**WHEREAS**, developments in the law subsequent to the adoption of those regulations may have rendered some of those regulations ineffective; and

**WHEREAS**, a moratorium on consideration and/or issuance of zoning permits, Conditional Use Permits, and zoning approvals for adult entertainment establishments is necessary to allow the Kenosha County Land Use Committee to study how the zoning ordinance should be changed to address developments in the law while still protecting the public health, safety and general welfare of Kenosha County residents, businesses and visitors.

**NOW, THEREFORE**, the Kenosha County Board of Supervisors does hereby ordain as follows:

**Sec. 1. -- Declaration of Moratorium.** A moratorium is hereby declared with respect to the acceptance of applications for and the issuance of any of the following:

- A. Zoning permits for any Adult Establishment described in Kenosha County Zoning Ordinance Section 12.26-3;
- B. Conditional Use Permits required under Kenosha County Zoning Ordinance Sections 12.26-3 or 12.29-8(b)2;
- C. Approval of an Adult Entertainment District as provided in Kenosha County Zoning Ordinance Section 12.26-3.

**Sec. 2 -- Duration of Moratorium.** This moratorium shall be in effect for four months following the effective date of this ordinance or until a revised adult establishment ordinance is adopted and takes effect, whichever is earlier.

**Sec. 3 -- Direction to Develop Revised Ordinance.** During the period of this moratorium, the Land Use Committee is directed to draft a revised ordinance providing comprehensive regulation of adult establishments which shall be presented to the Kenosha County Board of Supervisors on the earliest possible date. It is the intention of the Board of Supervisors to adopt a revised ordinance prior to the expiration of this moratorium.

**Sec. 4 -- Subjects for Consideration.** In preparing a revised ordinance, the Land Use Committee shall review and evaluate Kenosha County Zoning Ordinance Sections 12.26-3 and 12.29-8(b)2, consider available studies and information concerning the secondary effects of adult establishments in Kenosha County and elsewhere, consult with legal counsel, solicit input from appropriate county staff, and review any other information the Land Use Committee deems appropriate. The subjects the Land Use Committee may consider include, but are not limited to, the following:

- A. The under-inclusiveness or over-inclusiveness of Kenosha County Zoning Ordinance Sections 12.26-3 and 12.29-8(b)2.
- B. The appropriateness of current separation requirements between

different adult establishments and between adult establishments and other land uses.

C. The secondary effects of different kinds of adult establishments and the need to treat the establishments differently.

D. The extent to which some kinds of adult establishments may be banned entirely and the extent to which such a ban would reflect community standards.

E. The need for a licensing ordinance governing the ongoing operation of adult establishments.

**Sec. 5 -- Severability.** If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

**Sec. 6 -- Construction.** If the provisions of this ordinance are found to be inconsistent with other provisions of the Kenosha County Code of Ordinances, this ordinance is deemed to control.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

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

Motion carried.

Resolutions - one reading.

#### RESOLUTION 105

105. From Administration and Judiciary & Law Committees regarding Leave of Absence for David G. Beth to hold the Office of Sheriff.

**WHEREAS,** David G. Beth has been elected Sheriff of Kenosha County, effective January 7, 2003, and

**WHEREAS,** David G. Beth held the rank of Deputy with Kenosha County Sheriff's Department before being elected, and

**WHEREAS,** David G. Beth is requesting to seek a leave of absence from the rank of Deputy to hold the Office of Sheriff of Kenosha County, pursuant to Chapter 4 (12)(a)(1),(2) and (3) of the Municipal Code of Kenosha County, and

**WHEREAS,** David G. Beth has requested such leave of absence be granted for the period of time he holds the Office of Sheriff of Kenosha County.

**NOW, THEREFORE BE IT RESOLVED,** that David G. Beth be granted a leave of absence from the Kenosha County Sheriff's Department to assume the Office of Sheriff, Kenosha County, effective January 7, 2003, and

**BE IT FURTHER RESOLVED,** that should his tenure as Sheriff of Kenosha County end, David G. Beth will return to the position of Deputy with the Kenosha County Sheriff's Department, pursuant to Chapter 4 (12)(a)(3) of the Municipal Code of Kenosha County.

Submitted by:

ADMINISTRATION COMMITTEE

David Singer

Mark Modory

Joe Clark

John Ruffolo

Tom Kerkman

JUDICIARY & LAW ENFORCEMENT COMMITTEE

James Huff

Brenda Carey-Mielke,

Anita Faraone

Joe Montemurro

Terry Rose

It was moved by Supervisor Singer to adopt Resolution 105. Seconded by Supervisor Carey-Mielke.

