

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

JULY 18, 2006

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, Carbone, Faraone, Ronald Johnson, Michel, O'Day, Nudo, Moore, Molinaro, Wisnefski, Jackson, Clark, Noble, West, Roger Johnson, Breunig Haas, Elverman, Ekornaas.

Excused: Supervisors Booth, Arrington, Singer.

Present. 25 Excused. 3

SUPERVISOR REPORTS

Supervisor Noble stated the highway no longer uses "end" speed limit signs and are now installing the actual new speed limits.

Supervisor Michel stated that last week Sheriff Beth attended the Judiciary & Law Committee Meeting to discuss the budget. At this time the Sheriff's Department is on budget and running well.

Supervisor Marrelli stated that the University of Wisconsin Extension is bringing farm animals to the City on July 28th at the Lincoln Park Pavilion. There will be farm animals and refreshments and a pre screening of Madagascar. It's free. Please stop by.

OLD BUSINESS

Ordinance - second reading, two required.

ORDINANCE 14

14. From Legislative Committee regarding Amending part of Chapter 2 of the Municipal Code of Kenosha County pertaining to County Board Rules of Procedure. The Kenosha County Board of Supervisors does hereby ordain that part of Chapter 2 of the Municipal Code of Kenosha County, namely Subsection 2.05(5), be and hereby is, amended as follows:

CHAPTER 2

COUNTY BOARD RULES OF PROCEDURE

Subsection (5) General Duties and Powers of Committees, of Section 2.05 Standing Committees , is hereby amended only with respect to adding the second sentence to part (c) in said Subsection, which shall read as follows:

(5) General Duties and Powers of Committees.

- (a) Each standing committee shall study
- (c) Each standing committee may refer matters relating to their areas of responsibility to the County Board. In order to sign a resolution or ordinance, as a committee member a supervisor must have been in attendance of the committee meeting at which the measure was discussed.
- (d)

Submitted by:

LEGISLATIVE COMMITTEE

James Huff

James Moore

Ronald Johnson

Jennifer Jackson

Gordon West

It was moved by Supervisor Huff to adopt Ordinance 14. Seconded by Supervisor Ron Johnson.

It was moved by Supervisor Moore to amend Ordinance 14 by striking in support from paragraph c. Seconded by Supervisor Jackson.

Motion carried.

Roll call vote on Ordinance 14 as amended.

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

Nays: Supervisors Michel and Clark.
Ayes. 23. Nays 2.
Motion carried.
NEW BUSINESS
Ordinance - first reading, two required.

ORDINANCE 17

17. From Finance Committee regarding Section 3.605 of Chapter 3 of the Municipal Code of Kenosha County pertaining to Worthless Payments and Overpayments.
Ordinances - one reading.

ORDINANCE 15

15. From Land Use Committee regarding City of Kenosha, Department of City Development (Sponsor), Regency Hills - Riverwoods LLC and American Land Development LLC (Owners) requesting rezoning from A-2 General Agricultural District to R-4 Urban Single-Family Residential District in the annex shoreland in the City of Kenosha.

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 (annexed shoreland area of) Tax Parcel #07-222-23-101-030 located in the northeast quarter of Section 23, Town 2 North, Range 22 East, City of Kenosha be changed from A-2 General Agricultural District to R-4 Urban Single-Family Residential District. For informational purposes only, this property is located on the east side of 47th Avenue approximately 226' south of the intersection of County Trunk Highway "L" (18th Street)

Regency Hills - Riverwoods LLC and American Land Development LLC (Owners)

Description: A-2 General Agricultural District to R-4 Urban Single-Family Residential District: All being a part of the Northeast $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 23, Town 2 North, Range 22 East, in the City of Kenosha, Kenosha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of the Northeast $\frac{1}{4}$ of Section 23; thence South 01°14'41" East along the East line of said Northeast $\frac{1}{4}$ of Section 23, a distance of 1331.02 feet to a point on the south line of the North $\frac{1}{2}$ of said Northeast $\frac{1}{4}$; thence South 89°25'04" West, 672.99 feet along the south line of the north $\frac{1}{2}$ of said Northeast $\frac{1}{4}$ to the point of beginning; thence continuing South 89°25'04" West, 541.30 feet; thence North 46°12'47" East, 42.13 feet; thence North 62°34'10" East, 73.23 feet; thence North 66°19'34" East, 77.79 feet; thence North 56°19'13" East, 22.53 feet; thence North 23°26'13" East, 40.85 feet; thence North 12°41'06" East, 51.23 feet; thence North 38°03'28" East, 36.50 feet; thence North 06°50'43" East, 31.46 feet; thence North 01°32'56" West, 83.53 feet; thence North 89°28'06" East, 298.68 feet; thence South 00°58'32" East, 334.88 feet to the point of beginning. Said lands containing 120,498 s.f. (2.7662 acres) more or less of land.

