

**KENOSHA COUNTY BOARD OF SUPERVISORS**

**COUNTY BOARD CHAMBERS**

**COUNTY ADMINISTRATION BUILDING**

**March 18, 2003**

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

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

Absent: None

Present. 28. Absent. 0.

**CITIZEN COMMENTS**

Terry Hannes, 1st Chair of Local 990, stated that completion of the Job Center is very important. The need to purchase new or used modular furniture to accommodate more employees in a limited space can be difficult. In some divisions there is existing practical functional furniture now being used by employees including herself. The needs of the workers differs greatly. We need to insure that the furniture purchased meets the needs of the workers and that the workers are involved in the decisions. The work stations must be ergonomically designed to prevent future workmen-comp claims.

**ANNOUNCEMENTS OF THE CHAIRMAN**

Chairman Kessler stated that he received a thank-you card from Supervisor West for the flowers he received while hospitalized. Welcome back Supervisor West.

**SUPERVISOR REPORTS**

Supervisor Carbone talked about the Tax Equity Study report put together by Dave Geersten. It answers a number of questions. The information in the Kenosha News was not entirely correct. Also, last Thursday the Emergency Management Director and Aurora Hospital held a Kenosha County Influenza Tabletop Exercise. 64 people took part. It was a good exercise and Ben Schliesman did an excellent job.

Supervisor Larsen stated that on March 24th at 6:00 p.m., at the Somers Town Hall the DOT and elected representatives from Madison will be here for a Public Hearing on the Hwy 32 project.

Supervisor Bergo stated that she had placed on the bulletin board in the back room a map of Devils Elbow. A man killed his wife in 1850 and as a result he was hanged and this was the beginning of the Wisconsin refusal to have capital punishment.

Supervisor West thanked everyone for their thoughts and prayers during his illness. He is glad to be back.

Supervisor Molinaro stated that he will be stepping down from the Kenosha Achievement Center Board of Directors. He spent close to six years on the board and if anyone is interested in filling his position please contact him. This organization's mission is admirable and he would like to see someone from the county board continue in that position. Please call and he will talk through what is required.

Supervisor Noble stated that he is a member of the Des Plaines Watershed Committee and tonight there is a public hearing. At some point in time the plan will be brought before the Land Use Committee and to the County Board for approval.

Supervisor Wisnefski reported about the meeting he attended on the Tax Equity Study. The towns and municipalities are subsidizing the city. When it is all said and done it will probably be a wash.

**NEW BUSINESS**

Ordinances - one reading.

From Land Use Committee regarding:

**ORDINANCE 69**

69. Maurice G. Lake and George G. Gekas, et al., requesting rezoning from A-2 General Agricultural District to R-1 Rural Residential District excluding lands currently zoned 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 Parcel #67-4-120-313-0300 located in the southwest quarter of Section 31, Township 1 North, Range 20 East, Town of Salem be changed from A-2 General Agricultural District to R-1 Rural Residential District excluding lands currently zoned C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of County Trunk Highway "B" (304<sup>th</sup> Avenue) approximately 0.8 miles south of the intersection of County Trunk Highway "C."

**Maurice G. Lake and George G. Gekas, et al. - (Owners)**

**Descriptions:** Part of the south half of Section 31, Town 1 North, Range 20 East of the Fourth Principal Meridian, lying and being in the Town of Salem, Kenosha County, Wisconsin and being more particularly described as: Beginning at a concrete monument at the south quarter corner of Section 31, which corner is on the Wisconsin and Illinois State line; thence north 87°58'38" east along and upon the south line of the southeast quarter of said Section 31, 47.42 feet and to the center line of County Trunk Highway "B" (304<sup>th</sup> Avenue); thence north 04°10'03" east along and upon said center line, 300.27 feet; thence south 87°30'51" west parallel to the south line of the southwest quarter of said Section 31, 1245.23 feet, more or less and to the bank of the Fox River; thence south along and upon said bank, 298.1 feet, more or less and to the south line of said southwest quarter section, which point is south 87°30'51" west 1174.10 feet, more or less, from the south quarter corner of said section; thence north 87°30'51" east 1174.10 feet, more or less and to the point of beginning. Subject to a public highway over and across the most easterly 33.00 feet thereof and containing 8.43 acres, more or less.

