

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
June 16th, 2009**

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

Present: Supervisors Grady, Zerban, Rose, Kessler, Huff, Hallmon, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Clark, Noble, West, Roger Johnson, Elverman, Ekornaas.

Excused: Supervisor Marks, Kubicki, Jackson, Breunig, Haas.
Present: 23. Absent: 5

There were no citizen comments

ANNOUNCEMENTS OF THE CHAIR

Chairman Clark announced he is contemplating having a committee chairman meeting next Tuesday, 7:00 at the County Building at Hwys 45 & 50. He will put an agenda out on Friday.

There were no supervisor reports

NEW BUSINESS

Ordinances - first reading, two required.

5. From Highway and Parks Committee to create an Ordinance on speed limits for County Trunk Highway "MB" from State Trunk Highway 50 to County Trunk Highway "K" in the City of Kenosha and Town of Bristol.

6. From Highway and Parks Committee to repeal and recreate an Ordinance on speed limits for County Trunk Highway "ML" from State Trunk Highway "165" to 0.10 miles southwesterly of its intersection with 47th Avenue, Village of Pleasant Prairie.

7. From Highway and Parks Committee to repeal an Ordinance on speed limits for County Trunk Highway "N" from County Trunk Highway "S" to its intersection with the West Frontage Road of I-94, Towns of Somers and Paris.

Ordinances - one reading.

ORDINANCE 8

8. From the Land Use Committee regarding Mark and Kristine Harger (Owners) requesting rezoning from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, C-2 Upland Resource Conservancy 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 #35-4-121-351-0400 located in the northeast quarter of Section 35, Township 1 North, Range 21 East, Town of Bristol be changed from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District. For informational purposes only, this property is located on the west side of County Trunk Highway "U" (136th Avenue) approximately ¼ mile south of the intersection of 116th Street.

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

SUBMITTED BY:

Land Use Committee

Fred Ekornaas

Gabe Nudo

Kimberly Breunig

Gordon West

Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 8. Seconded by Supervisor Morton.

Motion carried.

At this time, Chairman Clark handed the gavel over to Vice-chair Faraone.

ORDINANCE 9

9. From the Land Use Committee regarding Eric, Robert Jr., Karl and John Heilgeist, Gisela Heilgeist (Owners), Mills Enterprises LLC (Buyer/Agent)

requesting rezoning from A-2 General Agricultural District, R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-2 Suburban Single-Family Residential District, PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District, as well as a shoreland area refinement 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 Parcels #65-4-120-054-0320 and #65-4-120-054-0338 located in the southeast quarter of Section 5, Town of Salem be changed from A-2 General Agricultural District, R-2 Suburban Single-Family Residential District and C-1 Lowland Resource Conservancy District to A-2 General Agricultural District, R-2 Suburban Single-Family Residential District, PR-1 Park and Recreational District and C-1 Lowland Resource Conservancy District, as well as a shoreland area refinement. For informational purposes only, these properties are located on the north side of State Trunk Highway "50" (75th Street) immediately east of 284th Avenue and Salem Hills Subdivision.

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

SUBMITTED BY:

Land Use Committee
Fred Ekornaas
Gabe Nudo
Kimberly Breunig
Gordon West
Brian Morton

It was moved by Supervisor Ekornaas to adopt Ordinance 9. Seconded by Supervisor Nudo.

Roll call vote.

Ayes: Supervisors Grady, Zerban, Rose, Kessler, Huff, Hallmon, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Morton, Noble, West, Roger Johnson, Elverman, Ekornaas.

Nays: 0

Abstain: Supervisor Clark.

Ayes: 22. Nays: 0. Abstain: 1

Motion carried.

Vice-chair Faraone handed the gavel back to Chairman Clark.

Resolutions - one reading.

RESOLUTION 21

21. From the Finance Committee regarding 2010 Kenosha County Budget - Advisory Levy Objective.

Be it resolved, that the Kenosha County Board of Supervisors does hereby advise that the 2010 Kenosha County general purpose property tax levy shall increase in an amount of 3%, over the 2009 Kenosha County general purpose property tax levy. This levy objective shall apply to the operating levy, and the debt levy, in accord with Kenosha County Financial Policy Management Statement-Annual County Budget Advisory Levy Objective as approved by the County Board.