ALSO

Commencing at the Northeast corner of the Northeast $\frac{1}{4}$ of Section 23; thence South 01°14'41" East along the East line of said Northeast $\frac{1}{4}$ of Section 23, a distance of 1331.02 feet to a point on the south line of the north $\frac{1}{2}$ of said Northeast $\frac{1}{4}$; thence South 89°25'04" West, 672.99 feet along the south line of the north $\frac{1}{2}$ of said Northeast $\frac{1}{4}$ to a point thence North 00°58'32" West, 334.88 feet; thence South 89°28'06" West, 407.51 feet; thence North 00°31'54" West, 368.92 feet to the point of beginning; thence North 23°08'09" West, 26.68 feet; thence North 18°26'30" West, 87.01 feet; thence North 20°33'48" West 22.39 feet; thence North 03°16'18" West, 45.93 feet; thence North 25°38'59" West, 36.34 feet; thence North 35°48'50" West, 12.84 feet; thence North 89°28'06" East, 69.72 feet; thence South 00°31'54" East, 217.72 feet to the point of beginning. Said lands containing 7,531 s.f. (0.1729 acres) more or less of land.

ALSO

Commencing at the Northeast corner of the Northeast $\frac{1}{4}$ of Section 23; thence South 01°14'41" East along the East line of said Northeast $\frac{1}{4}$ of Section 23, a distance of 1331.02 feet to a point on the south line of the north $\frac{1}{2}$ of said Northeast $\frac{1}{4}$; thence South 89°25'04" West, 1792.01 feet along the south line of

the north ½ of said Northeast ¼ to the point of beginning; thence continuing South 89°25'04" West along the south line of the north ½ of said Northeast ¼, 490.83 feet; thence North 58°06'07" East, 56.86 feet to a point; thence North 55°06'29" East, 65.07 feet; thence North 75°58'08" East, 46.06 feet; thence North 86°41'01" East, 85.79 feet; thence South 84°36'46" East, 66.08 feet; thence South 65°33'52" East, 44.99 feet; thence South 59°52'06" East, 44.49 feet; thence South 88°01'33" East, 36.02 feet; thence South 67°17'37" East, 57.86 feet; thence South 72°23'38" East, 25.42 feet to the point of beginning. Said lands containing 24,942 s.f. (0.5726 acres) more or less of land.

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 15. Seconded by Supervisor O'Day.

Motion carried.

ORDINANCE 16

16. From Land Use Committee regarding Lorraine A. Oldenburg requesting rezoning from A-1 Agricultural Preservation District to R-1 Rural Residential District excluding lands currently zoned C-2 Upland Resource Conservancy District in the Town of Brighton.

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

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

That part of Tax Parcel #30-4-220-292-0101 located in the northwest quarter of Section 29, Township 2 North, Range 20 East, Town of Brighton be changed from A-1 Agricultural Preservation District to R-1 Rural Residential District excluding lands currently zoned C-2 Upland Resource Conservancy District (5.34 acres). For informational purposes only, this property is located on the west side of County Trunk Highway "B" (288th Avenue) approximately 596 feet south of the intersection of County Trunk Highway "JB" (31st Street).

Lorraine A. Oldenburg - Owner

Description: This land is located in the northeast quarter of the northwest quarter of Section 29, Township 2 North, Range 20 East of the 4th Principal Meridian, Town of Brighton, Kenosha County, Wisconsin, containing 5.34 acres of land and described as follows: Commencing at the concrete monument with brass cap at the northeast corner of the northwest quarter of said Section 29; thence South 01°57'37" East, grid bearing from North, Wisconsin Coordinate System, South Zone, along the east line of said Northwest Quarter 596.46 feet to the point of beginning of the land to be described; thence continuing South 01°57'37" East along said east line 453.45 feet; thence South 88°02'23" West at a right angle to said east line 513.35 feet; thence North 01°57'37" West parallel with said east line 453.45 feet; thence North 88°02'23" East at a right angle to the last described line 513.35 feet to the point of beginning, excluding lands currently zoned C-2 Upland Resource Conservancy District.

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 16. Seconded by Supervisor Roger Johnson.

Motion Carried.

Resolutions - one reading.

RESOLUTION 23

23. From Finance Committee regarding the Appointment of Supervisor Ronald Johnson to the Kenosha County Housing Authority.

