

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
January 15, 2008**

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

Excused: Supervisors Marrelli, Booth.

Present: 26. Excused: 2.

THERE WERE NO CITIZEN COMMENTS

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Rose stated the meeting schedule ending April 15th is on the desks, on April 8th the group picture will be taken at 6:30 p.m.

SUPERVISOR REPORTS

Supervisor Haas stated that in the Town of Wheatland there were 23 homes completely destroyed and 101 homes damaged by the tornado. Estimated damage in the Town of Wheatland is 8.5 million. There were 6 reported injuries, the most major was a broken arm. Responding units came from as far away as Gurnee Il, and Milwaukee. The Sheriff's Department, Emergency Management Director, Kenosha County Joint Services, County Executive and staff and the Kenosha County Highway Department all did an excellent job and should be commended. Wisconsin Electric and Gas was restored within 24 hours. Salvation Army and Red Cross stayed as long as needed. He thanked the hundreds of volunteers and the County Board Members that toured the area.

Supervisor Breunig stated the UW Extension Committee placed on the supervisor's desks the Youth in Governance nomination forms. They encourage anyone to nominate someone who they think would be good for any of the committees. The nomination forms are due back January 25th.

Supervisor Michel stated at the Judiciary and Law Committee, Lt. Falduto made the committee aware that Kenosha County received a grant for cameras in the squad cars. Supervisor Michel also stated the additional beds for the federal inmates in the detention center should be completed within the next few weeks.

Supervisor Carbone stated the Finance Committee defeated Resolution 86, which was referred to them regarding a location for dispatch other than the county center. The problem with the building referred to in resolution 86 which is east of the courthouse, is it's not for sale and it would take at least two years to relocate the current tenants of the building.

Supervisor Wisnefski stated he had a lot of people ask him to express their thanks to the Sheriff and his department for the continuous job of helping out in Wheatland after the tornado. They appreciate the effort and the time the sheriff's department has put in.

COUNTY EXECUTIVE APPOINTMENTS

- 29. Patricia Johnson to serve on the Kenosha County Library Committee.
- 30. Ron Johnson to serve on the Kenosha County Library Committee.
- 31. Steven Schwimmer to serve on the Kenosha County Board of Health.

It was moved by Supervisor Faraone to suspend the rules and immediately appoint Ronald Johnson to the Kenosha County Library Committee. Seconded by Supervisor Jackson.

Motion carried.

Chairman Rose referred County Executive Appointment 29 to the Finance Committee and County Executive Appointment 31 to Human Services.

OLD BUSINESS

Ordinances - second reading, two required.

ORDINANCE 47

47. From Highway and Parks regarding Repeal and recreate Ordinance on Speed Limits on County Truck Highway "Q" from I-94 to County Trunk Highway "U" in the Town of Bristol and Village of Pleasant Prairie.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby repealed:

Section 7.02 Speed Limits

(27) County Trunk Highway "Q", Pleasant Prairie.

(a) 45 m.p.h. from its intersection with the town road known as Meadow Lane, a/k/a 55th Avenue, westerly to a point 0.05 of a mile west of its intersection with the town road known as Linden Lane, a/k/a 56th Avenue.

(b) 40 m.p.h. from its intersection with State Trunk Highway 32, westerly to its intersection with County Trunk Highway "EZ".

(c) 45 m.p.h. from a point 0.25 of a mile east to a point 0.25 of a mile west of its intersection with County Trunk Highway "H".

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

SUBMITTED BY:

Highway & Parks Committee

Douglas Noble

William Grady

Bob Haas

Richard Kessler

Gordon West

It was moved by Supervisor Noble to adopt Ordinance 47. Seconded by Supervisor Haas.

Motion carried.

ORDINANCE 48

48. From Highway and Parks regarding Create Ordinance on speed limits on County Trunk Highway "D" from State Trunk Highway 50 to County Trunk Highway "C" in the Town of Bristol.

The County Board of Supervisors of Kenosha County, Wisconsin do ordain as follows:

A portion of existing Kenosha County Ordinance, Section 7.02 on TRAFFIC CONTROLS is hereby created:

Section 7.02 Speed Limits

(8.2) County Trunk Highway "D", Town of Bristol.

(a) 45 m.p.h. from its intersection with State Trunk Highway "50", southerly to County Trunk Highway "C".

