

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING**

**January 3, 2006**

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

Present: Supervisors Elverman, Grady, Rossow, Rose, Kessler, Huff, Wipper, Marrelli, Booth, Carbone, Modory, Faraone, R. Johnson, Michel, O'Day, Singer, L. Johnson, Moore, Molinaro, Wisnefski, Carey-Mielke, Noble, Clark, West, Kerkman, Gorlinski, Smitz, Ekornaas.

Excused: None

Present: 28. Excused: 0.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Elverman stated that a report from Supervisor Gorlinski was placed on everyone's desk regarding the negotiations with Waste Management.

Chairman Elverman welcomed everyone to the new year. The Courthouse Security is going to be taken care of within the next couple of weeks.

**SUPERVISORS REPORTS**

Supervisor Carey-Mielke stated that the Extension Education Committee would like to publicly thank our County Board Chairman for allowing the kids to use the County Board Chambers. The kids had an opportunity to experience Parliamentary Procedures and County Government. She would like to circulate some pictures of the kids utilizing the chambers. They have hired a Youth Coordinator starting January 9th.

Supervisor Gorlinski stated that Kimberly Breunig, running for Supervisor in District #25, unopposed is in the audience. He also wanted to thank everyone who supported him relative to the County Executive bid. After looking at his involvement in government since 1974 he had decided not to run for County Executive.

Supervisor Molinaro reported that there was a water main break at Kemper Center and there was emergency repairs done. The cost will come forward to be discussed on how to cover the bill.

Supervisor Noble reported that at the next Highway & Parks Meeting they will be discussing the flood from 2004. The grant money looks like it is \$107,000.00 which is more than expected so there will be a budget modification coming through.

**COUNTY EXECUTIVE APPOINTMENT**

9. Earl Hawley to serve on the Kenosha County Workforce Development Board.

Chairman Elverman referred Appointment 9 to Human Services Committee.

10. Sharon Acerbi to serve on the Kenosha County Library Committee.

Chairman Elverman referred Appointment 10 to Finance Committee.

**NEW BUSINESS**

Ordinances - one reading

**ORDINANCE 30**

30. From the Land Use Committee regarding Duane J. and Susan C. Habjan, requesting rezoning from R-2 Suburban Single Family Residential District to B-3 Highway Business District in the Town of Bristol.

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

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

That part of Tax Parcels #35-4-121-332-0266 and #35-4-121-332-0263, located in the northwest quarter of Section 33, Township 1 North, Range 21 East, Town of Bristol be changed from R-2 Suburban Single Family Residential District to B-3 Highway Business District. For informational purposes only, these properties are to the north and west of the property known as the Red School Café located at 12320 Bristol Road which is on the west side of U. S. Highway "45" approximately 0.33 miles north of the intersection of County Trunk Highway "WG" (128<sup>th</sup> Street).

**Duane J. and Susan C. Habjan - (Owners)**

**Description: R-2 Suburban Single Family Residential District to B-3 Highway Business District:**

Part of Lots 62 and 63 in Cherri-Vista Dells, a subdivision plat on file and of record in the Kenosha County Land Registry; lying and being in part of the southwest quarter of Section 33, Town 1 North, Range 21 East of the Fourth Principal Meridian; lying and being in the Town of Bristol, Kenosha County, Wisconsin and being more particularly described as: Commencing at the southeast corner of said Lot 63; thence north 89°57'00" west 5.04 feet to the point of beginning of the parcel to be herein described; thence north 07°09'00" west 50.00 feet; thence north 89°57'00" west 294.62 feet; thence south 31°41'07" east 157.20 feet to a point on the south line of said Lot 62; thence north 89°43'00" east along said south line 15.00 feet to the southeast corner of said Lot 62; thence south 00°03'00" west 81.00 feet; thence south 89°57'00" east 224.04 feet; thence north 07°09'00" west 166.31 feet to the point of beginning; containing 52,704 square feet, more or less; subject to easements and restrictions of record.

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

Submitted by:

LAND USE COMMITTEE

Don Smitz

Tom Gorlinski

Fred Ekornaas

Mark Molinaro

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 30. Seconded by Supervisor Gorlinski.

Motion carried.

#### **ORDINANCE 31**

From the Land Use Committee regarding Jane Louise Fillmore Trust, Jane Louise Fillmore, Trustee, 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 #45-4-221-281-0400 located in the northeast quarter of Section 28, Township 2 North, Range 21 East, Town of Paris be changed from A-1 Agricultural Preservation District to A-2 General Agricultural District (36.78 acres). For informational purposes only, this property is located approximately 231 feet west of the intersection of County Trunk Highway "N" (38<sup>th</sup> Street) and 169<sup>th</sup> Avenue.

