

**MINUTES  
KENOSHA COUNTY  
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE  
Wednesday, October 12, 2022**

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, October 12, 2022 at 6:00 p.m. at the Kenosha County Center, 19600 75<sup>th</sup> Street, Bristol, Wisconsin.

Members Present: Chairman Aaron Karow, Vice Chairman Daniel Gaschke, Supervisors Brian Bashaw, John Franco, and John O'Day

Members Excused: Supervisors Andy Berg and Ed Kubicki

Other Supervisors in Attendance Gabe Nudo, Chairman of the Kenosha County Board and Supervisor Tim Stocker

Youth In Governance Representatives Present: Rebecca Ceisel and Kenzie Kuhagen

Also in Attendance Shelley Billingsley, Director of Public Works  
Andy M. Buehler, Director, Division of Planning and Development  
Jim Kupfer, DPW CFO  
Vijai Pandian, Horticulture Educator  
Tami Rongstad, Chief of Staff  
Chris Walton, Fiscal Analyst  
Christine Wen, Interim Area Extension Director  
April A. Webb, Recording Secretary

The meeting was called to order at 6:00 p.m. by Chairman Karow.

1. **Certification of Compliance with Wisconsin Open Meetings Law:** The committee certified that all requirements of the Wisconsin Open Meetings Law had been met.
2. Review and recommendation to the Finance Committee regarding the proposed 2023 UW-Extension budget(s)

Jim Kupfer, DPW CFO, and Christine Wen, Interim Area Extension Director, presented the proposed 2023 UW Extension budgets noting recent changes in staffing, an increase in the 2023 UW Madison contract, and a \$1,000 decrease in the office budget regarding mileage and travel for a total increase in Total Operating Expenses/Levy of \$4,970. As positions become vacant and filled, there will be adjustments in the billing for the 2022-2023 contracts, which is expected to be less than proposed, pending length of time the positions are left vacant and then filled again. The Area Extension Director, Community Development Educator, and Agriculture Educator positions are currently vacant. The Programs budget remains at \$35,300 plus carryover and is Non-Levy funding for self-supporting program areas of the office. The AfterSchool Program budget is level at \$12,600. As positions are filled, it is anticipated that programming for the AfterSchool Program is expected to become active again.

- Gaschke/Franco motion to **approve** the FY2023 UW Extension Division Budget(s) as presented. Passed unanimously by those committee members present including YIG.
3. Review and recommendation to the Finance Committee regarding the proposed 2023 Planning and Development budget(s)

Jim Kupfer, DPW CFO, and Andy Buehler, Director of Planning and Development, presented the proposed 2023 Planning and Development Division budgets. Total Operating budget is expected to increase 2023 consisting of Personnel annual/market increases, new building inspection program activity, and an increase in the SEWRPC contractual services agreement which is based on Equalized Assessed Value of Kenosha County properties shared between the various SE WI counties participating in the regional commission program. New revenue and expenses are proposed to take on building inspection services for the Towns of Brighton, Randall and Paris. An increase of \$10,000 for zoning permit revenues is anticipated based on past actuals forecast activity. We have been notified, by the State, of in an \$18,997 increase in Conservation State Aid. FY2023 there is no expected budget anticipated for the South Pike River Restoration Project for the Capital outlay/Projects Plan Budget. It is anticipated that funding will be required for 2024-25 timeframe. The board of Adjustments budget is proposed to be reduced by \$275 for 2023. The Tree Planting Program, Pre-Development and Land & Water Management budgets remain level.

- Gaschke/Franco motion to **approve** the FY2023 Planning and Development Budget(s) as presented. Passed unanimously by those committee members present including YIG.

Chairman Karow called for a brief recess prior to reconvening for the Public Hearing portion of this meeting.

After a brief recess, the Public Hearing was called to order at 7:00 p.m. in the Public Hearing Room (Recording #2 of 2).

Chairman Karow called for introductions of committee members, youth in governance, and staff.

4. **Review and Possible Approval** - Resolution Request to Approve the Appointment of Scott Grundy to Serve on the Kenosha County Land Information Council (1:27)

Mr. Grundy was in attendance to speak to this item.