WHEREAS, pursuant to County Executive Appointment 2006/07-03, the County Executive has appointed Supervisor Ronald Johnson to serve on the Kenosha County Housing Authority, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors confirm the appointment of Supervisor Ronald Johnson to serve on the Kenosha Housing Authority. Supervisor Johnson's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 30th day of April, 2011, or until a successor is appointed by the County Executive and confirmed by the Kenosha county Board of Supervisors. Supervisor Johnson will serve without pay as defined under Resolution 65 (1982-83). Supervisor Johnson will be succeeding himself.

Submitted by:

FINANCE COMMITTEE

Robert Carbone

Mark Wisnefski

Anita Faraone

Joe Clark

John O'Day

It was moved by Supervisor Carbone to adopt Resolution 23. Seconded by Supervisor Wisnefski.

Motion carried.

RESOLUTION 24

24. From Judiciary & Law and Finance Committees regarding HIDTA FY 2005 Grant Supplement Award - Overtime.

WHEREAS, the Kenosha County Sheriff's Department has been awarded a supplement of \$10,000 to the 2005 HIDTA award through the federal Office of National Drug Control Policy under the High Intensity Drug Trafficking Areas (HIDTA) initiative, which has been established to focus on disrupting and dismantling local, regional, and national-level drug and money laundering organizations, and

WHEREAS, the funding will allow for reimbursement for HIDTA enforcement overtime incurred by Sheriff's Department in traffic interdiction enforcement efforts to reduce organized drug distribution, drug related violent crime, and reduce demand for illegal drugs within the Milwaukee HIDTA region, and

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the grant and approve the Revenue and Expenditure line items modified within the Sheriff's Department Budget as per the attached budget modification form, which is incorporated herein be reference.

BE IT FURTHER RESOLVED, that any unobligated 2005 HIDTA grant funds remaining at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the HIDTA grant requirements, and that the Administration be authorized to modify the grant appropriations among various budget and expenditure units within the Sheriff's Department in accordance with all federal and state regulations of the program and in compliance with generally accepted accounting principles.

Note: This resolution requires NO funds from the general fund. It increases revenues by \$10,000 and increases expenditures by \$10,000.

Submitted by:

JUDICIARY AND LAW ENFORCEMENT COMMITTEE

William Michel

Ruth Delace Booth

David Arrington

Joseph Clark

Bob Haas

It was moved by Supervisor Michel to adopt Resolution 24. Seconded by Supervisor Haas.

2/3 vote required.
Motion carried unanimously.

RESOLUTION 25

25. From Land Use Committee regarding Approval of the Appointment of Supervisor Anita Faraone to the Southeastern Wisconsin Regional Planning Commission (SEWRPC).

WHEREAS, pursuant to the County Executive Appointment 2006/07-04, the County Executive has appointed Supervisor Anita Faraone to serve on the Southeastern Wisconsin Regional Planning Commission, and

WHEREAS, the Land Use Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named as the Kenosha County representative to SEWRPC and is recommending to the County Board the approval of the appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors confirm the appointment of Supervisor Anita Faraone to serve on the Southeastern Wisconsin Regional Planning Commission (SEWRPC).

Approved 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 25. Seconded by Supervisor Nudo.
Motion carried.

RESOLUTION 26

26. From Land Use Committee regarding Final Plat of Hillside Heights Subdivision, Jankowski-Iselin Partnership (Developers), located in the Town of Wheatland.

WHEREAS, at a regularly held public hearing of the Kenosha County Land Use Committee on July 12, 2006 review was given to the Final Plat of Hillside Heights Subdivision located on Tax Parcels #95-4-219-274-0501 and #95-4-219-274-0505 in the southeast quarter of the southeast quarter of Section 27, Township 2 North, Range 19 East, Town of Wheatland. For informational purposes only, these properties are located on the northeast corner of the intersection of 45th Street and 348th Avenue; and

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

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

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

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

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

Submitted by:
LAND USE COMMITTEE
Fred Ekornaas
John O'Day
Jennifer Jackson
Roger Johnson
Gage Nudo

It was moved by Supervisor Ekornaas to adopt Resolution 26. Seconded by Supervisor O'Day.
Motion carried.

COMMUNICATIONS

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

Chairman Rose referred Communication 7 to Land Use Committee.

CLAIMS

7. Robert Samer - his dog bit by Police dog.

Chairman Rose referred Claim 7 to Corporation Counsel.

It was moved by Supervisor Moore to approve the July 11, 2006 minutes.
Seconded by Supervisor Faraone.

Motion carried.

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

Motion carried.

Meeting adjourned at 8:00 P.M.

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