SUBMITTED BY:

Highway & Parks Committee

Douglas Noble

William Grady

Bob Haas

Richard Kessler

Gordon West

It was moved by Supervisor Noble to adopt Ordinance 48. Seconded by Supervisor Grady.

Motion carried.

NEW BUSINESS

Ordinances - one reading

ORDINANCE 50

50. From the Land Use Committee regarding Berryville Development Company LLC (Owner), Jason Paukner (Agent) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District with the application of a RC - Rural Cluster Development Overlay District, in addition, a be rezoned from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District, 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 Tax Parcels #35-4-121-091-0205, #35-4-121-091-0300 and #35-4-121-093-0410 located in the northeast and southwest quarters of Section 9, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-1 Rural Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District with the application of a RC - Rural Cluster Development Overlay District. In addition, a portion of Tax Parcel #35-4-121-093-0410 be rezoned from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District. For informational purposes only, these properties are located on the south side of State Trunk Highway "50" (75th Street) immediately west of Bristol Oaks golf course.

Berryville Development Company LLC - Owner

Description: Presented in Exhibit #1.

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

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
John O'Day
Jennifer Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 50. Seconded by Supervisor O'Day.
Motion carried.

ORDINANCE 51

51. From the Land Use Committee regarding Jay and Laura K. Menarek requesting rezoning from A-2 General Agricultural District to B-2 Community Business 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 #80-4-222-171-0010 located in the Northeast quarter of Section 17, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District to B-2 Community Business District. For informational purposes only, this property is located on the southwest corner of County Trunk Highway "E" (12th Street) and County Trunk Highway "H" (88th Avenue).

Jay and Laura K. Menarek - Owners

Description: That part of the Northeast $\frac{1}{4}$ of Section 17, Township 2 North, Range 22 East and part of Certified Survey Map No. 78 as recorded in the Kenosha County Register of Deeds Office on April 13, 1973 in Volume 896 of Records, Page 123, as Document No. 558771, all in the Town of Somers, Kenosha County, Wisconsin, described as follows: Begin at the northeast $\frac{1}{4}$ corner of said Section 17; run thence S01°06'53"E 291.70 feet along the East line of said Section 17 and the Centerline of C.T.H. "H"; thence S89°15'31"W 291.70 feet; thence N01°06'53"W 291.70 feet to the Northline of said Section 17 and the Centerline of C.T.H. "E"; thence N89°15'31"E 291.70 feet along said Northline and Centerline to the point of beginning. Containing 1.953 acres.

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

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
John O'Day
Jennifer Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 51. Seconded by Supervisor Jackson.

Roll call vote.

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

Abstain: Supervisor Molinaro.

Ayes: 25. Abstain: 1.

Motion carried.

ORDINANCE 52

52. From the Land Use Committee regarding Eugene and Elvira DeBartolo requesting rezoning from A-2 General Agricultural District and C-2 Upland Resource Conservancy District to R-1 Rural Residential District, R-2 Suburban Single-Family Residential District, C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy 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 #80-4-222-024-0020 located in the southeast quarter of Section 2, Township 2 North, Range 22 East, Town of Somers be changed from A-2 General Agricultural District and C-2 Upland Resource Conservancy District to R-1 Rural Residential District, R-2 Suburban Single-Family Residential District, C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District. For informational purposes only, this property is located on the south side of 4th Street (Corbett Road) approximately 0.4 miles east of the intersection of 49th Avenue.

Eugene and Elvira DeBartolo - Owners

Description: See exhibit #1 attached.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

John O'Day

Jennifer Jackson

Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 52. Seconded by Supervisor Roger Johnson.

Roll call vote.

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

Abstain: Supervisor Michel.

Ayes: 25. Abstain: 1

Motion carried.

ORDINANCE 53

53. From the Land Use Committee regarding Frank Gilson and Sheila Becker requesting rezoning from A-2 General Agricultural District and R-3 Urban Single-Family Residential District to R-2 Suburban Single-Family Residential 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 Tax Parcel #30-4-220-144-0200 located in the southeast quarter of Section 14, Township 2 North, Range 20 East, Town of Brighton be changed from A-2 General Agricultural District and R-3 Urban Single-Family Residential District to R-2 Suburban Single-Family Residential District. For informational purposes only, this property is located on the east side of County Trunk Highway "X" approximately 0.11 miles north of the intersection of 18th Street.

