

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS

COUNTY ADMINISTRATION BUILDING

February 24, 2004

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. Roll call was taken.

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

Excused: Supervisors Marrelli.

Present. 27. Excused. 1.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Kessler announced that the full County Board photo is scheduled for March 16th prior to the County Board Meeting at 7:00 p.m..

Chairman Kessler stated that a draft of the Tax Equity Study was placed on everyone's desk. Any questions please contact Dave Geersten.

Chairman Kessler stated that the County Board Committee meeting with the Kemper Center Board will be tomorrow night, February 25th at 6:30 p.m. Supervisor Wisnefski is the spokesman for the County Board. He will be making the reports. Fred Patrie, Director of Public Works will also be at the meeting.

Chairman Kessler stated that the next County Board Meeting is March 2nd.

SUPERVISORS REPORTS

Supervisor Elverman stated that the Highway & Parks Committee has set the golf rates for the upcoming year. They have a booth at the Milwaukee Golf Show on March 5th, 6th & 7th.

Supervisor Gorlinski stated that Ordinance 45 in the packet for the first reading should be read by everyone and if anyone has questions call the planners at 45 & 50. They could explain the technical aspects. This has been a work in progress for two years. The towns should also look at this carefully.

Supervisor Carbone stated that the Kenosha Area Business Alliance Quarterly Report was on everyone's desk. Also, there is a document put together from a web-site page for Kenosha Area Land Management Committee. This is a new site. The Kenosha County Golf Course Fund report was handed out and any questions please call Dave Geersten.

Supervisor Noble stated that minutes for Highway & Parks Committee have not been posted on the Kenosha web site because the acting director was not aware that they were supposed to be posted. They will now be posted.

Supervisor Molinaro commented on an article that was in Monday's paper regarding an article titled *Ryan Seeks to Cut Budget Pork*. He supports this. Congress passed and the President signed a \$328.5 Billion Discretionary Bill. It included fifty million for an indoor rain forest outside Iowa City. Two million to encourage young people to play golf and etc. This has been met with resistant from those who try to control spending in Congress. His favorite comment was - shaving a few billion dollars of pork will not significantly slim down the budget. This should be discussed at our Legislative Committee.

Supervisor Molinaro stated that cost over runs should not be done until approved by the County Board. We have set up policies and rules and do not follow them. This is rude and unfair to the taxpayer.

Supervisor Molinaro asked why is a outgoing Supervisor going to Washington and who is funding it? Chairman Kessler stated we are.

Supervisor Rose asked to have Ordinance 45 removed from the agenda tonight for the first reading and be put on the next agenda due to missing pages.

Supervisor Wisnefski wanted to compliment our Public Works and Highway Department for the great job they have done on our roads this winter.

NEW BUSINESS

Ordinances - first reading two required.

ORDINANCE 44

44. From Highway & Parks Committee regarding Creating an Ordinance on speed limits for CTH "JF" from CTH "C" to STH 83.

ORDINANCE 45

45. From Land Use Committee regarding Amendments to the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Repealing the Existing Adult Entertainment Overlay (AEO) District and Creating Sections Related to Restricting Adult Establishment Locations and Business Uses.

Removed from agenda.

Ordinance - one reading.

ORDINANCE 46

46. From Land Use Committee regarding Brian C. and Nadean K. Buchholtz, requesting rezoning from C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District.

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 #65-4-120-034-0102 located in the southeast quarter of Section 3, Township 1 North, Range 20 East, Town of Salem be changed from C-1 Lowland Resource Conservancy District to C-2 Upland Resource Conservancy District to allow a driveway. For informational purposes only, this property is located on the east side of State Trunk Highway "75" approximately ½ mile north of the intersection of State Trunk Highway "50" (75th Street).