**In addition:** Part of the south half of Section 31, Town 1 North, Range 20 East of the Fourth Principal Meridian, lying and being in the Town of Salem, Kenosha County, Wisconsin and being more particularly described as: Beginning at a concrete monument at the south quarter corner of Section 31, which corner is on the Wisconsin and Illinois State line; thence north 87°58'38" east along and upon the south line of the southeast quarter of said Section 31, 47.42 feet and to the center line of County Trunk Highway "B" (304<sup>th</sup> Avenue); thence north 04°10'03" east along and upon said center line, 300.27 feet and to the point of beginning of parcel hereinafter described; thence continue north 04°10'03" east along and upon said center line, 188.24 feet and to an angle point in said highway; thence north 06°01'30" east along and upon said center line, 111.77 feet; thence south 87°30'51" west parallel to the south line of the southwest quarter of said Section 31, 1257.08 feet, more or less and to the bank of the Fox River; thence south along and upon said bank, 299.5 feet, more or less and to a point that is south 87°30'51" west 1245.23 feet, more or less, from the center line of the aforesaid highway; thence north 87°30'51" east parallel to the south line of the southwest quarter of said section, 1245.23 feet more or less and to the point of beginning. Subject to a public highway over and across the most easterly 33.00 feet thereof and containing 8.57 acres, more or less.

**Further including:** Part of the south half of Section 31, Town 1 North, Range 20 East of the Fourth Principal Meridian, lying and being in the Town of Salem, Kenosha County, Wisconsin and being more particularly described as: Beginning at a concrete monument at the south quarter corner of Section 31, which corner is on the Wisconsin and Illinois State line; thence north 87°58'38" east along and upon the south line of the southeast quarter of said Section 31, 47.42 feet and to the center line of County Trunk Highway "B" (304<sup>th</sup> Avenue); thence north 04°10'03" east along and upon said center line, 488.51 feet and to an angle point in said highway; thence north 06°01'30" east along and upon said center line, 111.77 feet and to the point of beginning of parcel hereinafter described; thence continue north 06°01'30" east along and upon said center

line, 307.23 feet and to a point which is north 02°06'00" west 900.55 feet and north 87°58'50" east 156.97 feet from the south quarter corner of the aforesaid Section 31; thence south 87°58'50" west parallel to the south line of the southwest quarter of said Section 31, 1128.06 feet, more or less and to the bank of the Fox River; thence southwesterly along and upon said bank, 362.4 feet, more or less and to a point which is south 87°30'51" west 1257.08 feet, more or less, from the center line of the aforesaid highway; thence north 87°30'51" east parallel to the south line of the southwest quarter of said section, 1257.08 feet more or less and to the point of beginning. Subject to a public highway over and across the most easterly 33.00 feet thereof and containing 8.58 acres, more or less.

Excluded in this rezoning is any lands currently zoned C-1 Lowland Resource Conservancy District.

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

Submitted by:

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

#### ORDINANCE 70

70. Richard J. and Susan M. Kraus caring Trust, requesting rezoning from R-2 suburban single Family Residential District to A-1 Agricultural Preservation 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 #80-4-222-164-0420 located in the southeast quarter of Section 16, Township 2 North, Range 22 East, Town of Somers be changed from R-2 Suburban Single-Family Residential District to A-1 Agricultural Preservation District. For informational purposes only, this property is located on the north side of County Trunk Highway "L" (18<sup>th</sup> Street) approximately 0.16 miles west of the intersection of County Trunk Highway "EA" (72<sup>nd</sup> Avenue).

#### **Richard J. and Susan M. Kraus Caring Trust- (Owners)**

**Description:** Kenosha County Certified Survey Map #1943 - Being a part of the southeast quarter of the southeast quarter of Section 16, Township 2 North, Range 22 East of the Fourth Principal Meridian in the Town of Somers, County of Kenosha and State of Wisconsin more particularly described as: part of the southeast quarter of the southeast quarter of Section 16, Township 2 North, Range 22 East of the Fourth Principal Meridian in the Town of Somers, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the southeast corner of said southeast quarter section; thence south 89°52'10" west along the south line of said southeast quarter section 846.71 feet to the place of beginning of this description; thence continue south 89°52'10" west along said south line 180.00 feet; thence north 01°32'12" west 256.00 feet; thence north 89°52'10" east 180.00 feet; thence south 01°32'12" east 256.00 feet to the place of beginning. Containing 1.05 acres of land more or less.

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

Submitted by:

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

It was moved by Supervisor Smitz to adopt Ordinances 69 & 70. Seconded by Supervisor Gorlinski.  
Motion carried.

