

KENOSHA COUNTY BOARD OF SUPERVISORS

COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING

March 20, 2007

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

Excused: Supervisors Carbone, Arrington.

Present: 26. Excused: 2.

CITIZEN COMMENTS

Carol Fischer 1033 29th Ave., Town of Somers Chairperson, spoke regarding Somers Market Center. It will be one of the premier shopping centers in all of Southeastern Wisconsin. The center will bring in about 1.2 million dollars in tax revenue to Kenosha County. Approximately 650,000 dollars will go to Unified Schools, roughly 250,000 dollars will go to the general county fund and around 200,000 dollars will go to the Utility District and the Town of Somers general fund. That doesn't count the sales tax revenue that will come from this shopping center. They have worked extensively with landscape architects and this will be one of the most heavily landscaped shopping centers in all of Southeastern Wisconsin. They put great amount of expense and time into this project and it's not about one anchor store, but about the future of the Town, the future of the County and it will be a benefit to all of us.

Matthew Sinnen, 3190 100th Avenue, Somers spoke against the proposed rezoning for the Somers Market Place LLC. He does not understand how this proposed rezone of the site in question can move forward without the approval and consent of the Department of Natural Resources. Item no. 9 of the conditional use permit states the developer can not turn ground until the letter is received which either approves or denies mitigation. He asked the board to table the developers request for rezone until Dr. John D. Richards' letter is submitted to the Department of Natural Resources.

Adrienne Roach, Mukwanago, was just hired to the Wisconsin League of Conservation Voters in the Kenosha-Racine area. She would like to someday move to a place that has some sort of environmental value. She does not think it would be harmful to wait and see what the environmental survey has to offer.

Leah Blough, 8355 57th Avenue, spoke against the rezoning that Somers Market LLC has applied for. It has come to her attention that this development is Wal-Mart. There are many small business in the City of Kenosha that are going to be in direct competition with Wal-Mart for products and services.

Jill Sopa, Town of Paris voiced some concerns regarding the environment, water supply and air quality of the Town of Paris because of Waste Management and their proposed landfill expansion. For this landfill expansion, a variance has been placed on her private well without her consent and recorded on her deed. Waste Management has applied with the DNR for approval of RD&D which is adding other liquids or sludges that come off of the landfill. Right now 75% of the garbage comes from Illinois. She has found out if the expansion

is granted, the line of waste will be as close as 350 feet away from a private houses and private wells.

CHAIRMAN ANNOUNCEMENTS

Chairman Rose stated that Gordon West, 23rd District Supervisor has submitted his resignation as the county's representative on the Kemper Center Board of Directors and in his place Chairman Rose appointed Judy Rossow, 2nd District Supervisor, she has agreed to serve on the board.

SUPERVISOR REPORTS

Supervisor Elverman stated this evening the board will be voting on the Labor Agreement for Local 1392. He also stated that even though the current system has saved us numerous dollars it is prudent to put out RFP for the Health Care. The responses will be due August 1st and they will have something for the County Board to look at in April.

Supervisor Breunig stated over the last two months they have received some donations for the Pringle Nature Center which includes a \$500 donation from American Express Company, Fortune Brands in Deerfield, IL has given a \$400 donation and the Town of Bristol has budgeted an annual donation of \$1500.

Supervisor Molinaro stated he calls Mr. Melchor almost monthly to get an update on where the landfill process is at. He keeps hearing that they're talking about modifications to what their original plan was, and bringing in some additional material that they intend to spread over the landfill etc. He asks through the chair if there could be more of an effort to put some sort of pressure on the Town of Paris to keep the board up to speed on what they're doing.

Supervisor Ekornaas stated up until recently the expansion matter has been lying in limbo and was just told by Mr. Melchor that there has been a renewed effort to get together with Paris and Waste Management.

Supervisor Noble reported the current bike path which will link up to Parkside is still on schedule and will be bid out in May with construction to begin this year. He also stated they are applying for a hazardous elimination project for the intersection of Hwys Y and A. A local road improvement project on Hwy S, from Hwy N to almost Hwy 31 will be done this summer. The DOT is doing a rehab project on the three bridges on Hwy 50 between Hwys 31 & H this summer which means from mid June to mid August Hwy 50 will be down to one lane in both directions. Alternate routes will be posted. Hwy 32, from 16th Street to 9th Street will be scheduled for rebuilding this year. Pets is open for golf, Brighton Dale is planned to open on Friday.