Frank Gilson and Sheila Becker - Owners

Description: Part of the southwest ¼ of the southeast ¼ of Section 14, Township 2 North, Range 20 East of the Fourth Principal Meridian, in the Township of Brighton, County of Kenosha, State of Wisconsin and being more particularly described as follows: Commence at the south ¼ corner of said Section 14; thence North 01°39'10" West along the west line of said southeast ¼ section 1324.37 feet (recorded as 1324.00 feet) to the place of beginning of this description; thence North 88°06'07" East 1326.50 feet to a found iron pipe; thence South 01°50'40" East 346.42 feet; thence South 88°08'20" West 1258.81 feet; thence North 12°55'40" West 234.90 feet; thence North 88°00'33" East 279.85 feet; thence North 01°59'27" West 66.00 feet; thence South 88°00'33" West 292.60 feet; thence North 12°55'40" West 50.00 feet to the place of beginning. Containing 9.83 acres of land more or less. Subject to rights of the public over the westerly 33 feet thereof for highway purposes (C.T.H. "X").

In addition, commence at the south ¼ corner of said Section 14; thence North 01°39'10" West along the west line of said southeast ¼ section 828.80 feet; thence North 88°08'20" East 98.73 feet to the place of beginning of this description; thence North 12°55'40" West 152.84 feet; thence North 88°08'20" East 1258.81 feet; thence South 01°50'40" East 315.00 feet to a found iron pipe; thence South 88°08'20" West 1034.57 feet; thence North 01°49'40" West 165.00 feet; thence South 88°08'20" West 194.90 feet to the place of beginning. Containing 8.20 acres of land more or less. Subject to rights of the public over the westerly 33 feet thereof for highway purposes (C.T.H. "X").

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

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
John O'Day
Jennifer Jackson
Roger Johnson
Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 53. Seconded by Supervisor Nudo.

Motion carried.

ORDINANCE 54

54. From the Land Use Committee regarding: Town of Bristol (Sponsor), Pearl L. Nelson (Owner) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, M-3 Mineral Extraction District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy 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 Tax Parcel #35-4-121-153-0100 located in the southwest quarter of Section 15, Township 1 North, Range 21 East, Town of Bristol be changed from A-1 Agricultural Preservation District, A-2 General Agricultural District, M-3 Mineral Extraction District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District and C-1 Lowland Resource Conservancy District. This rezoning is considered a map amendment to bring existing land uses into compliance with the County's zoning ordinance. For informational purposes only, this property is located on the west side of County Trunk Highway "MB" (160th Avenue) approximately ¼ mile north of the intersection of County Trunk Highway "C".

Pearl L. Nelson - Owner

Description: Presented in Exhibit #1.

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

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
John O'Day
Jennifer Jackson
Roger Johnson

Gabe Nudo

It was moved by Supervisor Ekornaas to adopt Ordinance 54. Seconded by Supervisor O'Day.

Motion carried.

Resolutions - one reading

RESOLUTION 93

93. From Judiciary & Law and Finance Committees regarding request to Transfer FCC Frequency License and Replace/Dispose of Radio Equipment.

WHEREAS, Kenosha County currently holds FCC Licenses for 3 frequencies in the 2.1 Ghz. Frequency range, and currently owns Microwave Transmitters, Base Stations, and channel banks with which to use those frequencies, and

WHEREAS, Cricket Communications, a Cellular Telephone Company, had put forward a Proposal between Kenosha County and Cricket Communications in which Kenosha County would relinquish those FCC Frequencies in the 2.1 Ghz. Range to Cricket Communications, and

WHEREAS, in return, Cricket Communications will provide Kenosha County with 3 FCC Licenses in the 2.4 GHZ. Range, and will provide Kenosha County with Microwave Transmitters, Base Stations, and Channel Banks for these new frequencies, using all new and Digital-Ready Equipment, and

WHEREAS, this will not diminish communications capability for the Kenosha Sheriff's Department, and will result in a needed upgrade to this radio equipment that would have been required even if this proposal was not put forward, at significant expense to the Taxpayers of Kenosha County, and