SUBMITTED BY:

Finance Committee
Anita Faraone
John O'Day
Terry Rose
David Singer
Mark Molinaro, Jr.

It was moved by Vice-chair Faraone to adopt Resolution 21. Seconded by Supervisor Singer.

It was moved by Supervisor Moore to amend Resolution 21 to remove 3% and replace with "not to exceed 2.5%". Seconded by Supervisor Elverman.

Roll call vote on amendment.

Ayes: Supervisors Grady, Huff, Michel, Moore, Molinaro, Morton, Noble, Elverman.

Nays: Supervisors Clark, Zerban, Kessler, Gentz, Modory, Faraone, Ronald Johnson, O'Day, Singer, Nudo, Ekornaas, West, Roger Johnson, Rose.

Abstain: Supervisor Hallmon.
Ayes: 8. Nays: 14. Abstain: 1.
Motion failed.

Roll call vote on Resolution 21.

Ayes: Supervisors Grady, Zerban, Rose, Kessler, Gentz, Modory, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Molinaro, Morton, Clark, Noble, West, Roger Johnson, Ekornaas.

Nays: Supervisors Huff, Moore, Elverman.

Abstain: Supervisor Hallmon.

Ayes: 19. Nays: 3. Abstain: 1.
Motion carried.

RESOLUTION 22

22. From Judiciary & Law and Finance Committees regarding I-94 Project Patrol Agreement between Wis DOT and KSD.

WHEREAS, the Wisconsin Department of Transportation (DOT) has offered an agreement to provide funding for the Kenosha Sheriff's Department to provide extra patrol on I94 in the Construction Zone during 2009 and 2010, and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department after an agreed upon reimbursement for labor costs of \$66,480.00 for 2009, and \$88,232.00 for 2010, and \$6,000.00 for communications expenses and supplies, and

WHEREAS, these funds will be used to reimburse the Department for 1 Deputy Sheriff and expenses incurred to provide extra patrol on I94 in the construction zone 7 days a week, 8 hours a day, for the periods of May 26, 2009 to Dec. 1st, 2009, and April 1st, 2010, to Dec. 1st, 2010 (Dates subject to change), and

WHEREAS, the Sheriff's Department will invoice the DOT Monthly representing the actual hours worked and any other authorized costs incurred, and

WHEREAS, this grant will not require any local match, and

WHEREAS, this budget modification will not require any additional tax levy dollars, but will result in a reduction in levy regarding the labor costs of this project as the Officer assigned will be a straight time posting to the construction zone, and

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the Agreement and that the revenue and expenditure line items be modified, as per the attached budget modification form and agreement, which are incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the funds are expended in accord with the Agreement requirements, and that the administration shall be authorized to modify the Agreement fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the Agreement and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by (\$160,712.00) and increases expenditures by \$6,000.00.

SUBMITTED BY:

Judiciary & Law Committee
William Michel
James Huff
Roger Johnson
Ronald Johnson

Finance Committee
Anita Faraone
John O'Day
Terry Rose
Mark Molinaro, Jr.
David Singer

It was moved by Supervisor Michael to adopt Resolution 22. Seconded by Vice-chair Faraone.

Roll call vote passed unanimously.

RESOLUTION 23

23. From Judiciary and Law Committee regarding Probationary Cabaret License for Bristol 45 Diner.

WHEREAS, the application of Glen Nelson for a probationary cabaret license for the Bristol 45 Diner, 8321 200th Avenue, Bristol, Wisconsin, in the Town of Bristol, was made during the month of September, was turned over to this office on September 22nd, 2008, and

WHEREAS, the establishment known as the Bristol 45 Diner was granted a Probationary Cabaret License per County Board Resolution on December 2nd, 2008, and

WHEREAS, the establishment known as the Bristol 45 Diner was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Glen Nelson, for the Bristol 45 Diner.