Brian C. and Nadean K. Buchholtz - (Owners)

Description: Part of the northwest quarter of the southeast quarter of Section 3, Town 1 North, Range 20 East of the Fourth Principal Meridian, lying and being in the Town of Salem, Kenosha County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said quarter section; thence north 88°43'28" east along the north line of said quarter section 692.00 feet; thence south 11°05'35" east 289.51 feet; thence south 65°14'48" west 312.06 feet to the point of beginning; thence south 24°45'12" east 30.00 feet; thence south 65°14'48" west 70.00 feet; thence north 24°45'12" west 30.00 feet; thence north 65°14'48" east 70.00 feet to the point of beginning.

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

Submitted by:

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

It was moved by Supervisor Gorlinski to approve Ordinance 46. Seconded by Supervisor Molinaro.

Motion carried.

Resolutions - one reading.

RESOLUTION 116

116. From Finance Committee regarding Appointment of Jane A. Prince the Kenosha County Library Committee.

WHEREAS, pursuant to County Executive Appointment 2004/2004-19, the County Executive has appointed Jane A. Prince to serve on the Kenosha County Library Committee, and

WHEREAS, the Finance Committee has reviewed the request of the County Executive for confirmation of her 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 Jane A. Prince to serve on the Kenosha County Library Committee. Ms. Prince's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31st day of December 2006, or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Prince will serve without pay as defined under Resolutions 65 (1982-83). Ms. Prince will be succeeding herself.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

John O'Day

Robert Pitts

Terry Rose

Gordon West

It was moved by Supervisor Carbone to adopt Resolution 116. Seconded by Supervisor O'Day.

Motion carried.

RESOLUTION 117

117. From Finance Committee regarding Transfer of Funds for Palpable Errors for 2004.

WHEREAS, the State of Wisconsin has determined that an error in the determination of equalized value (known as a palpable error) has been made, and

WHEREAS, as a result of the palpable error, the State has ordered under s. 74.41 that the County make payments to certain municipalities.

NOW, THEREFORE BE IT RESOLVED, that \$18,743.72 be appropriated to account 15130.559100 for the purpose of paying \$1,257.69 to the City of Kenosha, and \$17,486.03 to the Village of Pleasant Prairie, in accordance with State Law, as ordered by the State of Wisconsin Department of Revenue. This amount of \$18,743.72 will be funded by property tax levy for collection in 2005 as allowed by the State of Wisconsin. Therefore, this appropriation will not affect the General Fund.

BE IT FURTHER RESOLVED, that the County Board hereby authorize disbursement in the amount of \$18,743.72 to the appropriate municipalities as set forth by orders of the State of Wisconsin which are attached as part of this Resolution.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

John O'Day

Gordon West

Terry Rose

Robert Pitts

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

2/3 vote required.

Motion carried unanimously.

RESOLUTION 118

118. From Highway & Parks regarding Requiring Highway Railroad Grade Crossing at Union Pacific Crossings on County Trunk Highway "S" and County Trunk Highway "E" and County Trunk Highway "KR".

WHEREAS, The Union Pacific Railroad crosses Kenosha County Trunk Highways at the following locations:

- CTH "S", 0.8 miles west of State Trunk Highway 31
- CTH "E", 0.2 miles west of State Trunk Highway 32
- CTH "KR", 0.75 miles west of State Trunk Highway 31, and

WHEREAS, the Kenosha County Department of Public Works has identified the railroad crossings at the above locations to be in disrepair and hazardous to public travel, 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 is impacted by the poor condition of the railroad crossings.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

That in the interest of public safety, the Kenosha County Board of Supervisors, Kenosha County, Wisconsin hereby requires the Union Pacific Railroad to pave, plank, repair or otherwise improve the crossings at the locations indicated above.

Submitted by:
HIGHWAY & PARKS COMMITTEE
Dennis Elverman
Robert Pitts
Douglas Noble
William Grady

It was moved by Supervisor Elverman to adopt Resolution 118. Seconded by Supervisor Pitts.
Motion carried.

RESOLUTION 119

119. From Human Services and Finance Committees regarding Modifying 2004 Budget to create the grant employment position of Public Health Specialist within the Division of Health.

WHEREAS, the State of Wisconsin Department of Health and Family Services, Division of Public Health has recognized the need within Local Public Health Departments to support dedicated staff in meeting the Local Public Health Department's Bio Terrorism grant requirements, and

WHEREAS, these funds in the amount of \$83,710 have been previously included in the Division of Health's 2004 Adopted Budget, the Division of Health is requesting authorization to transfer the funds within the 2004 Adopted budget, and

WHEREAS, the grant-funded position of Public Health Specialist created through this Department of Public Health Consolidated Contract is solely supported by this grant and thus the position will be eliminated when the grant funding ceases, and

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 \$83,710 and expenditures increase by \$83,710 as indicated in the attached budget modifications, which are incorporated into this resolution by reference.

Submitted by:

HUMAN SERVICES	FINANCE COMMITTEE
Eunice Boyer	Robert Carbone
Anne Bergo	Terry Rose
John O'Day	John O'Day
Donald Smitz	Robert Pitts
William Grady	Gordon

It was moved by Supervisor Boyer to adopt Resolution 119. Seconded by Supervisor Carbone.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 120

120. From Human Services and Finance Committees regarding Increasing the 2004 Division of Aging Budget to reflect the 2004 Prevention Grant.

WHEREAS, The Kenosha County Department of Human Services Division of Aging Services has received a Prevention Grant from the Wisconsin Department of Health and Family Services to implement a Chronic Disease Self-Management Program for people 40 years of age and over; and

WHEREAS, County Levy remains unaffected by this resolution;
NOW, THEREFORE, BE IT RESOLVED, that the 2004 budget of the Department of Human Services Division of Aging Services be modified as follows:
Expenditures and Revenues increase by \$175,402 as indicated in the attached budget modification form, which is incorporated into this resolution by reference.

Submitted by:
HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
Eunice Boyer Robert Carbone
Anne Bergo Terry Rose
William Grady Robert Pitts
Don Smitz Gordon West
John O'Day John O'Day

It was moved by Supervisor Boyer to adopt Resolution 120. Seconded by Supervisor West.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 121

121. From Human Services, Administrative and Finance Committees regarding Modifying the Division of Workforce Development 2004 1st Quarter Budget to reflect Additional State and Federal Funding.

WHEREAS, the Kenosha County Department of Human Services, Division of Workforce Development developed a 2004 budget based on contract information projected by the State of Wisconsin, and

WHEREAS, the State of Wisconsin reduced the 2004 Income Maintenance Allocation by \$131,339 in State and Federal funds resulting in a reduction of Kenosha County Income Maintenance Services in 2004, and

WHEREAS, the Division of Workforce Development is receiving an additional \$130,772 in State and Federal funds through the State Department of Health and Family Services for the 2004 Income Maintenance Allocation, and

WHEREAS, this additional State and Federal funding will be used to assure that all available resources are used for timely and accurate eligibility determinations and to improve program access, and

WHEREAS, the Kenosha County Income Maintenance caseload has increased by over 28% during 2003, and

WHEREAS, the Division of Workforce Development requests to use these additional funds to add 1.5 Economic Support Specialist positions and if funding ceases so will these positions, and

WHEREAS, County levy remains unaffected by this resolution, and

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

Authorize the establishment of 1.5 Economic Support Specialists positions and increase of expenditures of \$130,772 and to increase revenues by \$130,772, per the attached budget modification incorporated herein by reference.

Submitted by:
ADMINISTRATION COMMITTEE HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
David Singer Eunice Boyer Robert Carbone
Mark Modory Anne Bergo Terry Rose
Joe Clark William Grady Robert Pitts
Don Smitz Don Smitz John O'Day

It was moved by Supervisor Boyer to adopt Resolution 121. Seconded by Supervisor Singer.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 122

122. From Judiciary & Law and Finance Committees regarding Methamphetamine/Ecstasy Training Equipment Grant.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$5,553 for drug task force equipment purchases related to Methamphetamine/Ecstasy training through the State of WI, Office of Justice Assistance, and

WHEREAS, these funds are made available to the Kenosha County Sheriff's Department through June 30, 2004 for purchase of a laptop, projector, software and printer for use in public/department/community groups education sessions regarding the awareness and recognition of methamphetamine and ecstasy abuse, offenses and manufacture, and

WHEREAS, the equipment purchased will enable the Sheriff's Department drug task force to create and provide dynamic, multi-media presentations and produce professional brochures regarding the project focus, and

WHEREAS, there is no local match required for this award.

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

Note: This award requires no additional funds from the General Fund. It increases Revenues by \$5,553 and increases Expenditures by \$5,553.

Submitted by:

Judiciary and Law Enforcement Committee

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

Finance Committee

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

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

2/3 vote required.

Motion carried unanimously.

RESOLUTION 123

123. From Judiciary & Law and Finance Committees regarding Modification of State OJA Funding for Jail Literacy Project.

WHEREAS, the Kenosha County Board of Supervisors approved a level of funding in Resolution 106, January 20, 2004 from the State of WI Office of Justice Assistance for \$25,000 to fund a Jail Literacy Project for 2004, and

WHEREAS, the State of WI Office of Justice Assistance (WI OJA) has confirmed the grant award at \$30,000 as was applied for in the initial grant application, and

WHEREAS, the required local match of \$3,333 is met as an in-kind match through a contract for inmate education services through Gateway Technical College currently funded by the Sheriff's Department's budget, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the additional \$5,000 award and approve the increase in Revenue and Expenditure for this project, as per the attached budget modification form, which is incorporated herein by reference.

LET IT FURTHER BE RESOLVED, that such grant funds are hereby authorized for carryover until such grant funds are expended in accord with WI OJA grant requirements

Note: This resolution requires NO additional funds from the General Fund. It increases Revenue by \$5,000 and increases Expenditures by \$5,000.

Submitted by:

Judiciary and Law Enforcement Committee

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

Finance Committee

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

It was moved by Supervisor Huff to adopt Resolution 123. Seconded by Supervisor West.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 124

124. From Judiciary & Law and Finance Committees regarding Kenosha County Pre-Trial Intensive Supervision Program VII.

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$70,749 for a Highway Safety Grant entitled, "Kenosha County Sheriff's Department Intensive Supervision Program VII", for the grant period of January 1, 2004 through December 31, 2004, and

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

WHEREAS, the project will be facilitated by the Wisconsin Correctional Service (WCS) in conjunction with their Pre-Trial Release Program, and

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

WHEREAS, the total operating budget for the Intensive Sanctions program is funded by four sources: (1) State DOT grant award, (2) Client Fees collected by WCS from participants totalling \$35,980, (3) Sheriff's Dept. soft match of \$24,771, and (4) Sheriff's Department hard match of \$10,000, and

WHEREAS, the Sheriff's Department's hard match of \$10,000 to support this program has been anticipated and is budgeted within the Sheriff' 2004 Budget.

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

Submitted by:

Judiciary and Law Enforcement Committee

James Huff

Brenda Carey-Mielke

Anita Faraone

Joe Montemurro

Terry Rose

Finance Committee

Robert Carbone

Terry Rose

John O'Day

Robert Pitts

Gordon West

It was moved by Supervisor Huff to adopt Resolution 124. Seconded by Supervisor Pitts.

2/3 vote required.

Motion carried unanimously.

RESOLUTION 125

125. From Judiciary & Law Enforcement Committees regarding Probationary Cabaret License for Rob's River Edge.

WHEREAS, the applicant Robert Piper received approval by County Board action for a probationary cabaret license for the establishment known as Rob's River Edge, and

WHEREAS, the application of Robert Piper for a probationary cabaret license for Rob's River Edge, 7603 Shorewood Drive, Salem, Wisconsin, in the Town of Salem, was made during the month of July, 2003, was turned over to this office on July 3, 2003, and

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

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

NOW, THEREFORE BE IT RESOLVED, that because this is the initial application by the license holder, a probationary license be granted to Robert Piper, for Rob's River Edge.