- Bashaw/O'Day motion to **approve** and recommend to the Kenosha County Board of Supervisors the appointment of Scott Grundy to serve on the Kenosha County Land Information Council. Passed unanimously by those PDEEC members present, including YIG.
5. **Meyer Material Co. dba Lafarge Aggregates Illinois, Inc.**, 1300 S. Illinois Route 31, South Elgin, IL 60177 (Lessee), Herbert J. & Lillian A. Robers Revocable Trust, 233 Origen Street, Burlington, WI 53105 (Lessor), Roland and Bonnie Lou Denko, 3710 392nd Avenue, Burlington, WI 53105 (Lessor) & Raymond J. & Gloria M. Tenhagen, 3910 376th Avenue, Burlington, WI 53105 (Lessor), requesting a 2-year renewal of a **Conditional Use Permit** (originally approved on March 13, 1996) for a gravel pit in the

M-3 Mineral Extraction Dist. on the following Tax Parcels: #95-4-219-291-0100 (Robers), #95-4-219-291-0300 (Robers), #95-4-219-291-0400 (Robers), #95-4-219-292-0300 (Robers), #95-4-219-292-0200 (Denko), #95-4-219-293-0100 (Denko), #95-4-219-293-0200 (Denko), #95-4-219-293-0300 (Denko), #95-4-219-293-0400 (Denko) & #95-4-219-294-0100 (Tenhagen). Said parcels are located in the NE, NW, SE, and SW quarters of Section 29, T2N, R19E, Town of **Wheatland** (5:46)

Randi Willie, (agent) and Doug Averson, Lafarge Aggregates, were in attendance to speak to this item.

The following spoke in opposition of the application or noted their concerns with it:

Mike Dufern, 4101 376<sup>th</sup> Avenue  
Kelly Peyron, 32830 Karcher Road  
Valerie Paleka, 3837 376<sup>th</sup> Avenue  
Richard Wiersum, 38301 31<sup>st</sup> Street  
Terri Stevens, 4131 376<sup>th</sup> Avenue  
John Valek, 38111 31<sup>st</sup> Street  
Andrew Lois, Town Board Supervisor  
Kurt Anderson, 4475 376<sup>th</sup> Avenue  
Bonnie Whitworth, 38009 31<sup>st</sup> Street

- Gaschke/O'Day motion to **approve** and recommend to the Kenosha County Board of Supervisors the request of Meyer Material Co. dba Lafarge Aggregates Illinois, Inc. (Lessee), Herbert J. & Lillian A. Robers Revocable Trust (Lessee), et al for a Conditional Use Permit, subject to the following conditions: (1:44:24)
  1. Subject to the application and plans stamped received by the office of Planning and Development on June 13, 2022, including the mine operations summary report prepared by Patrick Engineering Inc. and dated May 23, 2022.
  2. The conditions presented in the original approval of the Mineral Extraction operation signed by Allen R. Miller on 3-13-96, and August 12, 1998 shall remain in effect except where altered in Task Order #7 signed by Allen Miller on August 9, 2004 and Task Orders #8 and #9 signed by Allen Miller on December 5, 2006 and Task Order #10 signed by Allen Miller on June 18, 2009 and Task Order #11 signed by Allen Miller on January 9, 2012 and Task Order #13 signed by Randi Wille on December 18, 2013 and Task Order #14 signed by Randi Wille on October 17, 2016 (Task Orders on file in Planning and Development).
  3. The following items listed in The Sigma Group's September 1, 2022 Semi-Annual Site Inspection report shall be addressed for compliance with the original conditional use permit approval:
    - a. Repave/repair the entrance to 392<sup>nd</sup> Avenue, provide an asphalt-paved road of at least 24 feet in width from the entrance of the property to the scale area, widen the entrance for trucks to park on a paved surface, and add a section of pavement between the truck scale exit and the parking lot to avoid tracking to comply with Condition 12 of the permit.

*Note: Lafarge indicates that repair of potholes will be completed by the end of October 2022, and the addition of a section of pavement between the truck scale exit and parking lot will be completed by the end of April 2023. Lafarge indicates the road is 25 feet in width.*

- b. Conduct refueling activities within the extraction area in accordance with Condition 17 of the permit.

*Note: Lafarge indicates that refueling will only be done on a concrete surface.*

- c. Abandoned trucks, debris, and other materials to be removed to comply with Condition 10 of the permit.

*Note: Lafarge has indicated this item will be corrected by the end of October 2022.*

- d. The eastern berm and roadway of the settling pond to be stabilized and erosion control measures implemented to prevent future drainage into the neighboring farm field to comply with Condition 7 of the permit.