COUNTY EXECUTIVE APPOINTMENTS

34. Dr. Mary K. Mainland to serve on the Kenosha County Traffic Safety Commission.

Chairman Rose referred County Executive Appointment 34 to the Judiciary & Law Committee.

NEW BUSINESS

Ordinances - one reading.

ORDINANCE 44

44. From the Land Use Committee regarding Somers Market Center LLC (Owner), Nathan Bryant, P.E., Bradford Real Estate Companies (Agent) requesting rezoning from A-1 Agricultural Preservation District, A-2 General Agricultural District, A-4 Agricultural Land Holding District and M-2 Heavy Manufacturing District to B-4

Planned Business District and C-1 Lowland Resource Conservancy District with a (PUD) Planned Unit Development Overlay in the Town of Somers.

It was moved by Supervisor Ekornaas to adopt Ordinance 44. Seconded by Supervisor O'Day.

It was moved by Supervisor Jackson to table Ordinance 44. Seconded by Supervisor Marrelli.

Roll call vote.

Ayes: Supervisors Grady, Marrelli, Jackson, Noble, West, Hass.

Nays: Supervisors Rose, Rossow, Kessler, Huff, Kubicki, Booth, Faraone, Ron Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Clark, Roger Johnson, Breunig, Elverman, Ekornaas.

Ayes: 6. Nays: 20

Motion failed.

It was moved by Supervisor Wisnefski to close debate. Seconded by Supervisor O'Day.

Roll call vote.

Ayes: Supervisors Grady, Rossow, Kessler, Kubicki, Ron Johnson, Michel, O'Day, Singer, Nudo, Wisnefski, West, Roger Johnson, Breunig, Hass, Ekornaas.

Nays: Supervisors Rose, Huff, Marrelli, Booth, Faraone, Moore, Molinaro Jackson, Clark, Noble, Elverman.

Ayes: 15 Nays: 11

Motion failed.

It was moved by Supervisor Noble to refer Ordinance 44 back to Committee. Seconded by Supervisor Jackson.

Roll call vote.

Ayes: Supervisors Grady, Marrelli, Jackson, Noble.

Nays: Supervisors Rossow, Rose, Kessler, Huff, Kubicki, Booth, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Wisnefski, Clark, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Ayes: 22. Nays: 4.

Motion failed.

It was moved by Supervisor Clark to close debate. Seconded by Supervisor Wisnefski.

Roll call vote.

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

Nays: Supervisors Rose, Huff, Molinaro, Jackson.

Ayes: 22. Nays: 4.

Motion carried

Roll call vote for Ordinance 44.

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

Nays: Supervisors Marrelli, Jackson, Noble.

Ayes: 23. Nays: 3

Motion carried.

ORDINANCE 45

45. From the Land Use Committee regarding Thomas J. and Patricia B. Lockhart requesting rezoning from A-1 Agricultural Preservation District to A-2 General Agricultural District in the Town of Somers.

It was moved by Supervisor Ekornaas to adopt Ordinance 45. Seconded by Supervisor Jackson.

Motion carried.

ORDINANCE 46

46. From the Land Use Committee regarding Kenosha County Land Use Committee (Sponsor), Kenosha County (Owner) requesting rezoning from A-1 Agricultural Preservation District and C-1 Lowland Resource Conservancy District to I-1 Institutional District and C-1 Lowland Resource Conservancy District. In addition, rezoning from I-1 Institutional District to C-1 Lowland Resource Conservancy District and from C-1 Lowland Resource Conservancy District to I-1 Institutional District to reflect actual field conditions in the Town of Bristol.

It was moved by Supervisor Ekornaas to adopt Ordinance 46. Seconded by Supervisor Jackson.

Roll call vote passed unanimously.

ORDINANCE 47

47. From the Land Use Committee regarding Mills Enterprises LLC and Berwick Properties, Inc. requesting rezoning from A-2 General Agricultural District and R-2 Suburban Single-Family Residential District to A-2 General Agricultural District, C-1 Lowland Resource Conservancy District, R-3 Urban Single-Family Residential District, R-8 Urban Two-Family Residential District and R-9 Multiple-Family Residential District, PR-1 Park and Recreational District with a Planned Unit Development Overlay (PUD) in the Town of Bristol.

It was moved by Supervisor Ekornaas to adopt Ordinance 47. Seconded by Supervisor Roger Johnson.

Roll call vote.

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

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.

Motion carried.

ORDINANCE 48

48. Berwick Properties, Inc. requesting a rezoning from A-2 General Agricultural District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District to R-3 Urban Single-Family Residential District, C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District in the Town of Salem.