Submitted by:

James Huff

Anita Faraone
Brenda Carey-Mielke
Terry Rose
Joe Montemurro

It was moved by Supervisor Huff to adopt Resolution 125. Seconded by Supervisor Carey-Mielke.
Motion carried.

RESOLUTION 126

126. From Judiciary & Law Enforcement Committee regarding Cabaret License for El Fracazo, Inc.

WHEREAS, the application of Salomon Hernandez for a conversion of a probationary cabaret licence to a regular cabaret license for El Fracazo, Inc., 1778 Sheridan Road, Kenosha, Wisconsin, in the Town of Somers, was denied by County Board action on July 22, 2003 based upon incidents reported by the Sheriff's Department that created a lack of " general good order " and caused concern over the operations to maintain control, and

WHEREAS, the County Board of Supervisors approved an extended 6 months of probation so that the Kenosha Sheriff's Department could continue to monitor activity for corrective action and improvement, and

WHEREAS, the application of Salomon Hernandez for a regular cabaret license for El Fracazo, Inc., 1778 Sheridan Road Kenosha, Wisconsin, in the Town of Somers, was made during the month of January 2004, and

WHEREAS, substantial improvement has been made in the operation and management of the establishment minimizing violent incidents and underage drinking at the establishment during the extended probationary period.

THEREFORE BE IT RESOLVED, that because this is an application for conversion of an existing probationary cabaret license to a regular cabaret license by the license holder, that a regular cabaret license be granted to Salomon Hernandez, for El Fracazo, Inc.

It was moved by Supervisor Huff to adopt Resolution 126. Seconded by Supervisor Faraone.
Motion carried.

RESOLUTION 127

127. From Judiciary & Law Enforcement Committee regarding Cabaret License for Nytro's.

WHEREAS, the application of Leann J McCarty for a conversion of a probationary cabaret licence to a regular cabaret license for Club Viper Inc., 32800 Geneva Road, Kenosha, Wisconsin, in the Town of Wheatland, was denied by County Board action on July 22, 2003 based upon incidents reported by the Sheriff's Department that created a lack of " general good order " and caused concern over the operations to maintain control, and

WHEREAS, the County Board of Supervisors approved an extended 6 months of probation so that the Kenosha Sheriff's Department could continue to monitor activity for corrective action and improvement, and

WHEREAS, the application of Leann J McCarty for a regular cabaret license for Club Viper Inc.

(Nytro's), 32800 Geneva Road, Kenosha, Wisconsin, in the Town of Wheatland, was made during the month of January 2004, and

WHEREAS, substantial improvement has been made in the operation and management of the establishment minimizing violent incidents and underage drinking at the establishment during the extended probationary period.

THEREFORE BE IT RESOLVED, that because this is an application for conversion of an existing probationary cabaret license to a regular cabaret license by the license holder, that a regular cabaret license be granted to Leann J McCarty for Club Viper Inc. (Nytro's).

It was moved by Supervisor Huff to adopt Resolution 127. Seconded by Supervisor Montemurro.
Roll call vote.

Ayes: Supervisors Kessler, Rose, Bergo, Carbone, Modory, Faraone, Johnson, Singer, Montemurro, Carey-Mielke, Noble, Ekornaas, Pitts, Molinaro, Elverman, O'Day, Boyer, West, Larsen, Huff, Kerkman.

Nays: Supervisors Grady, Ruffolo, Wisnefski, Clark, Gorlinski, Smitz.
Ayes. 21. Nays. 6.
Motion carried.

RESOLUTION 128

128. From Land Use Committee regarding Bristol Bay Condominiums, being part of the northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee on February 11, 2004 review was given to the Final Plat of Bristol Bay Condominiums located in the northwest quarter of Section 8, Township 1 North, Range 21 East, Town of Bristol. For informational purposes only, this property is located on the southeast corner of the intersection of U.S. Highway "45" (Bristol Road) and State Trunk Highway "50" (75th Street); and

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

WHEREAS, the Town of Bristol recommended approval of Bristol Bay Condominiums subject to the conditions presented in (*Exhibit 1, on file in the Department of Planning and Development*) and the developers agreement being prepared by the Town and the developer. Said agreement will be signed by both parties prior to recording the final plat.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors approve the Final Plat of Bristol Bay Condominiums subject to the conditions as approved by the Land Use Committee.