Motion carried.

**RESOLUTION 106**

106. From Finance Committee regarding Bills of \$5,000.00.

**WHEREAS**, the Wisconsin State Statutes provides that the County Board may act on all bills over \$10,000.00 and

**WHEREAS** the County Resolution requires that the Finance Committee must act on all bills over \$5,000.00, and

**NOW, THEREFORE LET IT BE RESOLVED**, that the following bills be approved for payment:

KENOSHA COUNTY PAYMENT GROUPS BILLS OVER \$5,000.00

APPROVAL BY FINANCE COMMITTEE AND COUNTY BOARD ARE REQUIRED:

<u>DIVISIONS</u>	<u>PAYMENT GROUPS</u>
FINANCE GROUPING # 1	\$1,934,478.44
FINANCE GROUPING # 2	\$1,571,472.00
FINANCE GROUPING # 3	\$ 787,728.87
DISABILITY GROUPING # 1	\$ 851,767.13
PAYMENT GROUPS GRAND TOTAL:	\$5,145,446.44

Submitted by:

FINANCE COMMITTEE

Robert Carbone

John O'Day

Terry Rose

Gordon West

Robert Pitts

It was moved by Supervisor Carbone to adopt Resolution 106. Seconded by Supervisor Rose. Supervisor Clark abstained on Community Impact Programs, Women Horizons and Professional services Group.  
Motion carried.

**RESOLUTION 107**

107. From Finance Committee regarding Approving the Kenosha County 2002 Annual Comprehensive Economic Development Strategy (CEDs) Plan dated July 2002 and authorizing the submission of said report to the United States Department of Commerce Economic Development Administration.

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

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

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

**WHEREAS**, Kenosha Area Business Alliance, Inc. (KABA), in conjunction with Southeastern Wisconsin Regional Planning Commission (SEWRPC), has prepared the 2002 Annual CEDs Report covering the period July 1, 2002 through June 30, 2002; and

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

**WHEREAS**, the County Board Finance Committee has reviewed the 2002 Annual CEDs Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board hereby approves the 2002 Annual CEDs Plan; and

**BE IT FURTHER RESOLVED** that the KABA, in conjunction with the County Executive, is hereby authorized and directed to submit the 2002 Annual CEDs Plan to the United States Department of Commerce, Economic Development Administration; and

**BE IT FURTHER RESOLVED** that the KABA is requested to submit the 2002 Annual CEDs Plan, for review and consideration, to all local units of government in Kenosha County.

Submitted by:

FINANCE COMMITTEE

Robert Carbone  
John O'Day  
Robert Pitts  
Terry Rose  
Gordon West

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

**RESOLUTION 108**

108. From Finance Committee regarding Sale and Transfer of County Tax Deeded Property to the City of Kenosha.

**WHEREAS**, Kenosha County has acquired Tax Deed and Title to Parcels 05-123-06-302-020, 05-123-06-302-022, 05-123-06-302-023, 12-223-31-386-007, located in the City of Kenosha, County of Kenosha, State of Wisconsin, and

**WHEREAS**, the City of Kenosha has expressed an interest in acquiring title to these properties, which the City of Kenosha Housing Authority is planning on constructing new housing to benefit low to moderate income people and revitalization of the neighborhoods, and

**WHEREAS**, Sections 59.07(1)(c) and 75.69(2) of the Wisconsin Statutes permits sale of this property to a municipality.

**NOW, THEREFORE, BE IT RESOLVED** that Kenosha County execute quit claim deeds on the above parcels to the City of Kenosha for one dollar(\$1.00)each and other good and valuable consideration and on the condition that City of Kenosha waive any and all special assessments that are due and owing on said parcels to utilized for construction of new homes.

Submitted by:

FINANCE COMMITTEE  
Robert Carbone  
Terry Rose  
John O'Day  
Robert Pitts  
Gordon West

It was moved by Supervisor Carbone to adopt Resolution 108. Seconded by Supervisor Pitts.  
Motion carried.

**RESOLUTION 109**

109. From Finance Committee regarding Budget Modification - County Board.

**WHEREAS**, the funds budgeted for publication of County Board proceedings for 2002 will be insufficient to meet the increased costs through December 31, 2002, and

**WHEREAS**, these are required by law to be published, and

**WHEREAS**, there where some unexpected changes in ordinances that required costs that were not included in the budget, and

**WHEREAS**, this will not require any transfer from the General Fund, and

**WHEREAS**, there are sufficient funds within the County Board Budget to cover this shortfall.

**NOW, THEREFORE BE IT RESOLVED**, that funds be transferred as shown on the attached budget modification form which is incorporated by reference.

Submitted by:

FINANCE COMMITTEE  
Robert Carbone  
Terry Rose  
John O'Day  
Robert Pitts  
Gordon West

It was moved by Supervisor Carbone to adopt Resolution 109. Seconded by Supervisor Rose.  
Motion carried unanimously.

**RESOLUTION 110**

110. From Human Services and Finance Committees regarding Increasing 2003 Division of Aging Budget to reflect a Grant from the Eastern Wisconsin Area Health Education Center.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received a grant from the Eastern Wisconsin Area Health Education Center for long term care staff training, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2003 budget of the Department of Human Services Division of Aging Services be modified as follows: Expenditures and Revenues increase by \$10,500 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

HUMAN SERVICES COMMITTEE  
Eunice Boyer  
Anne Bergo  
Don Smitz  
John O'Day

FINANCE COMMITTEE  
Robert Carbone  
Terry rose  
Robert Pitts  
John O'Day  
Gordon West

It was moved by Supervisor Bergo to adopt resolution 110. Seconded by Supervisor O'Day.  
Motion carried unanimously.

**RESOLUTION 111**

111. From Human Services and Finance Committees regarding Modifying the 2002 Division of Aging Budget to reflect increased Direct Service Elder Abuse Grant and a Transfer in Aging Administrative Funds.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received an increase in the Elder Abuse Direct Services Grant, and

**WHEREAS**, The Division wishes to transfer \$100 from mileage to equipment rental, and,

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2002 budget of the Department of Human Services Division of Aging Services be modified as follows: Expenditures and Revenues increase by \$7,000 and \$100 be transferred between line items as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

HUMAN SERVICES COMMITTEE  
Eunice Boyer  
Anne Bergo  
Don Smitz  
John O'Day

FINANCE COMMITTEE  
Robert Carbone  
Terry rose  
Robert Pitts  
Gordon West  
John O'Day

It was moved by Supervisor Bergo to adopt Resolution 111. Seconded by Supervisor Pitts.  
Motion carried unanimously.

**RESOLUTION 112**

112. From Human Services and Finance Committees regarding Increasing the 2003 Division of Aging Budget to reflect increased 2003 State Allocations.

**WHEREAS**, The Kenosha County Department of Human Services Division of Aging Services has received an increase in Resource Center, Elder Abuse, and Community Options Program and a decrease in Alzheimer's Support 2003 allocations, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 2003 budget of the Department of Human Services Division of Aging Services be modified as follows: Expenditures and Revenues increase by \$204,218 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:

HUMAN SERVICES COMMITTEE  
Eunice Boyer  
Don Smitz  
Anne Bergo  
John O'Day

FINANCE COMMITTEE  
Robert Carbone  
Terry Rose  
Robert Pitts  
Gordon West

Gordon West

John O'Day

It was moved by Supervisor Bergo to adopt resolution 112. Seconded by Supervisor O'Day.  
Motion carried unanimously.

**RESOLUTION 113**

113. From Human Services and Finance Committees regarding Kenosha County Division of Workforce Development for 4th quarter Budget Modification for Transfer of Budget Funds from Workforce Development to Information Systems.

**WHEREAS**, the Kenosha County Department of Human Services, Division of Workforce Development developed a 2002 budget based on contract information projected by the State of Wisconsin, and

**WHEREAS**, the Division of Workforce Development is requesting to transfer \$2,177 from Purchased Services to IS Computer Hardware to purchase replacement computers and computer wiring, and

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

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

Authorize the transfer of budget for \$2,177, from purchased services to computer hardware, per the attached budget modification incorporated herein by reference.

Submitted by:

HUMAN SERVICES COMMITTEE

Eunice Boyer

Anne Bergo

Don Smitz

John O'Day

FINANCE COMMITTEE

Robert Carbone

Terry Rose

Robert Pitts

Gordon West

John O'Day

It was moved by Supervisor Bergo to adopt resolution 113. Seconded by Supervisor Carbone.  
Motion carried unanimously.

**RESOLUTION 114**

114. From Human Services and Finance Committees regarding Division of Health: Modifying 2002 budget to reflect funding awarded by WI Department of Health and Family Services for the Tri-County Public Health Consortium of Southeastern Wisconsin.