It was moved by Supervisor Ekornaas to adopt Ordinance 47. Seconded by Supervisor Nudo.

Roll call vote.

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

Abstain: Supervisor Clark.

Ayes: 25. Nays: 0. Abstain: 1.

Motion carried.

Resolution - one reading.

RESOLUTION 103

103. From Chairman Rose a Resolution urging Congress to Amend Federal Law to allow Federal Financial Participation in Providing Medical Benefits to Incarcerated Individuals Until Convicted and Sentenced to Secure Detention.

Chairman Rose referred Resolution 103 to the Legislative and Judiciary and Law Committees

RESOLUTION 104

104. From Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between Kenosha County and AFSCME Local 1392 Institution Employees.

It was moved by Supervisor Elverman to adopt Resolution 104. Seconded by Supervisor Wisnefski.

Motion carried.

RESOLUTION 105

105. From Extension Education, Judiciary & Law and Legislative Committees a Resolution for Youth In Governance Project.

It was moved by Supervisor Molinaro to adopt Resolution 105. Seconded by Supervisor Marrelli.

Roll call vote.

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

Abstain: Supervisor Booth.

Ayes: 25. Nays: 0. Abstain: 1

Motion carried.

RESOLUTION 106

106. From the Finance Committee a Resolution for the Appointment of Kris LeMay to the Kenosha County Library Committee.

It was moved by Supervisor Wisnefski to adopt Resolution 106. Seconded by Supervisor Faraone.

Motion carried.

RESOLUTION 107

107. From the Highway & Parks Committee a Resolution for the Kenosha County Public Snowmobile Trail.

It was moved by Supervisor Noble to adopt Resolution 107. Seconded by Supervisor Grady.

Motion carried.

RESOLUTION 108

108. From the Highway & Parks Committee a Resolution requiring Highway Railroad grade crossing repair at Canadian Pacific Railway Crossing on County Trunk Highway "L" in the Town of Somers.

It was moved by Supervisor Noble to adopt Resolution 108. Seconded by Supervisor Haas.

Motion carried.

RESOLUTION 109

109. From the Human Services Committee Dissolution of the Long Term Care Council and the Resource Center Board and replacement of both by the creation of an Aging and Disability Resource Center Board.

It was moved by Supervisor Rossow to adopt Resolution 109. Seconded by Supervisor Kubicki.

Motion carried.

RESOLUTION 110

110. From the Human Services and Finance Committees a Resolution to modify the Department of Human Services 2007 Budget for the Comprehensive Community Services Quality Improvement Grant.

It was moved by Supervisor Rossow to adopt Resolution 110. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

RESOLUTION 111

111. From the Judiciary & Law and Finance Committees Kenosha County PreTrial Intensive Supervision Program X.

It was moved by Supervisor Michel to adopt Resolution 111. Seconded by Supervisor Booth.

Roll call vote passed unanimously.

RESOLUTION 112

112. From the Land Use Committee Final Plat of Creekside Cove Subdivision (formerly known as Creekside Crossing Subdivision), Modern Homes, Inc. (Developer) in the Town of Salem.

It was moved by Supervisor Ekornaas to adopt Resolution 112. Seconded by Supervisor O'Day.

Motion carried.

RESOLUTION 113

113. From the Land Use Committee Final Plat of Heritage Estates Subdivision, Stafford Residential LLC (Developer) in the Town of Salem.

It was moved by Supervisor Ekornaas to adopt Resolution 113. Seconded by Supervisor Jackson.

Motion carried.

COMMUNICATIONS

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

CLAIMS

- 35. Charlene Shirley Cortes - Injured while in custody.
- 36. Richard Kivisto - Car damaged by large pile of salt in road
- 37. Anthony and Tracy Hameau - Personal injury.
- 38. Charlene Shirley Cortes - Personal injury.
- 39. Diana Weiss - Car damaged by snow from County Plow.
- 40. Brandon Badham - Injured at a Kenosha Unified School.
- 41. Rachel Badham - Damage claim for child's injury at a Kenosha Unified School.
- 42. William Daymo - Injuries to mother at Brookside Care Center

Chairman Rose referred Claims 35 thru 42 to Corporation Counsel.

It was moved by Supervisor West to approve the February 27, 2007 minutes. Seconded by Supervisor Michel

Motion carried.

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

Motion carried.

Meeting adjourned at 9:26 P.M.

Prepared by: Edie LaMothe
Deputy Clerk
Submitted by: Edna R. Highland
County Clerk