Submitted by:

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

It was moved by Supervisor Gorlinski to adopt Resolution 128. Seconded by Supervisor Ekornaas.
Roll call vote.

Ayes: Supervisors Kessler, Rose, Bergo, Carbone, Modory, Faraone, Johnson, Singer, Montemurro, Carey-Mielke, Noble, Ekornaas, Pitts, Elverman, O'Day, Boyer, West, Larsen, Huff, Kerkman, Grady, Ruffolo, Wisnefski, Clark, Gorlinski, Smitz.

Nays: None

Abstain: Supervisor Molinaro.

Ayes. 21. Nays. 6.

Motion carried.

RESOLUTION 129

129. From Highway & Parks, Building & Grounds and Finance Committees regarding Approving Farm Lease for an unused portion of West End Kenosha County Park.

WHEREAS, The Kenosha County Board of Supervisors has created a new recreational county park located in the Town of Wheatland and the Town of Randall by buying 234 acres [West End Park]; and Kenosha County is in the process of developing a park plan for future use of this park; and

WHEREAS, A farmer named Mr. Tim Lois has farmed 40 acres of the northern section of such park for several years under the prior owners, and has expressed a desire to continue to farm such land; further said farmer has offered to rent this 40 acre space of the West End Park for \$700.00 from December 1, 2003 to November 30, 2004 for crop farming only, while also allowing Kenosha County entry at all times for park planning studies or testing or other evaluation, without penalty or compensation for damaged crops, without

any guarantee of extension or continuation of said lease, and with an agreement to hold harmless Kenosha County from any liability associated with said farming lease; and

WHEREAS, With limited available resources for park development, it is likely that only the southern portion of said Park will be developed into active parkland such as soccer, football and baseball fields in the near future, and the area now farmed will not be actively developed for several years.

NOW THEREFORE BE IT RESOLVED, That the Board of Supervisors hereby approves of the lease of approximately 40 acres of the northern area of the new West End Park, (formerly Meyer Materials property) which is currently under cultivation, to be more particularly described in the lease, to Mr. Tim Lois from the date 12/1/03 to 11/30/04 for the sum of seven hundred dollars, (\$700.00), if Mr. Lois agrees in the lease to hold Kenosha County harmless from all liability associated therewith and allow entry as needed for park development studies and tests without compensation for crop loss or other damage.

BE IT FURTHER RESOLVED, To account for this rental revenue, the 2004 Kenosha County budget shall be modified as shown in the attached Budget Modification form.

BE IT FURTHER RESOLVED, That the County Executive be authorized to sign all documents necessary for the lease of such land.

Submitted by:

HIGHWAY & PARKS COMMITTEE	BUILDING & GROUNDS COMMITTEE	FINANCE COMMITTEE
Irving Larsen	Mark Wisnefski	Robert Carbone
Dennis Elverman	Mark Molinaro Jr.	Terry Rose
Douglas Noble	Anne Bergo	Gordon West
Robert Pitts	Douglas Noble	John O'Day
		Robert Pitts

It was moved by Supervisor Elverman to adopt Resolution 129. Seconded by Supervisor Wisnefski.

Motion carried.

COMMUNICATION

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

Chairman Kessler referred Communication 33 to Land Use Committee.

CLAIMS

62. Gary Dennison - property damage.

63. Gary Dennison - mailbox damage.

64. Robert Zich - mailbox damage.

65. Terry Campton - lost clothing.

66. Richard LeMay - car damage.

67. Robert Busche - mailbox damage.

Chairman Kessler referred Claims 62 thru 67 to Corporation Counsel.

It was moved by Supervisor Modory to approve the February 3rd minutes. Seconded by Supervisor Bergo.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:30 P.M.

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