SUBMITTED BY:
Judiciary & Law Committee
William Michel
James Huff
Bob Haas
Roger Johnson
Ronald Johnson

It was moved by Supervisor Michael to adopt Resolution 23. Seconded by Supervisor Huff.
Motion carried.

RESOLUTION 24

24. From Judiciary and Law Committee regarding Probationary Cabaret License for Towne Square.

WHEREAS, the application of Richard Cordvan for a probationary cabaret license for the Towne Square, 11338 258th Court, Trevor, Wisconsin, in the Town of Salem, was made during the month of October, was turned over to this office on October 3rd, 2008, and

WHEREAS, the establishment known as the Towne Square was granted a Probationary Cabaret License per County Board Resolution on December 2nd, 2008, and

WHEREAS, the establishment known as the Towne Square was found to be in conformity with County Ordinance # 8.02 governing it's conduct for a probationary period of the last 6 months.

NOW, THEREFORE BE IT RESOLVED, that a regular cabaret license, in lieu of a probationary cabaret license, be granted to Richard Cordvan, for the Towne Square.

SUBMITTED BY:
Judiciary & Law Committee
William Michel
James Huff
Bob Haas
Roger Johnson
Ronald Johnson

It was moved by Supervisor Michel to adopt Resolution 24. Seconded by Supervisor Ron Johnson.
Motion carried.

RESOLUTION 25

25. From Judiciary and Law Committee regarding Activity Control License for Quiddity Entertainment/County Thunder USA.

WHEREAS, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application from Quiddity Entertainment, for an Activity Control License for Country Thunder USA, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, made during the month of May, 2009 and

WHEREAS, the Sheriff's Department has reviewed the documentation of the applicant, and

WHEREAS, an actual physical inspection of said property indicates that all items that could be, have been complied with pursuant to Chapter 8.01 of the Municipal Code of Kenosha County.

NOW, THEREFORE BE IT RESOLVED, by the Kenosha County Board of Supervisors that an Activity Control License for Country Thunder USA be granted to Quiddity Entertainment for the dates of July 15th, 2009 through July 18th, 2009.

SUBMITTED BY:

Judiciary & Law Committee

William Michel

James Huff

Bob Haas

Roger Johnson

Ronald Johnson

Supervisor Michel made a friendly amendment to Resolution 25 to replace Quiddity Entertainment/Country Thunder USA with County Thunder East LLC.

It was moved by Supervisor Michael to adopt Resolution 25 as amended. Seconded by Supervisor Roger Johnson. Motion carried.

RESOLUTION 26

26. From Finance Committee Resolution to approve the Appointment of Martin Lacock to the position of Director of the Division of Information Services.

WHEREAS, pursuant to County Executive Appointment #2009/10-1, the County Executive has appointed Martin Lacock to the position of Director of the Division of Information Services and;

WHEREAS, the Finance Committee has reviewed the County Executive's request for review and approval of his appointment of the above named to serve in this position 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 approve the appointment of Martin Lacock to the position of Director of the Division of Information Services immediately upon passage of this resolution. Mr. Lacock shall be placed in Range K of the Non-Represented Pay Plan at an annual salary of \$110,000.

SUBMITTED BY:

Finance Committee

Anita Faraone

John O'Day

Terry Rose

Mark Molinaro, Jr.

David Singer

It was moved by Vice-chair Faraone to adopt Resolution 26. Seconded by Supervisor Singer.

Motion carried.

COMMUNICATIONS

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

4. From Michael K. Higgins, City Clerk/Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Somers.

5. From Michael K. Higgins, City Clerk/Treasurer regarding Attachment and Temporary Zoning District Classification of Land in the Town of Bristol.

Chairman Clark referred Communications 3-5 to Land Use Committee.

CLAIMS

6. Mr. & Mrs. Michael Decaro - driveway damaged by snowplow.

Chairman Clark referred Claims 6 to Corporation Counsel.

It was moved by Supervisor Richard Kessler to approve the June 2, 2009 minutes. Seconded by Supervisor Rose.

Motion carried.

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

Meeting adjourned at 8:14 P.M.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk