

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

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

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

Excused: Supervisors Haas.

Absent: Supervisor Wisnefski.

Present. 26. Excused 1. Absent. 1.

CITIZEN COMMENTS

Kurt Koser, 4122-109th Street, Pleasant Prairie. Last Tuesday the Building & Grounds Committee voted to tear down a building by Kemper Hall. This house is in the 3rd Avenue Historic District. It is part of the history of Kemper Center.

SUPERVISOR COMMENTS

Supervisor Jackson let everyone know about the Wisconsin Way Meeting on December 4th and that is also County Board night. Look on the internet under wisconsinway.com regarding property tax and education. Questions and comments can be done on line.

Supervisor Molinaro stated that he did not have a report but requested a report on Juvenile Intake. He would like an up-date and also a report on the contract.

NEW BUSINESS

Ordinances - one reading

ORDINANCE 41

41. From Land Use Committee regarding Land Use Committee (Sponsor), Lori Ann and Anthony Zwilling (Owners) requesting rezoning from R-2 Suburban Single-Family Residential District to C-1 Lowland Resource Conservancy District Town of Wheatland.

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

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

That part of Tax Parcel #95-4-119-011-0305 located in the northeast quarter of Section 1, Township 1 North, Range 19 East, Town of Wheatland be changed from R-2 Suburban Single-Family Residential District to C-1 Lowland Resource Conservancy District. This rezoning is considered a zoning map amendment to reflect actual field conditions. For informational purposes only, this property is located on the south side of County Trunk Highway "K" (60th Street) approximately 0.6 miles east of the intersection of County Trunk Highway "W".

Lori Ann and Anthony Zwilling (Owners)

Description: C-1 Lowland Resource Conservancy District

WEST WETLAND LEGAL DESCRIPTION:

BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF WHEATLAND, COUNTY OF KENOSHA, STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE NORTH 87°52'54" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 SECTION 966.94 FEET; THENCE SOUTH 01°19'06" EAST 40.00 FEET TO A POINT ON THE SOUTH LINE OF COUNTY TRUNK HIGHWAY "K" AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 87°52'54" EAST ALONG SAID SOUTH LINE 72.55 FEET; THENCE SOUTH, 01°04'19" WEST 1.07 FEET; THENCE SOUTH 02°32'33" WEST 22.87 FEET; THENCE SOUTH.00°35'05" EAST 16.17 FEET; THENCE SOUTH 01°40'51" EAST 17.99 FEET; THENCE SOUTH 31°04'55" EAST 20.23 FEET; THENCE SOUTH 13°38'21" EAST 23.86 FEET; THENCE SOUTH 22°08'50" WEST 36.30 FEET; THENCE SOUTH, 82°27'29" WEST 22.12 FEET; THENCE NORTH 74°23'12" WEST 28.17 FEET; THENCE NORTH 64°00'31" EAST 25.45 FEET; THENCE NORTH 01°19'06" WEST 113.73 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.22 ACRES OF LAND MORE OR LESS.

EAST WETLAND LEGAL DESCRIPTION:

BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF WHEATLAND, COUNTY OF KENOSHA, STATE OF WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 1; THENCE -NORTH 87°52'54" EAST ALONG THE NORTH LINE OF SAID NORTHEAST 1 /4 SECTION 966.94 FEET; THENCE SOUTH 01°19'06" EAST 40.00 FEET TO A POINT ON THE SOUTH LINE OF COUNTY TRUNK HIGHWAY "K"; THENCE NORTH 87°52'54" EAST ALONG SAID SOUTH LINE-103.04 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 87°52'54" EAST ALONG SAID SOUTH LINE 135.53 FEET; THENCE SOUTH 07°57'14" WEST 8.84 FEET; THENCE SOUTH 18°35'54" WEST 25.08 FEET; THENCE SOUTH 16°59'27" WEST 15.22 FEET; THENCE SOUTH 73°29'10" WEST 20.49 FEET; THENCE SOUTH 71°48'34" WEST 39.12 FEET; THENCE SOUTH 48°37'36" WEST 30.62 FEET; THENCE SOUTH 41°23'12" WEST 12.52 FEET; THENCE NORTH 79°39'31" WEST 12.55 FEET; THENCE NORTH 51°33'22" WEST 16.80 FEET; THENCE NORTH 20°49'07" WEST 20.01 FEET; THENCE NORTH 15°51'54" WEST 32.60 FEET; THENCE NORTH -25°14'11" EAST 13.73 FEET; THENCE NORTH 08°02'45" EAST 14.50 FEET; THENCE NORTH 12°30'59" WEST 0.23 FEET TO THE PLACE OF BEGINNING. CONTAINING 0.20 ACRES OF LAND MORE OR LESS.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas, Chairman