*Note: Lafarge has indicated this item has been addressed.*

- e. To ensure compliance with Condition 6 of the permit, environmental corridor markers noted to be obscured or knocked down shall be placed in areas that are more visible to site operations. Environmental corridor markers shall be placed along the perimeter of the environmental area west of Cell 7. Tress and vegetation should be trimmed to allow environmental corridor markers to be visible to site operations.

*Note: Lafarge indicates that environmental corridor markers have been cleared of vegetation and placed/replaced per Sigma's report.*

4. Kenosha County will enter into a professional services contract with The Sigma Group, Inc. to perform bi-annual site surveillance visits in accordance with the originally approved Conditional Use Permit and any subsequent as amendments thereto, the cost of which is to be paid by Lafarge.
5. Any substantial change or expansion of the submitted plan of operation, i.e., new buildings, hours of operation and/or change in use, shall require the petitioner to reapply for a Conditional Use Permit to the Planning, Development & Extension Education Committee for its review and approval.
6. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.

Passed unanimously by those PDEEC members present, including YIG.

Bashaw/Gaschke to vote on item 6, which requires a roll call vote, and then 7 & 8 together. Passed unanimously by those PDEEC members present, including YIG. (1:46:57)

6. **Daniel H. & Julie P. Robers**, 333 Dardis Dr., Burlington, WI 53105 (Owner), Meyer Material Co. dba Lafarge Aggregates Illinois, Inc., 1300 S. Illinois Route 31, South Elgin, IL 60177 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from “Farmland Protection” and “Isolated Natural Resource Area” to “Extractive”, “Farmland Protection” and “Isolated Natural Resource Area” on Tax Parcel #95-4-219-291-0100, located in the NE ¼ of Section 29, T2N, R19E, Town of **Wheatland** (1:48:34)

Randi Willie, (agent) and Doug Averson, Lafarge Aggregates, were in attendance to speak to this item.

Note – At the Wheatland Town Board meeting a motion to approve did not receive a second and no other action took place on this item.

The following spoke in opposition of the application(s) or noted their concerns:

Andrew Lois and Kelly Wilson, Town Board Supervisors, confirmed what took place at the Town Board meeting regarding the issue that there was no Town recommendation for these items

Thomas Camille, Jr., Attorney for Ms. Whitworth

Kim Murphy 38111 31<sup>st</sup> Street

Kurt Anderson, 4475 376<sup>th</sup> Avenue

John Valek, 38111 31<sup>st</sup> Street

Jeff Koenen, 3606 376<sup>th</sup> Avenue

Supervisor Bashaw read a letter into the record he had received from the Singleton’s, property owners at 3525 376<sup>th</sup> Avenue

Richard Wiersum, 38301 31<sup>st</sup> Street

Paul Schneider, 35805 376<sup>th</sup> Avenue

Kelly Peyron, 32830 Karcher Road

Additionally, Supervisor Bashaw read a letter he had received into the record from a property owner that was not available to attend the meeting this evening - Brett Singleton, 3525 376<sup>th</sup> Avenue (2:49:31)

- Bashaw/Gaschke motion to **delay** approval of items 6, 7 and 8 related to the extension of operations ~~for a period of 90 days~~ to the January 2023 PDEEC meeting. During this delay, we request that the Town of Wheaton appropriately address the questions and concerns of its residents and provide a clear recommendation, representative of the residents and communities intentions. The Kenosha County Planning and Development committee will address this request at a later date, hopefully with recommendation from the Town Board. Additionally, this brief delay will allow LaFarge and its business components to develop and present any plan modifications which will address concerns related to mining activities.(3:44:06)

7. **Daniel H. & Julie P. Robers**, 333 Dardis Dr., Burlington, WI 53105 (Owner), Meyer Material Co. dba Lafarge Aggregates Illinois, Inc., 1300 S. Illinois Route 31, South Elgin, IL 60177 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & C-2 Upland Resource Conservancy Dist. to M-3 Mineral Extraction Dist., A-1 Agricultural Preservation Dist. & C-2 Upland Resource Conservancy Dist. on Tax Parcel #95-4-219-291-0100, located in the NE ¼ of Section 29, T2N, R19E, Town of **Wheatland** (1:48:34)

Randi Willie, (agent) and Doug Averson, Lafarge Aggregates, were in attendance to speak to this item.

Note – The Wheatland Town Board tabled this request with no recommendation to the PDEEC.