**WHEREAS**, the Kenosha County Department of Human Services, Division of Health has received funding from the Wisconsin Department of Health and Family Services in the amount of \$350,095 for the period of January 1, 2002 through December 31, 2002, and

**WHEREAS**, the Kenosha County Department of Human Services, Division of Health has received these funds for the Tri-County Public Health Consortium of Southeastern Wisconsin. The consortium is a regional partnership including the Local Public Health Departments of Racine, Walworth, and Kenosha counties. The mission of the consortium is to provide a mechanism to respond to a public health event, which may occur throughout the region.

**WHEREAS**, Kenosha County Department of Human Services, Division of Health is acting as the lead agency and fiscal agent for the consortium,

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

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

Revenue increases by \$334,860 and expenditures increase by \$317,254 as indicated in the attached budget modifications which are incorporated into this resolution by reference and any unexpended dollars as of December 31, 2002 should be rolled over into the 2003 budget.

Submitted by:

HUMAN SERVICES COMMITTEE

Eunice Boyer

Anne Bergo

John O'Day

Donald Smitz

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

Gordon West

It was moved by Supervisor Bergo to adopt Resolution 144. Seconded by Supervisor Carbone.  
Motion carried unanimously.

**RESOLUTION 115**

115. From Judiciary & Law and Finance Committees regarding WMD (Weapons of Mass Destruction) Exercise Funding Grant Award.

**WHEREAS**, Kenosha County Division of Emergency Management has been awarded a Weapons of Mass Destruction Exercise funding Grant totaling \$17,620 from the State of Wisconsin Division of Emergency Management (WEM), and

**WHEREAS**, this grant will be used to hire a consultant to design, coordinate and conduct a table-top and full-scale exercise, and to pay for materials, supplies, and expendable equipment for these exercises, not including County/Municipal wages/salaries, and

**WHEREAS**, these exercises will be conducted in FY03, and

**WHEREAS**, this exercise will bring statewide, regional and federal officials to Kenosha County to observe this unique exercise with Metra Commuter Rail, and

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

**WHEREAS**, the Kenosha County Emergency Management Budget will require a FY03 Budget Modification of \$17,620,

**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.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

Brenda Carey-Mielke

Anita Faraone

Joe Montemurro

Terry Rose

FINANCE COMMITTEE

Robert Carbone

Robert Pitts

Gordon West

Terry rose

John O'day

It was moved by Supervisor Carey-Mielke to adopt Resolution 115. Seconded by Supervisor Pitts.  
Motion carried unanimously.

**RESOLUTION 116**

116. From Judiciary & Law and Finance Committees regarding Terrorism/WMD (Weapons of Mass Destruction) Equipment Grants.

**WHEREAS**, Kenosha County Division of Emergency Management has been awarded two Terrorism/Weapons of Mass Destruction grants totaling \$146,440 for FY02 from US Dept of Justice (DOJ) through the State of Wisconsin Division of Emergency Management (WEM), and

**WHEREAS**, these grants are to be used for terrorism related equipment for First Responders as well as to enhance security at Critical Infrastructure Facilities, and

**WHEREAS**, these Terrorism/WMD grants are to be used to pay for personal protective equipment, explosive device mitigation and remediation equipment, WMD technical rescue equipment, interoperable communications equipment, detection equipment, decontamination equipment, physical security enhancement equipment for security of critical infrastructure, general support equipment and medical supplies, and

**WHEREAS**, the cost of these grants are 100% funded by DOJ through WEM, requiring no tax levy, and

**WHEREAS**, these grant dollars will be spent in FY03 and the FY03 Budget already includes \$80,000, which represented the estimated amount of these grants, and

**WHEREAS**, the actual amount of these grants was \$146,440 requiring a FY03 budget modification of \$66,440,

**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.

Submitted by:

JUDICIARY & LAW COMMITTEE

James Huff

FINANCE COMMITTEE

Robert Carbone

Brenda Carey-Mielke  
Anita Faraone  
Joe Montemurro  
Terry Rose

Terry Rose  
Robert Pitts  
Gordon West  
John O'Day

It was moved by Supervisor Carey-Mielke to adopt Resolution 116.  
Seconded by Supervisor Carbone.  
Motion carried unanimously.