**ORDINANCE 71**

71. Hallmark Development Corporation, requesting rezoning from B-2 Community Business District to R-11 Multiple-Family Residential 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 #81-4-223-082-0301 located in the northwest quarter of Section 8, Township 2 North, Range 23 East, Town of Somers be changed from B-2 Community Business District to R-11 Multiple-Family Residential District. For informational purposes only, this property is located on the southwest corner of the intersection of State Trunk Highway "32" (Sheridan Road) and County Trunk Highway "A" (7<sup>th</sup> Street).

**Hallmark Development Corporation - (Owner)**

**Description:** Certified Survey Map #1513, Volume 1467, Page 864, 1992 1.949 acres excluding highway.

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

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

**ORDINANCE 72**

72. Hallmark Development Corporation, requesting an amendment to a previously approved (September 1991) PUD Planned Unit Development Overlay District to include four nine (9) unit apartment buildings 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 #81-4-223-082-0301 located in the northwest quarter of Section 8, Township 2 North, Range 23 East, Town of Somers have a PUD Planned Unit Development Overlay District amended and applied as presented. The petitioner requests development of four nine (9) unit apartment buildings on a 1.95-acre parcel. For informational purposes only, the property is known as Villa Rosa located on the southwest corner of the intersection of State Trunk Highway "32" (Sheridan Road) and County Trunk Highway "A" (7<sup>th</sup> Street).

**Hallmark Development Corporation - (Owner)**

**Description:**

The legal description of the property to have the PUD Planned Unit Development Overlay District applied is as follows:

Certified Survey Map #1513, Volume 1467, Page 864 1992, 1.949 acres excluding highway.

The petitioner's application stated that the approval of the PUD Planned Unit Development Overlay District shall be granted only upon the condition that zoning amendments requesting that Tax Parcel #81-4-223-082-0301 be changed from B-2 Community Business District to R-11 Multiple-Family Residential District which application had been contemporaneously submitted, is also approved.

The petitioners would be responsible for compliance with their testimony given at the March 12, 2003 Land Use Committee public hearing, whereby assurances were given, exhibits were presented, information and fact booklets explained and received, all which are now part of the record, along with complying with the application and various site plans previously filed with the County.

In addition, the petitioner is responsible for compliance with conditions as requested by the Department of Planning and Development, which were agreed to by the petitioner at the March 12, 2003 public hearing. These conditions are hereby referenced to as (Exhibit 1), on file in the Department of Planning and Development and are made part of this ordinance.

The petitioner also is responsible for compliance with the PUD Planned Unit Development Overlay District conditions as outlined in Section 12.26-4(a-o) of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. A public hearing was held on March 12, 2003 by the Land Use Committee for the purpose of receiving evidence, taking testimony, and reviewing recommendations presented. At that time, a favorable recommendation was given to the zoning request for the application of a PUD Planned Unit Development Overlay District for the Hallmark Development Corporation project by the Land Use Committee on the property as previously described.

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

It was moved by Supervisor Smitz to adopt Ordinances 71 & 72. Seconded by Supervisor Larsen.  
Roll call vote.

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

Nays: None

Abstain: Supervisor Montemurro.

Ayes. 27. Nays. 0. Abstain 1.

Motion carried.

Resolutions - one reading.

**RESOLUTION 137**

137. From Finance Committee regarding Bills over \$5,000.00.

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

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

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

KENOSHA COUNTY PAYMENT GROUPS BILLS OVER \$5,000.00

APPROVAL BY FINANCE COMMITTEE AND COUNTY BOARD ARE REQUIRED:

<u>DIVISIONS</u>	<u>PAYMENT GROUPS</u>
FINANCE GROUPING # 1	\$1,364,219.17
FINANCE GROUPING # 2	\$ 860,000.00
PERSONNEL GROUPING # 1	\$ 23,759.50
PERSONNEL GROUPING # 2	\$ 121,411.78
DISABILITY GROUPING # 1	\$1,038,399.63
PAYMENT GROUPS GRAND TOTAL:	\$3,407,790.08

Submitted by:

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

It was moved by Supervisor Carbone to adopt Resolution 137. Seconded by Supervisor Rose. Supervisor Clark abstained on Spanish Center, Community Impact Program, Professional Services, Bridges Community Center.  
Motion carried.

**RESOLUTION 138**

138. From Finance Committee regarding Authorizing submission of a Milk Volume Production/Community Development Block Grant for Economic Development Application.

A RESOLUTION AUTHORIZING SUBMISSION OF A MILK VOLUME  
PRODUCTION/COMMUNITY DEVELOPMENT  
BLOCK GRANT FOR ECONOMIC DEVELOPMENT APPLICATION

Relating to Kenosha County's participation in the Wisconsin Community Development Block Grant for Economic Development (CDBG-ED) program.