- Bashaw/Gaschke motion to **delay** approval of items 6, 7 and 8 related to the extension of operations ~~for a period of 90 days~~ to the January 2023 PDEEC meeting. During this delay, we request that the Town of Wheaton appropriately address the questions and concerns of its residents and provide a clear recommendation, representative of the residents and communities intentions. The Kenosha County Planning and Development committee will address this request at a later date, hopefully with recommendation from the Town Board. Additionally, this brief delay will allow LaFarge and its business components to develop and present any plan modifications which will address concerns related to mining activities. (3:44:06)

8. **Meyer Material Co. dba Lafarge Aggregates Illinois, Inc.**, 1300 S. Illinois Route 31, South Elgin, IL 60177 (Lessee), Daniel H. & Julie P. Robers, 333 Dardis Dr., Burlington, WI 53105 (Lessor), requesting an amendment of a **Conditional Use Permit** (originally approved on March 13, 1996) to allow an expansion of a gravel pit in the M-3 Mineral Extraction Dist. on Tax Parcel #95-4-219-291-0100, located in the NE ¼ of Section 29, T2N, R19E, Town of **Wheatland** (1:48:34)

Randi Willie, (agent) and Doug Averson, Lafarge Aggregates, were in attendance to speak to this item.

Note – The Wheatland Town Board tabled this request with no recommendation to the PDEEC.

- Bashaw/Gaschke motion to **delay** approval of items 6, 7 and 8 related to the extension of operations ~~for a period of 90 days~~ to the January 2023 PDEEC meeting. During this delay, we request that the Town of Wheaton appropriately address the questions and concerns of its residents and provide a clear recommendation, representative of the residents and communities intentions. The Kenosha County Planning and Development committee will address this request at a later date, hopefully with recommendation from the Town Board. Additionally, this brief delay will allow LaFarge and its business components to develop and present any plan modifications which will address concerns related to mining activities. (3:44:06)

8. **Remains Tabled - Tabled Request of Kendall Developments Inc**, PO Box 37, Spring Grove, IL 60081 (Owner), Kenneth Kendall, PO Box 37, Spring Grove, IL 60081 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035**

**(map 65 of the comprehensive plan)** from “Agricultural and Rural-Density Residential” and “Non-Farmed Wetland” to “Agricultural and Rural-Density Residential”, “Suburban-Density Residential” and “Non-Farmed Wetland” on Tax Parcel #60-4-119-343-0231, located in the SW ¼ of Section 34, T1N, R19E, Town of **Randall**.

9. **Remains Tabled - Tabled Request of Kendall Developments Inc**, PO Box 37, Spring Grove, IL 60081 (Owner), Kenneth Kendall, PO Box 37, Spring Grove, IL 60081 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist. & C-2 Upland Resource Conservancy Dist. to A-2 General Agricultural Dist., R-2 Suburban Single-Family Residential Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #60-4-119-343-0231, located in the SW ¼ of Section 34, T1N, R19E, Town of **Randall**.
10. **Remains Tabled - Tabled Request of Kendall Developments Inc**, PO Box 37, Spring Grove, IL 60081 (Owner), Kenneth Kendall, PO Box 37, Spring Grove, IL 60081 (Agent), requesting a **Preliminary Plat** of Orchard Hill Estates on Tax Parcel #60-4-119-343-0231, located in the SW ¼ of Section 34, T1N, R19E, Town of **Randall**.
11. **Review and approval of ordinance amendments** to the text of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance. The proposed text changes will create a Solar Energy Systems ordinance compliant with Section 66.0401 & 66.0403 of the Wisconsin State Statutes (3:45:02)

Division Director Buehler presented this item.

- O’Day/Gaschke motion to **approve** and recommend to the Kenosha County Board of Supervisors the ordinance amendments to the text of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance regarding Solar Energy Systems. Passed unanimously by those PDEEC members present, including YIG.

12. **Approval of Minutes**

- Karow/Gaschke motion to approve the minutes as presented of the September 14, 2022 Planning, Development and Extension Education Committee meeting. Passed unanimously by those PDEEC members present.

13. **Citizen Comments - None**

14. **Any Other Business Allowed By Law** – Planning Director Buehler noted three items for one applicant have been received for the November 9, 2022 meeting agenda and the item that were delayed or remain tabled from this evening will be placed on that agenda as well.

15. **Adjournment**

- O’Day/Bashaw motion to adjourn the meeting. Passed unanimously by those PDEEC members present. The meeting was adjourned at 10:55 p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, November 9, 2022.