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

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

Motion carried.

ORDINANCE 42

42. From Land Use Committee Attic Self Storage Facility (Owner), Town of Salem (Buyer/Agent) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to I-1 Institutional District, A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District in the Town of Salem.

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

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

That Tax Parcels #66-4-120-274-0103 and #66-4-120-273-0100 located in the southeast and southwest quarters of Section 27, Township 1 North, Range 20 East, Town of Salem be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District and C-1 Lowland Resource Conservancy District to I-1 Institutional District, A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the north side of County Trunk Highway "C" (Wilmot Road) immediately east of the Wisconsin Central Transportation Corporation Railway Crossing.

Attic Self Storage Facility - Owner

Town of Salem - Buyer

Description: See Exhibit #1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 42. Seconded by Supervisor Nudo.

Motion carried.

ORDINANCE 43

43. From Land Use Committee regarding Delores S. Thomas, Gail M. and Larry L. Schwaiger (Owners) requesting rezoning from A-2 General Agricultural District to A-4 Agricultural Land Holding District and R-2 Suburban Single-Family Residential District on Tax Parcel #80-4-222-092-0313 (Thomas) and from R-2 Suburban Single-Family Residential District to A-4 Agricultural Land Holding District in the Town of Somers.

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

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

That Tax Parcel #80-4-222-092-0313 (Thomas) and part of Tax Parcel #80-4-222-093-0251 (Schwaiger) located in the northwest and southwest quarter sections of Section 9, Township 2 North, Range 22 East, Town of Somers be changed as follows: #80-4-222-092-0313 from A-2 General Agricultural District to A-4 Agricultural Land Holding District and R-2 Suburban Single-Family Residential District; and from R-2 Suburban Single-Family Residential District to A-4 Agricultural Land Holding District on part of Tax Parcel #80-4-222-093-0251 (Schwaiger). For informational purposes only, these properties are located on the east side of County Trunk Highway "H" (88th Avenue) approximately 165' north of the intersection of 10th Place.

Delores S. Thomas - Owner #80-4-222-092-0313

Gail M. and Larry L. Schwaiger - Owners #80-4-222-093-0251

Description: See Exhibit #1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 43. Seconded by Supervisor Jackson.

Motion carried.

ORDINANCE 44

44. From Land Use Committee Land Use Committee (Sponsor), Eron I. Miller (Owner) requesting rezoning from R-2 Suburban Single-Family Residential District and C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy Town of Wheatland.

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

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

That Tax Parcel #95-4-119-061-0320 located in the northeast quarter of Section 6, Township 1 North, Range 19 East, Town of Wheatland be changed from R-2 Suburban Single-Family Residential District and C-2 Upland Resource Conservancy District to R-2 Suburban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the east side of 396th Avenue at the intersection of County Trunk Highway "P" (400th Avenue).

Eron I. Miller - Owner

Description: See Exhibit #1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 44. Seconded by Supervisor Roger Johnson.

ORDINANCE 45

45. From Land Use Committee Stafford Residential LLC requesting rezoning from PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District Town of Salem.

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

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

That Tax Parcel #66-4-120-264-0251 located in the southeast quarter of Section 26, Township 1 North, Range 20 East, Town of Salem be changed from PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District, PR-1 Park and Recreation District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the south side of 115th Street between 232nd Avenue and 236th Avenue.

Stafford Residential LLC - Owner

Description: See exhibit #1 attached.

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

Submitted by:

LAND USE COMMITTEE

Fred R. Ekornaas

John J. O'Day

Jennifer S. Jackson

Roger Johnson

Gabe Nudo

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

Roll call vote.

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

Nays: Supervisor Jackson.

Motion carried.

Resolutions - one reading.

RESOLUTION 75

75. From Building and Grounds and Finance Committees regarding Kenosha County Detention Center Remodeling Project Budget Modification.

WHEREAS, Kenosha County conducts stormwater analyses on all development proposals submitted to the Department of Planning and Development for approval, and

WHEREAS, reviews would be more efficient and effective, and further, completed in a more timely manner if the Planning and Development staff engineer had

AutoCAD software for said reviews, and

WHEREAS, funds are available in the Department of Planning and Development - Development Review & Verification budget which could be used for the purchase of the AutoCAD software, and

WHEREAS, the requested transfer of funds within this 2007 adopted budget would assure that better tools are available to the Engineer to complete stormwater reviews, and

NOW, THEREFORE, BE IT RESOLVED that funds are transferred from the Development Review & Verification budget to the Information Services budget per the attached budget modification form.

Approved by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita Faraone

Joseph D. Clark

LAND USE COMMITTEE

Fred R. Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

John O'Day

Gabe Nudo

It was moved by Supervisor Singer to adopt Resolution 75. Seconded by Supervisor Carbone.
2/3 vote required.
Motion carried unanimously.

RESOLUTION 76

76. From Extension Education and Finance Committees regarding Budget Modification resolution - Neighborhood Revitalization Strategies.

WHEREAS, Kenosha County has received \$32,938 Community Development Block Grant (CDBG) from the City of Kenosha, and

WHEREAS, these funds awarded are designated for implementation of the Neighborhood Revitalization Strategies (NRSA) for two Kenosha neighborhoods, and

WHEREAS, the external-funded position of Neighborhood & Community Specialist is solely supported by these funds and thus the position will cease when the funding ceases, and

WHEREAS, the funding for this position requires reappropriation at this time from Other Professional Services to Salaries and FICA, and

WHEREAS, county levy remains unaffected by this budget amendment,

NOW, THEREFORE, BE IT RESOLVED that the 2007 Kenosha County UW-Extension budget be modified to reflect expenditures as:

Fund: 100	Business Unit #: 67300	Salaries	
Expense Object Code 511100			\$5,990
Fund: 100	Business Unit #: 67300	FICA	
Expense Object Code 515100			\$ 484
Fund 100	Business Unit #67300	Other Professional Services	
Expense Object Code 521900			\$14,899

BE IT FURTHER RESOLVED that the Kenosha County UW-Extension UW-CDBG Project budget line items may be modified and any expended dollars as of December 31, 2007, should be rolled over into the 2008 budget

Approved by:

EXTENSION EDUCATION COMMITTEE

FINANCE COMMITTEE

Janice Marrelli

Robert Carbone

Kimberly Breunig

Mark Wisnefski

Ronald L. Johnson

Anita M. Faraone

Richard A. Kessler

John O'Day

It was moved by Supervisor Marrelli to adopt Resolution 76. Seconded by Supervisor Faraone.

2/3 vote required.

Roll call vote.

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

Abstain: Supervisor Booth.

Motion carried.

RESOLUTION 77

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

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

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

WHEREAS, county levy remains unaffected by this budget amendment,

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

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

BE IT FURTHER RESOLVED that the Kenosha County UW-Extension 67600 Office Account budget may be modified to reflect the following additional line items

as necessary to reflect expenditures for the position of After School Program Coordinator, and

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

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

Approved by:

EXTENSION EDUCATION COMMITTEE

Janice Marrelli
Kimberly Breunig
Ronald L. Johnson
Richard A. Kessler

FINANCE COMMITTEE

Robert Carbone
Mark Wisnefski
Anita M. Faraone
John O'Day

It was moved by Supervisor Marrelli to adopt Resolution 77. Seconded by Supervisor Breunig.

2/3 vote required.

Roll call vote.

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

Abstain: Supervisor Booth.

Motion carried.

RESOLUTION 78

78. From Finance Committee a Resolution Authorizing Kenosha County's Participation in the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance Housing Program.

WHEREAS, Federal monies are available under the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance housing program (CDBG-EAP), administered by the State of Wisconsin, Department of Commerce, for the purpose of housing activities; and

WHEREAS, after public hearing and due consideration, the Kenosha County Finance Committee has recommended that an application be submitted to the State of Wisconsin for the following project:

A CDBG-EAP application in an amount not to exceed \$300,000. The grant would be used to: 1) acquire and demolish residential properties located in the 100-year recurrence interval floodplain of the Fox River, 2) relocate the occupants of the acquired property, and 3) fund Kenosha County Housing Authority staff costs attendant to grant administration.

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

WHEREAS, the Kenosha County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors does approve and authorize the County Executive to prepare and file an emergency application for funds under this program in accordance with this resolution.

BE IT FURTHER RESOLVED, that the Kenosha County Executive is hereby authorized to sign all necessary documents on behalf of the County; and

Note: This resolution uses \$0 from the General Fund.

Approved by:

FINANCE COMMITTEE

Robert Carbone
Mark Wisnefski

Anita M. Faraone
John O'Day

It was moved by Supervisor Carbone to adopt Resolution 78. Seconded by Supervisor O'Day.
2/3 vote required.
Motion carried unanimously.

RESOLUTION 79

79. From Finance and Land Use Committees Resolution to Request to Modify 2007 Development Review & Verification Budget to Cover the Costs of AutoCAD Software.

WHEREAS, Kenosha County conducts stormwater analyses on all development proposals submitted to the Department of Planning and Development for approval, and

WHEREAS, reviews would be more efficient and effective, and further, completed in a more timely manner if the Planning and Development staff engineer had AutoCAD software for said reviews, and

WHEREAS, funds are available in the Department of Planning and Development - Development Review & Verification budget which could be used for the purchase of the AutoCAD software, and

WHEREAS, the requested transfer of funds within this 2007 adopted budget would assure that better tools are available to the Engineer to complete stormwater reviews, and

NOW, THEREFORE, BE IT RESOLVED that funds are transferred from the Development Review & Verification budget to the Information Services budget per the attached budget modification form.

Approved by:

FINANCE COMMITTEE	LAND USE COMMITTEE
Robert Carbone	Fred R. Ekornaas
Mark Wisnefski	John O'Day
Anita Faraone	Jennifer Jackson
Joseph D. Clark	Roger Johnson
John O'Day	Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 79. Seconded by Supervisor Carbone.
2/3 vote required.
Motion carried.

RESOLUTION 80

80. From Land Use and Finance Committees Requesting to Disburse Funds on Deposit as Needed for Memorial for Larry B. Brumback, Former Director of the Division of County Development.

WHEREAS, Larry B. Brumback, was a dedicated public servant for Kenosha County in his position of Director of the Division of County Development, and

WHEREAS, Mr. Brumback was a constant figure in the offices of the Department of Planning and Development even through diagnosis of a terminal illness and years of treatments, and

WHEREAS, friends, relatives and acquaintances responded to their loss of Mr. Brumback with donations to construct a memorial in his honor, and

WHEREAS, said funds are on deposit in the amount of \$3,617 in the Planning and Development Department budget business unit 18290 for safe-keeping until construction of said memorial can be completed,

NOW, THEREFORE, BE IT RESOLVED that it is requested that funds are to be released from Business Unit 18290 as needed to pay for services/goods needed in the construction of the Larry B. Brumback memorial for a total amount of \$3,617, plus any additional monies that have yet to be donated. Any funds not dispersed in FY2007 will be carried over into FY2008 should construction not take place by December 31, 2007.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that said memorial will be constructed as a quiet seating area at the west end of the Kenosha County Center, Bristol, WI, including but not limited to a hardwood maple tree and bench "In Memory of Larry B. Brumback".

BE IT RESOLVED, that the Budget be modified as per the attached budget modification form, which is incorporated herein by reference.