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development, and

**WHEREAS**, after public meeting 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-ED/MVP grant in an amount not to exceed \$56,000. The grant would be used to provide Joseph Voss with a \$50,000 low-interest loan for the purchase of new equipment. The remaining \$6,000 would be used to pay for expenses incurred by the County in the administration of the CDBG-ED award. In consideration of this request, Mr. Voss has agreed to retain one full-time position and create one new full-time position in the Town of Brighton prior to December 31, 2003.

**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 County Board 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 preparation and filing of an application for the above-referenced project, and

**BE IT FURTHER RESOLVED**, that the County Executive and County Clerk are hereby authorized to sign all necessary documents on behalf of the County, and

**BE IT FURTHER RESOLVED**, that authority is hereby granted to the Kenosha Area Business Alliance to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Adopted on this \_\_\_\_\_, day of March, 2003.

ATTEST: \_\_\_\_\_  
Edna Highland, County Clerk

The above resolution has been authorized by the Kenosha County Board of Supervisors by Resolution No. \_\_\_\_\_, dated March \_\_\_\_, 2003.

\_\_\_\_\_  
Allan K. Kehl, County Executive

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

It was moved by Supervisor Carbone to adopt Resolution 138. Seconded by Supervisor O'Day.  
Roll call vote.

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

Nays: Supervisor Pitts.

Ayes. 26. Nays. 1.

Motion carried.

RESOLUTION 139

139. From Finance Committee regarding 2003 Office of Register of Deeds Budget Modification.

**WHEREAS**, the Office of the Register of Deeds has experience a significant increase in volume of documents to be recorded in January and February of 2003, and

**WHEREAS**, the Office of the Register of Deeds currently has a backlog of over 4,300 documents which are required to be recorded, and

**WHEREAS**, in order to get documents recorded and up-to-date will require the use of temporary help and overtime, and

**WHEREAS**, sufficient revenue will be generated within the Office of the Register of Deeds to cover the cost of relieving the backlog, and

**WHEREAS**, no funding will be required from the General Fund,

**NOW THEREFORE BE IT RESOLVED**, that the 2003 Register of Deeds Office budget be modified in the amount of \$33,300 as the per attached budget modification which is herein incorporated by reference.

**Submitted by:**

FINANCE COMMITTEE

Robert Carbone

Terry Rose

John O' Day

Robert Pitts

Gordon West

It was moved by Supervisor Carbone to adopt Resolution 139. Seconded by Supervisor West.

Roll call vote.

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

Nays: None

Ayes. 27. Nays. 0.

Motion carried.

RESOLUTION 140

140. From Human Services, Building & Grounds and Finance Committees regarding Project completion of the Job Center Remodeling Project to restore budgeted line items which funds were needed for infrastructure improvements.

**WHEREAS**, the Kenosha County Board of Supervisors authorized the purchase of the Job Center building in calendar year 1999, and

**WHEREAS**, the Kenosha County Board of Supervisors intended the Job Center Building would provide office space for six divisions of the Department of Human Services, and

**WHEREAS**, the Kenosha County Board of Supervisors authorized \$4,400,000 of bonded funds to remodel the former theatre, dentist office, and carpet store as well as an additional second floor for the purpose of moving Divisions of Health, Aging, Disability Services, Veterans and Children & Family Services, and

**WHEREAS**, during the remodeling of the referenced areas, costs were incurred for necessary infrastructure improvements (Roof and Heating Ventilation Air Conditioning), and

**WHEREAS**, the original budget intended that all non remodeled areas and obsolete or non operative furniture, fixture, equipment, carpet and work stations be repaired/or replaced, and

**WHEREAS**, there are available funds in unspent bonding projects and unrestricted funds to restore budgeted line items to accomplish the intent to repair/or replace items referenced herein, and

**NOW, THEREFORE, BE IT RESOLVED**, THAT THE Kenosha County Board of supervisors authorize the use of unspent bond money and unrestricted funds of \$350,000 (total project cost \$4,750,000) to be used for the remaining repairs or replacement as originally intended and referenced herein, per the attached budget modification incorporated herein by reference.

Submitted by:

HUMAN SERVICES COMMITTEE	FINANCE COMMITTEE	BUILDING & GROUNDS
Eunice Boyer	Robert Carbone	Mark Wisnefski
Anne Bergo	Robert Pitts	Anne Bergo
Don Smitz	Gordon West	Mark Molinaro
John O'Day	John O'Day	

It was moved by Supervisor Wisnefski to adopt Resolution 140. Seconded by Supervisor Boyer.