WHEREAS, Milwaukee 2-Way, Inc. is being paid by Cricket Communications to install the new equipment, all of which is being selected and approved by Milwaukee 2-way, Kenosha County Sheriff's Representatives, and Information Services' Personnel, and

WHEREAS, the agreement to entering into this proposal with Cricket Communications will be at no cost to the taxpayers of Kenosha County, nor will it increase the levy, or increase expenditures by Kenosha County or the Kenosha County Sheriff's Department,

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors authorize that Kenosha County enter into this Proposal with Cricket Communications, allow the 3-2.1 Ghz. FCC Licenses be transferred to Cricket Communications, accept the 3 new FCC Licenses in the 2.4 Ghz. Range, and allow the current Radio Equipment for the 2.1 Ghz. Frequencies be replaced at no cost with new equipment for the 2.4 Ghz. Frequencies, and allow the old radio equipment to be held in reserve until their replacement equipment is validated, and then be disposed of in the best interest of Kenosha County.

SUBMITTED BY:

Judiciary and Law Committee:
William Michel, II
David Arrington
Joseph Clark

Finance Committee
Robert Carbone
Mark Wisnefski
Anita Faraone
Joseph Clark
John O'Day

It was moved by Supervisor Michel to adopt Resolution 93. Seconded by Supervisor Arrington.

Motion carried.

RESOLUTION 94

94. From Finance Committee a Resolution Accepting a Wisconsin Community Development Block Grant- Emergency Assistance Program Award.

WHEREAS, the Kenosha County Board of Supervisors adopted Resolution No. 78 on November 20, 2007, authorizing the preparation and filing of a Wisconsin Community Development Block Grant - Emergency Assistance Program (CDBG-EAP)

application for the purpose of continuing the buyout of floodprone properties in the 100-year Floodplain of the Fox River in the Towns of Wheatland and Salem and the Village of Silver Lake; and

WHEREAS, Kenosha County was notified on December 20, 2007, that the Wisconsin Department of Commerce had approved the CDBG-EAP grant for Kenosha County; and

WHEREAS, Kenosha County will be providing funds for operating expenses, with the Department of Commerce reimbursing the County with 2007 CDBG-EAP funds as County funds are expended; and

WHEREAS, no property tax levy dollars will be used or budgeted for this grant program.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors does hereby accept the CDBG-EAP grant for Kenosha County in the amount of \$300,000 and authorizes the Kenosha County Executive and Kenosha County Clerk, on behalf of the County, to enter into a contractual agreement with the Wisconsin Department of Commerce for the purpose of securing these funds; and

BE IT FURTHER RESOLVED, that the Kenosha County Housing Authority, with the contracted services of the Southeastern Wisconsin Regional Planning Commission (SEWRPC), is designated as the County's administrative agent for the CDBG-EAP grant; and

BE IT FURTHER RESOLVED, that the County Director of Finance is authorized to establish the following revenue and expense accounts on the County books for the CDBG-EAP program:

240.77201.442331	2008 CDBG Revenue	\$300,000
240.77201.582130	Floodplain Acq/Relo/Demo	\$272,750
240.77201.529590	Administration	\$ 27,250

BE IT FURTHER RESOLVED, that the authorization to spend grant funds authorized by this resolution be carried over into future years to complete this project, with the grant funds to be disbursed in accordance with all Federal and State regulations of the program and in compliance with generally accepted accounting principals; and

BE IT FURTHER RESOLVED, that the accounts and balances for said Housing Authority accounts will continue to be maintained on Kenosha County's books.

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

SUBMITTED BY:

Finance Committee:

Robert Carbone

Mark Wisnefski

Anita Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Carbone to adopt Resolution 94. Seconded by Supervisor Wisnefski.

Roll call vote passed unanimously.

Resolutions - one reading

COMMUNICATIONS

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

Chairman Rose referred Communication 22 to Land Use.

CLAIMS

25. Wyndell C. Newell - mailbox damage.

Chairman Rose referred Claim 25 to Corporation Counsel.

It was moved by Supervisor Ekornaas to approve the January 8th, 2008 minutes. Seconded by Supervisor Faraone.

Motion carried.

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

Meeting adjourned at 8:05 P.M.

Prepared by: Edie LaMothe
Deputy

Submitted by: Edna R. Highland
County Clerk