Submitted by:
FINANCE COMMITTEE LAND USE COMMITTEE
Robert Carbone Fred Ekornaas
Mark Wisnefski John O'Day
Anita Faraone Jennifer Jackson
Joe Clark Roger Johnson
John O'Day Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 80. Seconded by Supervisor Carbone.
2/3 vote required.
Motion carried unanimously.

RESOLUTION 81

81. From Highway and Parks Committee a Resolution opposing the closure of Union Pacific Railroad and Canadian Pacific Railway Crossings on Bain Station Road I the Village of Pleasant Prairie.

WHEREAS, The Union Pacific Railroad Company has petitioned the State of Wisconsin for the closure of the at-grade crossing on Bain Station Road in the Village of Pleasant Prairie, Kenosha County, and

WHEREAS, The Canadian Pacific Railway also crosses Bain Station Road in proximity to the Union Pacific Railroad crossing, and

WHEREAS, The Village of Pleasant Prairie Board has adopted Resolution No. 07-48 opposing the closing of either one or both railroad crossings on Bain Station Road, and

WHEREAS, The Southeastern Wisconsin Regional Planning Commission has for many years recognized the route importance of Bain Station Road by recommending Bain Station Road be classified as a County Trunk Standard Arterial Highway and that this recommendation is included in the most recent Regional Transportation System Plan for Southeastern Wisconsin: 2035, and

WHEREAS, It is vitally important to the Village of Pleasant Prairie and Kenosha County for future land use planning, economic development and public access to schools, businesses and governmental facilities that the Union Pacific Railroad crossing and the Canadian Pacific Railway crossing on Bain Station Road remain open to vehicular traffic.

NOW, THEREFORE, BE IT RESOLVED: that the Kenosha County Board of Supervisors hereby opposes the closure of the Union Pacific Railroad crossing and/or the Canadian Pacific Railway crossing on Bain Station Road in the Village of Pleasant Prairie, Kenosha County.

BE IT FURTHER RESOLVED: that a copy of this resolution be forwarded to the State of Wisconsin Office of Commissioner of Railroads.

It was moved by Supervisor Noble to adopt Resolution 81. Seconded by Supervisor Grady.
Motion carried unanimously.

RESOLUTION 82

82. From Judiciary and Law Committee regarding Probationary Cabaret License for El Fracazo Tavern.

WHEREAS, the application of Salomon Hernandez for a probationary cabaret license for the El Fracazo Tavern, 1778 - Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of July, was turned over to this office on July 24th, 2007, and

WHEREAS, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

WHEREAS, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

WHEREAS, the Kenosha Sheriff's Department has maintained a list of all reported incidents at this property, and

WHEREAS, a number of certain violent incidents inside this establishment and parking lot during the past year has created a lack of "general good order" and has caused concern over the operations to maintain control, and

WHEREAS, as a result, the Sheriff's Department has had to respond to this tavern more than any other tavern in the county and strongly recommended that video cameras be installed both inside and outside this establishment.

WHEREAS, the resolution for a probationary cabaret license was tabled by the Judiciary and Law Committee on August 8th, 2007 for a period of 90 days due to the high volume of calls for service by the Sheriff's Department.

NOW, THEREFORE BE IT RESOLVED, that the request for a probationary cabaret license be granted due to no serious incidents occurring at the tavern since August 8th.

BE IT FURTHER RESOLVED, that the probationary cabaret license for El Fracazo Tavern may be withdrawn if any acts of violence occur at the tavern.

NOW, THEREFORE BE IT RESOLVED, that this reapplication by the license holder, Salomon Hernandez, be granted for a probationary period of nine months for the El Fracazo Tavern.

Approved by:

JUDICIARY AND LAW COMMITTEE

William P. Michel, II

David Arrington

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 82. Seconded by Supervisor Arrington.

Roll call vote.

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

Nays: Supervisors Marrelli, O'Day, Moore.

Abstain: Supervisor Clark.

Motion carried.

RESOLUTION 83

83. From Judiciary and Law regarding Probationary Cabaret License for 1146.

WHEREAS, the application of Richard E. Pierangeli for a probationary cabaret license for the "1146" tavern, 1146 - Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was made during the month of July, was turned over to this office on July 25th, 2007, and

WHEREAS, the Kenosha Sheriff's Department has conducted an inspection of the premises, and

WHEREAS, the premises were found to be in conformity with the Cabaret Ordinance Number 8.02

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

Approved by:

JUDICIARY AND LAW COMMITTEE

William P. Michel, II

David Arrington

Joseph D. Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 83. Seconded by Supervisor Clark.

Motion carried unanimously.

RESOLUTION 84

84. From Judiciary and Law and Finance Committees Recognizing Unanticipated Revenue Surplus to fund Overtime, Food/Grocery and Capital Budgets.

WHEREAS, the County of Kenosha did establish in the 2007 Sheriff's Department Budget a revenue line item for housing federal inmates of \$3,474,850 anticipating housing 127 per day, and

WHEREAS, based upon the realized daily average of 167 federal inmates at a reimbursement rate of \$70.00 per day plus transportation costs, the Sheriff's Department has unanticipated revenue through October and the outlook is favorable through year end, and

WHEREAS, department overtime expense, primarily for the Detentions and Patrol divisions, were forecasted through year end along with the Food budget, requiring an increase in Overtime and Retirement budgets by \$603,207 and the Food budget by \$40,000, and

WHEREAS, the integrated touchscreen Master Control Security System malfunctioned in early October causing a jail security shutdown for the Public Safety Building and the PreTrial Facility, and

WHEREAS, the recommendation of our security system contractor is to consider funding a project to improve the system before a major failure occurs that could shut the security system down for weeks, and

WHEREAS, the program re-write or replacement software could cost upwards of \$100,000.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the attached budget modification , which is incorporated herein by reference, to recognize a portion of the expected surplus in Federal Inmate Housing revenue of **\$743,207** and increase personnel costs, Food/Groceries and Capital budget totaling **\$743,207**.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

William Michel II

Ruth Delace Booth

David Arrington

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 83. Seconded by Supervisor Clark.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 85

85. From Judiciary and Law and Finance Committees regarding Budget Modification to Appropriate Funds from the General Fund for District Attorney's Trial related Expenditures.

WHEREAS, by Wisconsin State Statute, Kenosha County is responsible for incurring all expenses related to trials including but not limited to transcripts, paper service, witness fees, and prosecution expenditures, and

WHEREAS, high profile cases have generated higher than anticipated expenditure levels, and

WHEREAS, certain other expenditures have been incurred at a higher than anticipated level due to general increased caseload expenses and overall price increases, and

NOW THEREFORE BE IT RESOLVED, that \$26,500 be appropriated from the General Fund and the District Attorney's Office budget modified as per budget modification which is attached and incorporated herein by reference.

Approved by:

JUDICIARY & LAW COMMITTEE

William P. Michel, II

David Arrington

Joseph Clark

Bob Haas

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita M. Faraone

John O'Day

It was moved by Supervisor Michel to adopt Resolution 85. Seconded by Supervisor Arrington.

2/3 vote required.

Motion carried unanimously.

COMMUNICATIONS

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

Chairman Rose referred Communication 17 to Land Use.

CLAIMS

15. Dan Richard Anderson - denied methadone treatment while in custody.

16. Cedrika Jackson - injured while on a City Bus.

17. Bobby Hurst - injured on exercise equipment while in custody.

18. Karen Ann Fry - falsely arrested.

19. Ashley A. Huebner for Michael D. Estes, Legal Heir - wrongful death of David Joshua Estes

20. Arcangelo Romano - injured while Sheriff's Department Employee backed up truck with trailer.

Chairman Rose referred Claims 15 thru 20 to Corporation Counsel.

It was moved by Supervisor Breunig to approve the November 6th and 7th, minutes. Seconded by Supervisor Faraone.

It was moved by Supervisor Kessler to adjourn. Seconded by Supervisor O'Day.

Motion carried.

Meeting adjourned at 9:05 P.M.

Prepared by: Pam Young
Chief Deputy

Submitted by: Edna R. Highland
County Clerk