It was moved by Supervisor Rose to amend Resolution 140 to remove from the resolution the \$100,000.00 contingency fund and \$50,000.00 infrastructure and rough in future growth areas. Seconded by Supervisor Noble.

It was moved by Supervisor Kerkman to close debate. Seconded by Supervisor Rose.

Roll call vote.

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

Nays: Supervisors Huff, Molinaro, Singer, Ruffolo, Montemurro, Gorlinski, Elverman.

Ayes. 21. Nays. 7.

Motion carried.

Roll call vote on Supervisors Rose's Amendment.

Ayes: Supervisors Rose, Clark, Noble, Gorlinski, Elverman.

Nays: Supervisors Kessler, Grady, Boyer, Huff, Molinaro, Marrelli, Bergo, Carbone, Modory, Faraone, Johnson, Pitts, O'Day, Singer, Ruffolo, Montemurro, Larsen, Wisnefski, Carey-Mielke, West, Kerkman, Smitz, Ekornaas.

Ayes. 5. Nays. 23.

Motion failed.

It was moved by Supervisor Boyer to close debate on Resolution 140. Seconded by Supervisor Wisnefski.

Roll call vote.

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

Nays: Supervisors Huff, Molinaro, Ruffolo, Montemurro, Clark, Gorlinski, Elverman.

Ayes. 21. Nays. 7.

Motion carried.

Roll call vote on Resolution 140.

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

Nays: Supervisors Rose, Clark, Noble, Gorlinski.

Ayes. 24. Nays. 4.

Motion carried.

#### **RESOLUTION 141**

141. From Land Use Committee regarding a Siting Resolution pursuant to Wisconsin Statutes Section 289.33(6)(a), stating the intent of Kenosha County to negotiate and if necessary, arbitrate with waste management, Inc. regarding the proposed northerly expansion of the Pheasant Run recycling and Disposal Facility.

**WHEREAS**, Kenosha County has been notified by Waste Management, Inc. that Waste Management, Inc. intends to pursue northerly expansion of the Pheasant Run Recycling and Disposal Facility in Kenosha County; and

**WHEREAS**, the state law allows Kenosha County to participate on a local Committee that will negotiate with Waste Management, Inc. to establish requirements to protect the legitimate concerns of nearby property owners and residents and affected municipalities, including Kenosha County; and

**WHEREAS**, the ability of Kenosha County to participate on the local committee requires the adoption of this Siting Resolution and the naming of two members to represent Kenosha County on the local committee that will conduct

negotiations regarding the proposed expansion of the Pheasant Run Recycling and Disposal Facility;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Kenosha County that Kenosha County intends to negotiate and if necessary, arbitrate with Waste Management, Inc. concerning the proposed expansion of the Pheasant Run Recycling and Disposal Facility; and

**BE IF FURTHER RESOLVED**, that the appointment of two members to represent Kenosha County on the local committee, pursuant to Wisconsin Statutes section 289.33(7)(a)1m, will be the Director of Planning & Development and Tom Gorlinski of the Land Use Committee; and

**BE IT FURTHER RESOLVED**, that the County Clerk of designee shall send a certified copy of this Resolution and a copy of documents showing the appointment of two County representatives to the local committee to the State of Wisconsin Waste Facility Siting Board, 201 West Washington Avenue, Madison, Wisconsin 53703, within seven days after the adoption of this Resolution and within seven days after the appointment of the members to represent Kenosha County on the local (negotiating) committee, respectively.

Submitted by:

LAND USE COMMITTEE

Donald Smitz

Mark Molinaro, Jr.

Thomas J. Gorlinski

Irving Larsen

Fred R. Ekornaas

It was moved by Supervisor Smitz to adopt Resolution 141. Seconded by Supervisor Ekornaas.

Motion carried.

COMMUNICATION

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

Chairman Kessler referred Communication 25 to Land Use Committee.

CLAIMS

39. Joanne Robison - stenograph machine damaged.

40. Joan Davidson - damaged windshield.

41. Robert Busche - mailbox damage.

42. Raymond Olszewski - mailbox damage.

43. Joseph Suaras - mailbox damage.

Chairman Kessler referred Claims 39-43 to Corporation Counsel.

It was moved by Supervisor Carbone to approve the March 4, 2003 minutes. Seconded by Supervisor Carey-Mielke.

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

Motion carried.

Meeting adjourned at 9:10 p.m.

Prepared by: Pam Young  
Chief Deputy

Submitted by: Edna R. Highland  
County Clerk