**RESOLUTION 117**

117. From Judiciary & Law and Finance Committees regarding FY02 Supplemental Terrorism Planning Grant.

**WHEREAS**, Kenosha County Division of Emergency Management has been awarded a FY02 Supplemental Terrorism Planning Grant totaling \$27,088 from the Federal Emergency Management Agency (FEMA) through Wisconsin Emergency Management (WEM), and

**WHEREAS**, the FY02 Supplemental Terrorism Planning Grant is to be used to rewrite the County's Emergency Operations Plan, develop a County Continuity of Operations Plan, conduct various surveys as required by the State and Federal Government, and conduct Critical Facility Assessments, and

**WHEREAS**, the work under this Grant must be completed by December 15, 2003 and if not completed will make Kenosha County and its municipalities ineligible to receive future Terrorism Equipment Grant funding, and

**WHEREAS**, Kenosha County will hire a limited term, non-rep temp for the duration of this Grant and will provide overtime money for Emergency Management staff, and

**WHEREAS**, the cost of this grant will require no tax levy,

**NOW, THEREFORE BE IT RESOLVED**, that the Kenosha County Board of Supervisors approve that the FY02 Emergency Management revenue and expenditure line items be modified, as per the attached budget modification form.

Submitted by:

**JUDICIARY & LAW COMMITTEE**

James Huff  
Brenda Carey-Mielke  
Anita Faraone  
Joe Montemurro  
Terry Rose

**FINANCE COMMITTEE**

Robert Carbone  
Terry Rose  
Robert Pitts  
Gordon West  
John O'Day

It was moved by Supervisor Carey-Mielke to adopt Resolution 117.  
Seconded by Supervisor O'Day.  
Motion carried unanimously.

**RESOLUTION 118**

118. From Judiciary & Law, Administration and Finance Committees regarding Authorized Position Reduction of Captain/Authorized Position Increase of Lieutenant.

**WHEREAS**, the Kenosha County Sheriff's Department has been authorized by the Kenosha County Board of supervisors to maintain 3FTE's of the position of Captain and 8 FTE's of position of Lieutenant, and

**WHEREAS**, on January 7, 1997, the Kenosha County Board of supervisors approved a leave of absence by resolution of then Lieutenant Larry C. Zarletti to hold the position of Sheriff, to be re-instated when he left office, and

**WHEREAS**, one FTE position of Captain would be eliminated, leaving 2 authorized FTE's of captain, and the FTE's of Lieutenant would increase by one to 9, to allow former sheriff Larry Zarletti to return to his position of Lieutenant, and

**WHEREAS**, this will not increase the overall authorized FTE's with in the Sheriff's department of 313.8 for 2003.

**NOW, THEREFORE BE RESOLVED**, that the Kenosha County board of Supervisors approve the reduction of FTE's in position of Captain from 3 to 2, and the increase of FTE's in the position of Lieutenant from 8 to 9.

Submitted by:

**JUDICIARY & LAW COMMITTEE**

James Huff  
Brenda Carey-Mielke  
Anita Faraone  
Joe Montemurro

**FINANCE COMMITTEE**

Robert Carbone  
Terry Rose  
John O'Day  
Robert Pitts

Terry Rose

Gordon West

It was moved by Supervisor Carey-Mielke to adopt Resolution 118.  
Seconded by Supervisor O'Day.  
Motion carried unanimously.

COMMUNICATIONS

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

21. From Jean A. Morgan, City Clerk-Treasurer regarding annexation from the Town of Somers.

Chairman Kessler referred Communications 20 & 21 Land Use committee.

CLAIMS

32. Tonya Ebert-Hoffman - fell in parking lot.

33. Chad Held - broken windshield.

Chairman Kessler referred Claims 32 & 33 to Corporation Counsel.

Supervisor Molinaro questioned the January 7th minutes regarding the roll call vote that the Clerk's Office has on file. Supervisor Molinaro wanted the minutes amended to eliminate the recorded roll call vote. Supervisor Rose questioned the reconstruction of a recorded vote. We have a recorded vote count and that should not be amended and the minutes should reflect what actually happened. Supervisor Molinaro questioned if there in fact is a print-out of the vote. Supervisor Molinaro stated that if you are not at your desk for a roll call vote you do not vote after seeing the total. This is inappropriate. Supervisor Noble stated that the January 7th Meeting was adjourned on a voice vote. After much confusion a roll call vote was called for. Supervisor Molinaro questioned the motion to suspend the agenda until January 14 and the chairman did not allow for debate and he did not like the way it was handled. And hopes we will never be in that situation again.

It was moved by Supervisor Singer to adjourn. Seconded by Supervisor Rose.

Roll call vote to adjourn.

Motion carried. 21 -2 (no print-out of the vote)

Meeting adjourned at 9:15 p.m.

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