**Jane Louise Fillmore Trust - (Owner)**

**Description: A-1 Agricultural Preservation District to A-2 General Agricultural District:**

A tract of land being part of the northeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 28, Town 2 North, Range 21 East, located in the Town of Paris, County of Kenosha, State of Wisconsin, bounded and described as follows: Commencing at the east  $\frac{1}{4}$  corner of said section; thence south 88°48'21" west for a distance of 591.92 feet, along the south line of said northeast  $\frac{1}{4}$ , to the point of beginning: thence continuing south 88°48'21" west for a distance of 752.58 feet, along said south line, to a point; thence north 02°19'39" west for a distance of 2,152.66 feet, to a point; thence north 88°49'41" east for a distance of 374.26 feet, to a point; thence south 02°26'39" east for a distance of 528.37 feet, to a point; thence north 88°49'41" east for a distance of 285.00 feet, to a point; thence south 02°26'39" east for a distance of 186.30 feet, to a point; thence north 88°49'41" east for a distance of 320.00 feet, to a point on said west right of way line; thence south 02°26'39" east for a distance of 872.65 feet, along said west right of way line, to a point; thence south 88°48'21" west for a distance of 231.05 feet, to a point; thence south 02°26'38" east for a distance of 565.05 feet, to the point of beginning. Reserving the southerly 33.00 feet and the easterly 8.25 feet for public road purposes.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 36.786 acres more or less.

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

Submitted by:

LAND USE COMMITTEE

Don Smitz

Tom Gorlinski

Fred Ekornaas

Mark Molinaro

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 31. Seconded by Supervisor Molinaro.

Motion carried.

#### ORDINANCE 32

32. From the Land Use Committee regarding Jankowski-Iselin Partnership, requesting rezoning from A-2 General Agricultural District to R-2 Suburban Single Family Residential District in the 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 Parcels #95-4-219-274-0501 and #95-4-219-274-0505 located in the southeast quarter of Section 27, Township 2 North, Range 19 East, Town of Wheatland be changed from A-2 General Agricultural District to R-2 Suburban Single Family Residential District. For informational purposes only, these properties are located on the northeast corner of the intersection of 45<sup>th</sup> Street and 348<sup>th</sup> Avenue.

**Jankowski-Iselin Partnership - (Owner)**

**Description: A-2 General Agricultural District to R-2 Suburban Single Family**

**Residential District:** Being part of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 27, Township 2 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: Begin at the southeast corner of said Section 27; thence south 88°16'22" west 1,317.88 feet (recorded as north 89°10'00" west 1,320 feet) along the south line of said southeast  $\frac{1}{4}$  section to a point in the center line of 348<sup>th</sup> Avenue; thence north 00°58'36" west 638.43 feet (recorded as north 01°48'00" east 638.55 feet) along said center line; thence north 88°16'09" east 1,320.56 feet; (recorded as south 89°10'00" east 1,320 feet) to a point on the east line of said southeast  $\frac{1}{4}$  section; thence south 00°44'12" east (recorded as south 01°48'00" west) along said east line 638.55 feet to the place of beginning. Containing 19.33 acres of land more or less. Subject to rights of the public over the west 33 feet thereof for road purposes (348<sup>th</sup> Avenue).

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

Submitted by:

LAND USE COMMITTEE

Don Smitz

Tom Gorlinski

Fred Ekornaas

Mark Molinaro

Janice Marrelli

It was moved by Supervisor Smitz to adopt Ordinance 32. Seconded by Supervisor Ekornaas.

Motion carried.

Resolutions - one reading.

#### RESOLUTION 68

68. From Supervisor Terry Rose regarding supporting Legislation requiring the Election of State Technical College Board Members.

Chairman Elverman referred Resolution 68 to Legislative Committee.

#### **COMMUNICATIONS**

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

Chairman Elverman referred Claim 13 to Land Use Committee.

**CLAIMS**

21. Lisa Schaltberger - spray paint on car.
22. Micah L'Minggio - lost coat in Kenosha County Jail.
23. Daniel Jensen - car hit by Kenosha County Squad Car.
24. Ivan Baker - lost wallet.

Chairman Elverman referred Claims 21 thru 24 to Corporation Counsel.

**Supervisor Comments**

Supervisor Gorklinski stated that the public is welcome to the negotiations with the Waste Management and the Town of Paris. It is almost complete. Look at all the landfills in the State of Wisconsin and then look at the out of state garbage. It is only 10% for the whole state. If anyone would like a tour, it can be arranged.

Supervisor Molinaro spoke regarding expansion of the Landfill and pending state legislation on tipping fees. Every time mention of the landfill comes up they are told there is nothing they can do about contaminating Kenosha County with garbage not from Wisconsin. They are now working on the third expansion. For those willing to transport their trash to Kenosha County we should be making it less economic for them to do so. The out of state garbage is 10% for the state but 80% for Kenosha County. Assembly Bill 798, introduced on October 31<sup>st</sup> was looking to increase the \$3.00 per ton tipping fee to \$10.00 per ton. We didn't have a single area legislature sign onto Bill 798. While the Assembly Bill languished and did nothing our area legislatures were discussing and approving lowering the hunting age from 12 to 8. Not only do they not care that Kenosha County is taking in all this trash but unless Waste Management kicked in a half million dollars to their campaign fund they don't even care about the environment as a whole. What he wants to see done is that there be a large disparity between in state and out of state waste. 50% of the tipping fees should come to Kenosha County for the purpose of off setting the environmental issues we are going to have. Franklin has in their contract different fees. There needs to be a disparity in the tipping fees to deter out of state trash. Please call Corporation Counsel and urge him to get something into the contract language. It's time to make sure that they are interested in having the landfill where it's at and paying for where it's at and that we are interested in protecting the people for the long term.

It was moved by Supervisor Molinaro to adopt the December 6<sup>th</sup> minutes. Seconded by Supervisor Michael.

Motion carried.

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

Motion carried.

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